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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. LINCOLN DAVIS of Tennessee).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 25, 2007.

I hereby appoint the Honorable LINCOLN DAVIS 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 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

RECESS

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

Accordingly (at 12 o'clock and 32 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LINCOLN DAVIS of Tennessee) at 2 p.m.

PRAYER

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

Lord God, eternal judge of all, when the mighty Sampson was brought into the temple of the Philistines to be made sport of, they placed him between two pillars. Sampson called on You, Lord. He said, ''Remember me, O Lord God, remember me. Give me strength just one more time, O God. Let me with one strike avenge those who took sight from my eyes.'' He pushed his mighty arms against the two supporting pillars and the whole place came tumbling down.

As of old, Lord, give strength to Members of Congress and the people of this Nation; that Your judgment may reign and bring about unity and peace.

May Your truth remember us and recall our best selves. Pressing against the pillars of lies from others and self-deception, may faith and moral integrity triumph over evil within and around us both now and forever. 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 Louisiana (Mr. BOUSTANY) come forward and lead the House in the Pledge of Allegiance.

Mr. BOUSTANY 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 and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 1099. An act to amend chapter 89 of title 5, United States Code, to make individuals employed by the Roosevelt Campobello International Park Commission eligible to obtain Federal health insurance.

S. Con. Res. 40. Concurrent resolution supporting the goals and ideals of observing the National Day of Human Trafficking Awareness on January 11 of each year to raise awareness of and opposition to human trafficking.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

ROBERT E. COYLE UNITED STATES COURTHOUSE

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 801) to designate a United States courthouse located in Fresno, California, as the ''Robert E. Coyle United States Courthouse''.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 801

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

Printed on recycled paper.

SECTION 1. DESIGNATION.

The United States courthouse bordered by O Street, P Street, Tulare Street, and Capitol Street in Fresno, California, shall be known and designated as the ''Robert E. Coyle United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the ''Robert E. Coyle United States Courthouse''.

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

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include extraneous material on S. 801.

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

There was no objection.

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

S. 801 is a bill to designate the United States Courthouse bordered by O Street, P Street, Tulare Street and Capitol Street in Fresno, California, as the Robert E. Coyle United States Courthouse.

Judge Coyle recently retired from Federal service, was appointed to the U.S. District Court, Eastern District of California, in 1982. He has served on the bench for 25 years, including 6 years as chief judge.

Judge Coyle is a native Californian. He was born in Fresno in 1930, graduated from Fresno State College in 1953 and from the University of California, Hastings College of Law in 1956. Judge Coyle's career includes time as Fresno County Deputy District Attorney.

He is a member of numerous associations, including the American Bar Association, American Board of Trial Advocates, State Bar of California, and the Fresno County Legal Services. He is a trusted mentor and a highly respected member of the ninth circuit.

Judge Coyle has devoted his public career to the citizens of California's central valley and was instrumental in supporting the construction of the courthouse. It is both fitting and appropriate to honor his legacy with this designation.

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

□ 1415

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

S. 801 designates the United States Courthouse located in Fresno, California, as the Robert E. Coyle United States Courthouse. The bill honors Judge Coyle's dedication to public service.

After earning his law degree from the University of California, Hastings College of Law in 1956, Judge Coyle worked for Fresno county as a Deputy District Attorney. He then entered private practice in 1958, where he remained until his appointment to the Federal bench.

In 1982, Judge Coyle was appointed to the U.S. District Court for the Eastern District of California by President Ronald Reagan. He served as chief judge from 1990 to 1996, and assumed senior status on May 13, 1996.

I support this legislation, and encourage my colleagues to do the same.

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

Mr. OBERSTAR. Mr. Speaker, I rise today in support of S. 801, a bill to designate the United States Courthouse located at 2500 Tulare Street in Fresno, California, as the ''Robert E. Coyle United States Courthouse''. The bill was introduced by Senator BOXER, Chairwoman of the Committee on Environment and Public Works of the U.S. Senate.

Judge Coyle was born in Fresno, California, in 1930. In 1953, he graduated from Fresno State College and received his law degree from Hastings College of Law in 1956.

From 1956 until 1958, Judge Coyle was Deputy District Attorney for Fresno County. From 1958 until 1982, he was a lawyer in a private practice. He was appointed to the Federal bench in 1982, and served as the Chief Judge for the Eastern District of California from 1990 to 1996. In 2006, he retired as a Senior Judge.

Judge Coyle is a dedicated jurist and active in many professional organizations, including the Fresno County Legal Services, President of the Fresno Bar Association, Vice President of the California State Bar Association, and a faculty member at the Hastings College of Law. Judge Coyle has a particular connection to the Subcommittee on Economic Development, Public Buildings, and Emergency Management through his work with the courts on development of the Design Guide for construction of U.S. courthouses.

It is fitting and proper that we honor Judge Coyle's prestigious and outstanding career by designating the United States Courthouse in Fresno, California, as the ''Robert E. Coyle United States Courthouse''. I support S. 801 and urge its passage.

Ms. NORTON. I have no additional speakers.

Mr. BOUSTANY. We have no further speakers on our side either. I urge passage of this bill.

I yield back the balance of my time.

Ms. NORTON. I urge passage, and yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the Senate bill, S. 801.

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

A motion to reconsider was laid on the table.

RECOGNIZING THE RECREATIONAL BOATING COMMUNITY AND THE BOATING INDUSTRY OF THE UNITED STATES

Ms. NORTON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 505) recognizing the innumerable contributions of the recreational boating community and the boating industry to the continuing prosperity and affluence of the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 505

Whereas the boating community in the United States includes over 73,000,000 individuals, generates more than $39,000,000,000 annually in the United States economy, and provides jobs for 380,000 citizens of the United States;

Whereas boaters often serve as stewards of the marine environment of the United States, educating future generations of the value of these resources, and preserving such resources for such generations' enjoyment;

Whereas there are approximately 1,400 active boat builders in the United States, using materials and services contributed from all 50 States;

Whereas boating, as an activity, provides opportunities for families to be together, appeals to all age groups, and has a beneficial effect on the physical fitness and scholastic performance of those who participate; and

Whereas, July 1, 2007, would be an appropriate day to establish as National Boating Day: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the recreational boating community and the boating industry of the United States should be commended for their innumerable contributions to the economy of the United States, the well-being of United States citizens, and responsible environmental stewardship of the marine resources of the United States; and

(2) the President should issue a proclamation calling on the people of the United States to observe National Boating Day with appropriate programs and activities.

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

The Chair recognizes the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Speaker, I rise today in support of H. Res. 505, which recognizes the contributions made by recreational boating community to our national economy, and calls on the President to issue a proclamation to observe National Boating Day.

There are now more than 13 million recreational boats registered in the United States. These boats support some 380,000 jobs in the U.S. and generate an estimated $39 billion to the U.S. economy. They depend on 12,000 marinas across the waterways of the United States for essential services.

Impressive as they are, however, these numbers do not begin to reveal the many contributions that boating makes to recreational life in the United States.

Boating offers people the chance to catch up with family and friends while watching the world float by, to introduce their children to the natural environment, and to slow down and enjoy a relaxing weekend on a vacation away from home.

Perhaps not surprisingly, a survey conducted by the National Marine Manufacturers Association found that boating was among the top three stress-relieving activities among survey respondents.

Recreational boating is also far more accessible than many may assume. More than 90 percent of Americans live less than an hour's drive from a body of water on which recreational boating can be undertaken.

Because of boating's importance to our Nation, the United States already observes many days to honor different aspects of the boating industry. For example, on August 11, the United States will observe National Marina Day. During the week prior to Memorial Day, we observe National Safe Boating Week, intended to remind boaters of the need to practice safe boating habits and to use personal flotation devices while on the water.

The message of National Safe Boating Week bears repeating. In 2005, nearly 5,000 boating accidents resulted in just under 3,500 injuries and nearly 700 deaths, the vast majority of which were caused by accidental drowning that could have been prevented if those who fell in the water had been wearing life jackets.

H. Res. 505 now calls on the President to set aside a day specifically to honor recreational boating and the boating industry. I believe such recognition is due to the pastime of boating, and I commend the gentleman from Florida (Mr. KLEIN) for introducing this resolution and supporting a wonderful activity in our country.

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

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

Mr. Speaker, House Resolution 505 recognizes and commends the recreational boating community and the boating industry for their contributions to the economy of the United States, the well-being of the United States citizens, and responsible environmental stewardship of the marine resources of the United States.

There are more than 73 million individuals that make up the recreational boating community in the United States. This important industry generates more than $39 billion annually in the United States economy, and provides jobs for 380,000 citizens of the United States.

While the industry and the community are important parts of our national economy, these individuals also play an important role in conserving our natural resources for future generations' enjoyment. Recreational boaters act as stewards of the marine environment of the United States and take lead and hands-on roles in educating future generations of the value of these resources.

The legislation also encourages the President to mark the importance of the recreational boating community and industries by establishing July 1 as National Boating Day. It is fitting that we consider this resolution so closely to the Fourth of July, when tens of thousands will be enjoying our Nation's inland and coastal waters aboard recreational vessels.

I commend the resolution's sponsor, Mr. KLEIN of Florida, and all the measure's cosponsors for introducing the legislation, and I join them in urging all Members to support the resolution.

Mr. Speaker, I have no further speakers, I urge passage of the resolution, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I am pleased to yield to the gentlelady from Florida (Ms. WASSERMAN SCHULTZ) such time as she may consume.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in support of House Resolution 505, to highlight the important contribution of the recreational boating community and the boating industry to our way of life, and to call upon the President to issue a proclamation asking the American people to observe National Boating Day.

As a Representative of Florida's 20th Congressional District, I can attest to the important contribution recreational boating and the boating industry has had upon South Florida's economy and quality of life. The marine industry is responsible for more than $18 billion of revenues and 220,000 jobs in Florida.

Recreational boating is integral to the way of life in Florida. From fishing to snorkeling to scuba driving in our beautiful coral reefs, or simply taking a scenic cruise through Florida's intracoastal waterways, recreational boating and South Florida go hand in hand.

In fact, recreational boating is such an important part of Ft. Lauderdale that the city has earned the well-deserved nickname, the ''Venice of America.''

But the contributions of the recreational boating community go far beyond my home State. The boating population exceeds 73 million individuals utilizing and enjoying an estimated 18 million recreational watercraft. In addition, the recreational boating industry provides more than $39 billion in sales and services to the U.S. economy, and provides nearly 380,000 manufacturing jobs.

Boating helps to bring us closer to the wonders of nature, and it helps us to appreciate the need to be goods stewards of our natural resources.

It's no surprise that boaters often are some of our most ardent conservationists, because they see firsthand the importance of protecting our fragile ecosystem for generations to come.

It's for these reasons that I rise in support of H. Res. 505, recognizing the contributions of the recreational boating community and the boating industry to the continuing prosperity and affluence of the United States. This resolution calls upon the President to issue a proclamation to observe National Boating Day, with an appropriate day being July 1.

Mr. Speaker, I urge my colleagues to support H.R. 505 and vote for its final passage.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of House Resolution 505, which urges the President to proclaim July 1, 2007, as "National Boating Day".

Recreational boating is enjoyed by millions of Americans and is a major force in the U.S. economy, providing jobs for almost 400,000 citizens and generating more than $39 million in revenue.

Recreational boating provides enjoyment, rest and relaxation for families of all ages. In addition, recreational boaters often serve as educators and stewards of our natural resources.

Recreational boat-builders—from the large corporation to the individual—build vessels for the enjoyment of millions of people, using both natural and manmade materials from across our great Nation.

I thank the gentleman from Florida (Mr. KLEIN) for introducing this resolution and urge my colleagues to join me in supporting House Resolution 505, which urges the President to proclaim July 1 as "National Boating Day".

Ms. NORTON. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and agree to the resolution, H. Res. 505.

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.

GEORGE HOWARD, JR. FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (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''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2011

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

SECTION 1. GEORGE HOWARD, JR. FEDERAL BUILDING AND UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The Federal building and United States courthouse located at 100 East 8th Avenue in Pine Bluff, Arkansas, shall be known and designated as the ''George Howard, Jr. Federal Building and United States Courthouse''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other

record of the United States to the Federal building and United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''George Howard, Jr. Federal Building and United States Courthouse''.

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

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. 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 H.R. 2011.

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

There was no objection.

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

Mr. Speaker, H.R. 2011 is a bill to designate the Federal building and United States courthouse at 100 East 8th Avenue in Pine Bluff, Arkansas as the George Howard, Jr. Federal Building and United States Courthouse.

Judge Howard, who recently died at age 82, was an icon of the judicial community in Arkansas. He had a lifetime filled with accomplishments, first African American Federal judge in Arkansas, distinguished legal career, Navy veteran, and dedicated family man. He served with distinction on the Arkansas Supreme Court, the Arkansas Court of Appeals, and the Arkansas State Claims Commission.

After graduating from the University of Arkansas Law School, George Howard, Jr. began a long illustrious, trailblazing legal career in his home State of Arkansas. After initially working as an attorney in private practice, Judge Howard received his first appointment in 1967 to the Arkansas State Claims Commission. He was then appointed to the Arkansas State Supreme Court as an Arkansas State Supreme Court Justice, and was later appointed by then Governor Bill Clinton as State Court of Appeals judge in 1979. Judge Howard later began his Federal service in 1980, when President Jimmy Carter appointed him a Federal District Judge in Arkansas.

The bill has bipartisan support from the Arkansas delegation. It is both fitting and appropriate that we honor Judge Howard's legacy with this designation. I support H.R. 2011 and urge its passage.

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

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

H.R. 2011 designates 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. The bill honors Judge Howard, who was the first African American appointed to the Federal bench in Arkansas.

Judge Howard served in the United States Navy during World War II. And after receiving his law degree from the University of Arkansas at Fayetteville, he engaged in the private practice of law in Pine Bluff, Arkansas.

His career in public service included serving on the Arkansas State Claims Commission, the Arkansas Supreme Court, and the Arkansas Court of Appeals, and culminated in his appointment to the Federal bench.

In 1980, President Carter appointed Judge Howard to the United States District Court for the Eastern and Western Districts of Arkansas. Judge Howard's tenure on the bench ended with his passing at the age of 82 on April 21, 2007.

Mr. Speaker, I support this legislation and encourage my colleagues to do the same.

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

Ms. NORTON. Mr. Speaker, I am pleased to yield such time as he may consume to the sponsor of the bill, Mr. ROSS of Arkansas.

Mr. ROSS. Mr. Speaker, I rise today in support of H.R. 2011, a bill to dedicate the Federal building and United States courthouse in Pine Bluff, Arkansas as the George Howard, Jr. Federal Building and United States Courthouse.

□ 1430

First I would like to thank Chairman OBERSTAR and Chairwoman NORTON, Congressman BOUSTANY, and others for their support and assistance in moving this bill from the Transportation and Infrastructure Committee in a bipartisan manner to the floor of the United States House of Representatives. I am also pleased that the entire Arkansas congressional delegation, Congressmen MARION BERRY, VIC SNYDER, and JOHN BOOZMAN, are supporting and cosponsoring this very important bill with me in a bipartisan way.

Judge George Howard, Jr., was a great American who served his country in the State of Arkansas with great dignity. He was born in Pine Bluff, Arkansas, where he practiced law and actively served in the community for over 40 years. He attended Lincoln University in Missouri and the University of Arkansas at Fayetteville, where he received his law degree in 1954, among the first African Americans to graduate from the University of Arkansas at Fayetteville Law School.

During World War II, he chose to serve his country by enlisting in the Navy. Judge Howard was known to be a pioneer throughout his career as he became the first African American in the State of Arkansas to serve on the State Claims Commission, State Supreme Court, the court of appeals, and eventually rising to become the first African American Federal judge for the U.S. District Court in Arkansas.

Judge Howard was the first African American member of the State Supreme Court, appointed by then Governor David Pryor in 1977 before being appointed to the State court of appeals by then Governor Bill Clinton in 1979.

As a judge, George Howard, Jr. was admired for his fairness and deep belief in the fundamental idea of justice for all. Judge Howard will forever be remembered as a dedicated public servant who cared deeply about his faith, his family, his work, his State, his country, and the judicial process.

In respect to Judge Howard's life, career and public service, I felt that it was appropriate to introduce legislation in Congress to dedicate the Federal building and courthouse in Pine Bluff, Arkansas, as the ''George Howard, Jr. Federal Building and United States Courthouse.''

Mr. Speaker, I can think of no better way to recognize his legacy and his steadfast commitment to justice and equality than by officially renaming this Federal building and courthouse in the city he loved and called home, Pine Bluff, Arkansas.

His life and service have paved the way for so many others who pursue careers in public service and law. His life and service opened many doors for African Americans throughout Pine Bluff in southeast Arkansas.

Judge Howard passed away on April 21, 2007. He will forever be remembered and his contributions to the State of Arkansas and our Nation live on. It is my hope that each person who walks through the doors of the George Howard, Jr. Federal Building and Courthouse in Pine Bluff, Arkansas, will have an even greater appreciation for the countless contributions Judge Howard made in the lives of people across the State of Arkansas. May this courthouse that hopefully will soon bear his name serve as a reminder to all of us that while he is no longer with us, the example, the shining example, of community service, public service, and of being fair to all people can live on.

This recognition will serve as a reminder to young people in Pine Bluff, Arkansas, and to future generations that committing one's self to education, hard work, and pursuing a career in public service can be good and noble.

I am proud to sponsor this bill in Congress, and I urge my fellow colleagues to vote in favor of it today.

Mr. BOUSTANY. Mr. Speaker, I commend the gentleman from Arkansas (Mr. ROSS) for bringing this legislation to the floor, and I commend the Arkansas delegation for its consideration of Judge Howard's tenure and time on the bench.

I support this legislation and urge its adoption.

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

Ms. NORTON. Mr. Speaker, I commend my colleague from Arkansas for recognizing a true civil rights and judicial pioneer when that was not easy at a time when there were few like him.

Mr. OBERSTAR. Mr. Speaker, I rise today in strong support of H.R. 2011, a bill to designate the Federal building and United States Courthouse in Pine Bluff, Arkansas, as the ''George Howard, Jr. Federal Building and United States Courthouse''.

Judge George Howard, Jr. was born in Pine Bluff, Arkansas, on May 13, 1924. He began his service to our Nation at the age of 18 when he was drafted into military service during World War II. Judge Howard served with distinction in the United States Navy with the Construction Battalion—or the ''Seabees''—in the South Pacific.

After completing his military service, Judge George Howard, Jr. returned to Pine Bluff, Arkansas, and re-enrolled in high school to complete his high school education. Upon graduating from high school, Judge Howard attended the pre-law program at Lincoln University in Missouri and graduated with honors. Judge Howard subsequently attended the University of Arkansas School of Law. He was the first African-American student to live on campus in the newly desegregated campus dormitories. He earned his law degree in 1954.

After graduating from law school, Judge Howard began a long, illustrious, and trailblazing legal career in his home State of Arkansas. In the 1950s, Judge Howard started a private law practice and devoted his energies to representing those whose voices would not otherwise be heard. He subsequently served on the Arkansas State Claims Commission, the Arkansas Court of Appeals, and the Arkansas Supreme Court. In 1980, President Carter appointed Judge Howard to the U.S. District Court, Eastern and Western Districts of Arkansas. Judge Howard was Arkansas' first African-American Federal judge.

Through his pursuit of legal and racial equality, and his exemplary career in public service, Judge Howard helped to pave the way for other African-Americans to pursue careers in law and public service. From his time as a private attorney, to his service as President of the State Council of Branches of the National Association of Colored People, NAACP, Judge Brown's judicial ideals were grounded in the fundamental belief of justice for all.

Judge Howard passed away on April 21, 2007, in Pine Bluff, Arkansas, at the age of 82. In honor of Judge George Howard, Jr.'s outstanding contributions to the State of Arkansas, the Federal judiciary, and his distinguished legal career, it is both fitting and proper to designate the courthouse located at in Pine Bluff, Arkansas, the ''George Howard, Jr. Federal Building and United States Courthouse''.

I urge my colleagues to join me in supporting H.R. 2011.

Ms. NORTON. 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 gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 2011.

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

A motion to reconsider was laid on the table.

DISCHARGE AND REREFERRAL OF H.R. 123, SAN GABRIEL BASIN RESTORATION FUND AUTHORIZATION ACT

Ms. NORTON. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of the bill (H.R. 123) to authorize appropriations for the San Gabriel Basin Restoration Fund and that the bill be rereferred to the Committee on Natural Resources.

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

There was no objection.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H. Res. 505.

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

There was no objection.

EXPRESSING THE SENSE OF THE HOUSE REGARDING THE PUBLIC SERVICE OF PRIME MINISTER TONY BLAIR

Ms. WATSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 416) expressing the sense of the House of Representatives regarding the public service of Tony Blair, Prime Minister of the United Kingdom.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 416

Whereas Tony Blair has served as the Prime Minister of the United Kingdom for more than a decade, winning three general elections as leader of the Labour Party;

Whereas Mr. Blair played an instrumental role in achieving peace in Northern Ireland and negotiating the Good Friday Agreement which brought all communities into the political and governmental process and ended centuries of division, conflict, and strife;

Whereas Mr. Blair committed himself to bringing devolved government to Northern Ireland which was achieved with the recent decision of the Democratic Unionist Party and Sinn Féin agreeing to form a power-sharing government;

Whereas the United Kingdom and the United States have had a long-standing alliance which was further strengthened during Tony Blair's tenure as he and the United Kingdom stood side-by-side with the United States during conflicts in Bosnia, Kosovo, Afghanistan, and Iraq;

Whereas Mr. Blair showed British solidarity with the United States after the 9/11 terrorist attacks by being the first foreign leader to visit Ground Zero and attending President Bush's speech before a joint session of Congress on September 20, 2001;

Whereas Mr. Blair displayed exemplary leadership as Prime Minister when the United Kingdom suffered its own terrorist attacks on July 7, 2005, when suicide bombers killed 52 people traveling on London's public transportation system;

Whereas the United Kingdom has been a steadfast ally to the United States in the Global War on Terror as it is the second largest contributor of coalition forces in Iraq and Afghanistan; and

Whereas on July 17, 2003, Mr. Blair was awarded the Congressional Gold Medal that declared ''Congress finds that Prime Minister Tony Blair of the United Kingdom has clearly demonstrated, during a very trying and historic time for our two countries, that he is a staunch and steadfast ally of the United States of America.'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the remarkable public service of Tony Blair during his tenure as Prime Minister of the United Kingdom; and

(2) expresses appreciation to Mr. Blair for his steadfast support for the United States and Britain's invaluable alliance to our Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentleman from Florida (Mr. BILIRAKIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. 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 resolution under consideration.

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

There was no objection.

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

I rise in strong support of this resolution. As one of the co-Chairs of the bipartisan United Kingdom Caucus, I am honored to have the opportunity to speak in support of H. Res. 416, a resolution saluting the public service of Tony Blair, Prime Minister of the United Kingdom.

I would first like to commend our distinguished colleague, Mr. PETER KING of New York, for introducing this timely resolution that pays tribute to the remarkable political career of one of America's strongest allies.

Two days from now, Prime Minister Tony Blair will leave 10 Downing Street for the last time. He will be leaving behind a legacy of domestic reform and international activism. His successor, Gordon Brown, praised his accomplishments and told him that ''Whatever we achieve in the future will be because we are standing on your shoulders.''

Mr. Blair was first elected to Parliament in 1983 and served as Prime Minister for over a decade, securing a place in the record books as the only Labor leader to have won three successive elections.

Mr. Blair has been a strong and steadfast ally of the United States throughout his time in office. No American will ever forget the solidarity he expressed on behalf of our British cousins in the days following the devastating terrorist attacks of

9/11, when he announced, ''We were with you at the first. We will stay with you to the last.''

Mr. Blair was the first foreign leader to visit Ground Zero. He further demonstrated his support by sitting in this Chamber during President Bush's speech before a joint session of Congress 2 weeks later.

American hearts went out to Mr. Blair and the British people in July of 2005 when cheers of celebration over London's successful Olympic bid turned to tears of mourning following the devastating terrorist attack on the city's public transportation system.

Domestically, Mr. Blair was unwavering in his commitment to securing a lasting peace in Northern Ireland. Blair aided the negotiations that led to the signing of the Good Friday Agreement on April 10, 1998. This momentous agreement brought all communities into the governmental process, providing a framework in which the ballot box replaced the bomb as a means of political expression.

During his final months in office, Mr. Blair witnessed the fruits of his labor as age-old enemies Ian Paisley of the Democratic Unionist Party and Martin McGuiness of Sinn Fein took their places as first and deputy first ministers in the restored Northern Ireland Assembly. Mr. Blair welcomed the opportunity for Northern Ireland to ''escape the heavy chains of history'' and ''make history anew.''

It is appropriate that this House recognizes the outstanding public service of Tony Blair during his decade as Britain's Prime Minister and thank him for his unfailing friendship during our Nation's time of greatest need.

I strongly support this resolution, and I urge my colleagues to do the same.

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

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

First I would like to thank our distinguished colleague, Mr. PETER KING from New York, for sponsoring this bill. He is the ranking member of the Homeland Security Committee, as you know.

I rise today in support of this resolution honoring the service of a true friend of the United States, Prime Minister Tony Blair.

Throughout his long career in office, more than a decade in total, Prime Minister Blair has been a strong champion of the trans-Atlantic alliance between the United States and Britain and the United States and the other states of Europe.

The U.S.-British relationship has indeed been made stronger due to Tony Blair, building an Anglo American alliance that has faced some of the darkest threats in the history of humankind. Our relations with all of Europe have benefited because of Tony Blair.

Just as Sir Winston Churchill inspired Americans in his time, the American people will never forget Blair's solidarity with the United States in visiting Ground Zero just days after the September 11 terrorist attacks that killed so many of our citizens. We recall that he sat in our House gallery just a few days later when President Bush addressed a joint session of Congress concerning the tragic results of that terrorist attack.

Prime Minister Blair has backed up his words with real commitment in the struggle against extremism that may well determine the future of our modern civilization, a civilization that has been built on the principles of rational thought and the liberty of men and women rather than on extremism.

Indeed, British troops today stand beside our troops in the major conflicts of the struggle. Moreover, British law enforcement works in close cooperation with American law enforcement agencies, cooperation that has produced important results, as we saw in the successful prevention of terrorist plots, including the planned attack on U.S.-bound passenger jets in 2006.

Mr. Speaker, on a separate issue of great importance to many Americans, we recognize that in responding to the strife of Northern Ireland with the Good Friday agreement, Prime Minister Blair's contribution was nothing short of remarkable. He and Irish Prime Minister Bertie Ahern inherited a divisive, violent conflict that has continued for half a century and that has, unfortunately, taken over 3,000 lives. Many had tried earlier to resolve the conflict in Northern Ireland, but none achieved the extent of progress that Prime Minister Blair has during his time in office.

□ 1445

Rather than resigning himself to the status quo of senseless violence, Prime Minister Blair chose to commit himself fully to this endeavor, collaborating with his Irish counterparts and working towards achieving real progress toward peace in Northern Ireland.

Mr. Speaker, let us take this opportunity to reflect on Tony Blair's accomplishments and to reaffirm our gratitude.

I ask my colleagues to voice their support for this resolution.

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

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

Mr. BILIRAKIS. Mr. Speaker, I would like to yield as much time as he may consume to the distinguished gentleman from New York, PETER KING, the sponsor of this bill.

Mr. KING of New York. Mr. Speaker, I thank the gentleman from Florida for yielding, and thank him for the service he has rendered to this body in the 6 brief months he's been here. He is certainly following well in the tradition of his father, who is a long-time friend of mine.

Let me also say how gratifying it is to be on the floor and have the manager of this bill which pertains to Tony Blair being managed by the distinguished Ambassador WATSON, who does such an outstanding job as cochair of the United States-United Kingdom Congressional Caucus.

Mr. Speaker, I am proud to rise today in support of this resolution. I was especially privileged to introduce it because as Tony Blair exits from the Office of Prime Minister of the United Kingdom, he takes with him the admiration and the best wishes of all freedom-loving people throughout the world.

No one certainly has been a closer ally to the United States than Prime Minister Tony Blair. No one personifies the close links between the United States and Great Britain than Tony Blair; certainly follows in the tradition of Winston Churchill, who did more than anyone until his time to cement that relationship, and Tony Blair has even advanced it more. Whether it was President Clinton or President Bush, Tony Blair always stood as our strongest ally in Bosnia, in Kosovo, in Iraq, Afghanistan, and the international war against terrorism, and standing up for democratic principles and values.

And certainly as a New Yorker, I will always remember the fact that he was the first foreign leader to come to New York, to come to Ground Zero to meet with the firefighters and meet with the police officers and express the solidarity of the British people toward the people of New York, and of course, to the people of the United States, and to all peoples who were opposed to international terrorism. And then, as Ambassador WATSON mentioned, the fact that he was here in the House Chamber on September 20, 2001 when President Bush addressed the American people also showed his absolute commitment to the United States and to the war against terrorism.

As an Irish American, I have been involved for many years in the quest for a peaceful solution to the struggle in Northern Ireland. And depending on which historian you're talking to or which analyst you're talking to, this is a struggle that went back 800 years, 300 years, 80 years, 35 years. It really doesn't matter what timeline we're using, the reality is it was a seemingly unending struggle which was going to go on and on and on. And then the stars were properly aligned and Tony Blair became the Prime Minister of the United Kingdom, Bertie Ahern became the Prime Minister of Ireland, and President Clinton committed himself to using the good offices of the United States as an honest broker to try to bring about a peaceful resolution in the north of Ireland. And through incredible hard work and perseverance and dedication, it worked. And not only did Tony Blair deal with Prime Minister Ahern and President Clinton, what he did even took more courage, and that was to reach out to historic enemies, if you will, of the British Government. He reached out to people such as Gerry Adams and Martin McGuiness and Sinn

Fein, and he brought them to the negotiating table and sat down with them and worked with them. And he had them to 10 Downing Street and he broke down centuries of division and hatred. And at the same time, he worked with those on the other side, strongly on the other side, not just David Trimble of the Ulster Unionist Party, but also Ian Paisley of the Democratic Unionist Party.

And the Good Friday Agreement would not have been possible in April of 1998 without Tony Blair, but also the Good Friday Agreement went on for almost 9 years afterwards until it was finally brought to its ultimate fruition earlier this month. And it was done because Tony Blair never yielded. There were so many times between April of 1998 and May or June of this year that that agreement could have fallen apart, that it could have splintered, that it could have shattered if Tony Blair was not willing to take that extra step, and he did that.

And during this entire time that he was bringing peace to Northern Ireland and standing with us as our strongest ally, also Britain itself was under attack. And as Mr. BILIRAKIS and Ambassador WATSON mentioned, on July 7, 2005, when the London underground was attacked by terrorists causing large scale carnage and loss of life, and Tony Blair again stood strong and stood firm.

So, this is a moment where it's seldom that we see giants in history, and it's important, I think, that we not wait 50 years or 100 years or several centuries to acknowledge them, but to acknowledge them in their own time as being prophets with honor.

So I, again, say I've had the privilege a number of times of being with Tony Blair. I was with him with President Clinton in Washington and in Belfast and Armagh City in Northern Ireland, and just last month, again, at the British Embassy. He certainly is a man of stature, he's a man of achievement and he's a man of courage.

I am proud to support this resolution, and I urge its adoption.

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

Mr. BILIRAKIS. Mr. Speaker, in closing, there was nothing hesitant about Prime Minister Blair's resolve to fight back and send a message to terrorists that the United Kingdom, like the United States, would not succumb to ideology that espouses violence and death.

Like Prime Minister Margaret Thatcher before him, who stood shoulder to shoulder with President Ronald Reagan to bring down the greatest dark force of the 20th century, communist, Mr. Blair stood with President Bush even when few others would accept the challenge to eliminate the dark force of this new century.

Mr. Speaker, as all the previous speakers have suggested, this is most worthy resolution for a most worthy leader. I urge all of my colleagues to join me in congratulating Prime Minister Tony Blair for his remarkable tenure as Prime Minister of the U.K., and for his steadfast support of the United States, and our invaluable alliance with Great Britain.

We look forward to his successor, Mr. Gordon Brown, following in Mr. Blair's footsteps by maintaining and building on our transatlantic alliance so we can stand strong and together face the uncertainties of a troubled world.

I would like to thank you, Mr. Speaker, and thank Ranking Member KING for bringing forth this resolution. And also Ambassador WATSON, I thank you very much. Tony Blair is a true statesman, a man of principle.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 416.

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.

HONORING JACK VALENTI

Ms. NORTON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 361) recognizing and honoring Jack Valenti and expressing the condolences of the House of Representatives to his family on his death, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 361

Whereas Jack Valenti was born in Houston, Texas, on September 5, 1921, and resided in Washington, DC and Beverly Hills, California;

Whereas Jack Valenti graduated from the University of Houston with a Bachelor of Arts degree and from Harvard University with a Master of Business Administration degree;

Whereas Jack Valenti served as special assistant to President Lyndon B. Johnson;

Whereas Jack Valenti was the distinguished president of the Motion Picture Association of America for 38 years;

Whereas Jack Valenti was a trusted presidential advisor, a war hero, an author, and a pioneer in the American film industry;

Whereas Jack Valenti was a great humanitarian who served as a powerful spokesperson for the global fight against AIDS, tuberculosis, and malaria;

Whereas Jack Valenti was a loving husband to his wife, Mary Margaret, and an exceptional father to his three children, Alexandra, John, and Courtenay;

Whereas Jack Valenti's spirit touched everyone he encountered, whether in his political career or in his time spent with the Motion Picture Association of America;

Whereas Jack Valenti revolutionized the movie industry through the creation of a voluntary movie rating system that has endured to this day;

Whereas Jack Valenti's vision for the movie industry has withstood the test of time, and has provided guidance for families in their movie viewing experiences as well as safeguards for our filmmakers;

Whereas the vision and character Jack Valenti brought to the movie industry will be greatly missed; and

Whereas on April 26, 2007, Jack Valenti passed away, prompting his friend and confidant, Dan Glickman, to say, ''Jack was a showman, a gentleman, an orator, and a passionate champion of this country, its movies, and the enduring freedoms that made both so important to this world. He also embodied the theatricality of our industry with his conviction, quick wit and boundless energy. In a very real sense, he was the ultimate leading man.'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes Jack Valenti as one of the greatest contributors to the motion picture industry;

(2) honors Jack Valenti for his service to his country, for his tremendous accomplishments, and for his contributions to the movie industry and to the Nation; and

(3) extends its deepest condolences to the family of Jack Valenti.

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

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Ms. NORTON. Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the discussion of H. Res. 361, recognizing and honoring Jack Valenti and expressing the condolences to the House of Representatives to his family on his death.

H. Res. 361, which has 95 cosponsors, was introduced by Representative DIANE WATSON on May 1, 2007. H. Res. 361 was reported from the Oversight Committee on June 12, 2007 by voice vote.

Jack Valenti was born September 5, 1921 in Houston, Texas. An honor student and debate champion at Sam Houston High School, he graduated at age 15. Lacking the funds to attend college, he worked for $11 a week as an usher at a movie theater.

At age 20, Mr. Valenti served in the U.S. Army, which in 1941 was called the Army Air Forces. He flew 51 missions and was awarded the Distinguished Flying Cross. He received his MBA degree from Harvard University in 1948 and 4 years later started an advertising business.

Mr. Valenti served as a Special Assistant to President Lyndon B. Johnson. In 1966, he left the White House to become president of the Motion Picture Association of America for 38 years. He died on April 26, 2007.

Mr. Speaker, I commend my colleague, Representative DIANE WATSON of California, for introducing this legislation and urge the swift passage of this bill.

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

Mr. SHAYS. Mr. Speaker, I thank the gentlelady from D.C. and look forward to the time that she will be a full Member of this Chamber, with all the rights and privileges.

Much as been said about the life of Jack Valenti, and rightfully so. It is impossible to sum up his great life and achievements in the short time we have today.

He held powerful influence on both coasts in the United States, in Washington, D.C., where he served as a political adviser to President Johnson, and in Hollywood, where he served as chief lobbyist of the Motion Picture Association of America. Valenti negotiated both power centers with dignity, determination and deference.

He was born to Houston, Texas, as was pointed out, the grandson of Sicilian immigrants. He excelled in school and finished high school at an early age. Unable to afford college, he worked for a short time in a movie theater, then at an oil company, until he could afford night classes at the University of Houston. His leadership skills, solidified at college, and he was elected student body president. From there, he went on to earn his MBA from Harvard University.

His interest in politics began during a chance meeting with President Johnson, who was looking to reach out to fellow Texans while serving in the Senate. At the meeting, Jack Valenti was fascinated by Johnson and chose to work on his next campaign in Texas. They kept in touch, and he was soon employed by Johnson when he became Vice President.

Jack Valenti was inspired by the Vice President and viewed him as a mentor. Valenti was in the presidential motorcade as it traveled through downtown Dallas, Texas on that fateful tragic day of November 22, 1963, when President Kennedy was assassinated. He said later that that day changed his life forever. Indeed, he became President Johnson's special assistant, and even lived in the White House during the early months of the new President's term.

He left the White House when he was approached by two Hollywood studio executives to take over their fledgling trade group. With a pay raise almost impossible to turn down, he accepted the position and became the chief lobbyist for the Motion Picture Association of America in 1966.

He revitalized the film rating system, bringing it into line with current culture. It is a system which has remained intact, other than modifications Valenti also helped put in place for decades.

Through the years, movies and technologies changed and progressed, as did his work. He helped the industry thrive even as television and home videos chipped away its dominance. He fought digital piracy and other threats to the film industry.

Valenti left MPAA in 2004, but he remained active in the public stage. He concentrated on the world health issues such as AIDS, tuberculosis and malaria. He helped devise the technology by which parents control what programs their children watch.

He continued this work almost until the day in April when he died. He leaves behind his wife of 45 years, three children and two grandchildren. He also leaves behind a legacy of service of principled advocacy and of human warmth appreciated by all who had the privilege of knowing him. His character, his warm personality and his deep southern accent all will be missed as much his has legacy in the worlds of film and public policy.

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

Ms. NORTON. Mr. Speaker, I want to thank my colleague, Mr. SHAYS, for his remarks concerning my membership in this House. It is typical of his generosity, and I appreciate it. I also appreciate his voting for the bill for the residents of the District of Columbia to have a vote in this House.

Mr. Speaker, I am pleased to yield 5 minutes to the sponsor of this bill, the gentlelady from California (Ms. WATSON).

□ 1500

Ms. WATSON. Mr. Speaker, I am proud to be the author, with my good friend, DARRELL ISSA, of this resolution to honor the life of a great American and dear friend, Jack Valenti. Both Washington and Hollywood lost an icon in April with the passing of Jack Valenti. For nearly four decades, Jack served as the public face of Hollywood as the head of the Motion Picture Association of America where he was most famous for creating the film rating system we use today.

Jack's career as a public servant began during World War II when he flew B–25 bombers for the United States Army Air Force. After the war, Jack served as one of President Lyndon Johnson's closest advisers. Jack left the White House after several years to become a pioneer in the entertainment industry. Joining MPAA in 1966, Jack created the movie rating system that we use today. Jack served as one of Washington's most effective lobbyists, moving easily between Hollywood and Washington as the president of the MPAA for 38 years.

After his tenure at the Motion Picture Association, Jack joined the fight against AIDS, tuberculosis and malaria as a final mission in his extraordinary life and committed himself to working tirelessly to increase the quality of life of those suffering from the devastating effects of disease and poverty across the globe. He served as a relentless spokesman for disease-devastated communities across the globe while navigating the Halls of Congress with statesmanlike agility to ensure that the United States increased its funding to the Global Fund to fight AIDS and to fight tuberculosis and malaria and other programs that save lives.

Not only has the global health community lost a great advocate, but so has the entertainment industry and Washington lost a truly great friend.

So I urge all my colleagues to support this resolution.

Mr. SHAYS. Mr. Speaker, I join with my colleague in urging passage of this resolution.

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

Ms. NORTON. Mr. Speaker, I am pleased to yield 3 minutes to the gentlelady from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is an honor today for me to pay tribute to Mr. Jack Valenti. As it has been said, by age 15, he was the youngest high school graduate in Houston. He began work as an office boy with the Humble Oil Company, which is now Exxon Mobil, which is near my congressional district.

As a young pilot in the Army Air Corps in World War II, Lieutenant Valenti flew 51 combat missions as the pilot commander of a B–25 attack bomber with the 12th Air Force in Italy. He graduated with a B.A. from the University of Houston and an M.B.A. from Harvard. In 1952, he cofounded the advertising and political consulting agency, Weekly & Valenti, which was in charge of press during President Kennedy's and Vice President Johnson's tragic visit to Texas. He was in the motorcade, six cars behind the President, in Dallas on November 22, 1963. Within an hour of the assassination of John F. Kennedy, Mr. Valenti was aboard Air Force One flying back to Washington with the new President as the first newly hired special assistant to President Johnson.

Later in his position as President and Chief Executive Officer of the MPAA, Mr. Valenti presided over tremendous worldwide change in the industry. New technologies, the arrival of the importance of international markets and the tyranny of piracy radically changed the landscape of the American film and television industry. It was Mr. Valenti's leadership and personal efforts that led the confrontation with these global dangers, problems and opportunities.

Mr. Speaker, our communities and our country have always relied on the contributions of those individuals who have the ability to rise above and beyond the call of duty to make a difference in the lives of others, both personally and professionally. Jack Valenti was one of those rare individuals that demonstrated unfailing and tireless commitment to the betterment of the U.S. movie industry and the entire Nation.

Mr. Speaker, though our community is diminished by his loss, I ask that my

colleagues join me and his friends and his family in celebrating the remarkable life of this man who truly symbolized America at its best, Jack Valenti, a true and loyal Texan.

Ms. PELOSI. Mr. Speaker, today I rise to pay tribute to a true patriot and dedicated public servant, Jack Valenti, whose passing we continue to mourn. From his days as a brave fighter pilot in World War II to his sound advice and counsel to President Lyndon Johnson, Jack always served his country with distinction and honor. A Democrat committed to the ideals of justice and equality, he approached each issue in the spirit of bipartisanship, earning respect on both sides of the aisle for his intellect and his passion.

As a fellow Italian-American, I take special pride in the life, leadership, and many accomplishments of Jack Valenti. His brilliant career, in both the public and private sector, was marked by humanity, humor, and excellence. As head of the Motion Picture Association of America, Jack's leadership helped promote and spread the best of American art and creativity on the silver screen all around the world. It was his sense of responsibility for the well-being of our children that inspired his efforts to establish a rating system to help parents monitor what their children watched.

As a passionate advocate for our children, Jack fought to protect our next generation, lending his powerful voice for those who could not be heard. His concern for the health and well-being of our children spurred his efforts as founder and president of the Friends of the Global Fight Against AIDS, TB, and Malaria, fighting diseases across the globe that for too long have extinguished the flame of hope that should burn brightly in the eyes of every child.

Jack Valenti will be greatly missed, and his accomplishments will be long remembered in the lives of all those he touched. My husband Paul and I express our deepest sympathy to his family, whom he adored, and hope that it is a comfort to his wife Mary Margaret, his children Courtenay, John, and Alexandra, and his two grandchildren that so many people share their loss and continue to pray for them.

Mr. FARR. Mr. Speaker, I rise today in support of H. Res. 361, recognizing and honoring the life of Jack Valenti and expressing the condolences of the House of Representatives to his family.

Jack Valenti was an American icon who holds a special place in the history of the United States. He was a principled leader, a fiery advocate, but always a gentleman. For over 40 years Jack dedicated himself to one of our country's most enduring and influential cultural exports, the motion picture. While most of the world knows Jack for his work at the Motion Picture Association of America (MPAA), many of us would be surprised to know that Jack was buried in Arlington National Cemetery, not Hollywood.

Prior to his life promoting and defending the motion picture industry, Jack piloted a B–25 bomber for the Army Air Forces during WWII, founded his own advertising company and worked for an oil firm in Texas. It was Jack's Texas roots that helped propel him into national politics following the assassination of President Kennedy. As a loyal political advisor to President Lyndon Johnson, Jack cemented his roots in Washington, DC. This city and this country have lost someone that practiced the art of advocacy and consensus that is rarely achieved and sorely missed.

My father, California Senator Fred Farr knew and worked with Jack when they both served in the Johnson Administration and I can say from personal knowledge that Jack was indeed a gentleman who would always offer a kind word, even to his greatest antagonists. The difficulty of Jack's job for the MPAA should not go overlooked, for uniting and assuaging the heads of major Hollywood studios would probably drive even the most savvy party leader batty. That ability to form consensus was only overshadowed by the eloquence in his usage of the English language.

Jack is survived by his wife of over 45 years Mary Margaret Valenti and their three children, John, Alexander and Courtenay; his sister, Lorraine Valenti Dinerstein; and two grandchildren.

As Jack's love of classical literature is well known, I find it fitting to quote Shakespeare in honor of a man that lived several lives in one lifetime:

All the world's a stage,
And all the men and women merely players.
They have their exits and their entrances,
And one man in his time plays many parts,
His acts being seven ages.

I was pleased to call Jack Valenti a friend.

Mr. BERMAN. Mr. Speaker, even as a young child, Jack Valenti showed signs of great leadership and oratory skills. He was a debate champion at his high school. Making good use of his natural ability to persuade and his interest in entertainment, Jack worked as a movie theater usher before enrolling in the University of Houston. After receiving his B.A., he enlisted in the Army Air Force where he participated in 51 flying missions and was honored with the Distinguished Flying Cross. Following his time in the armed forces, Jack graduated from Harvard University in 1948 with a Master's degree in business administration.

Jack Valenti entered the political arena when he was invited to a reception at a Houston Hotel to meet his future mentor and friend, Lyndon B. Johnson. He was immediately inspired by Johnson, who at the time was the U.S. Senate Majority Leader. When Johnson was selected as Kennedy's running mate in 1960, Jack worked on their media campaign. He remained close to Johnson after he became the Vice President.

Following the tragic Kennedy assassination in Dallas, TX, Jack was asked by then-President Johnson to accompany him to Washington where he became a special assistant and close confidant to the new President. After defending Johnson through criticism of the Vietnam War and conspiracy connecting Johnson to the Kennedy assassination, Valenti was offered a lucrative job by MCA Inc. head Lew Wasserman and United Artists' Arthur Krim as head of the Motion Picture Association of America.

In this position, Valenti created the MPAA rating system which initially labeled movies into four distinct ratings: G, M, R and X. This was Valenti's crowning achievement in the entertainment industry; the MPAA system is still used today to provide guidance for movie-viewing families. During his 38 year tenure as president of the MPAA, he was extremely well known in Washington as an advocate for the entertainment industry's major issues. He lobbied for the protection of movie copyrights and the prevention of digital piracy. His voluminous and eloquent style of speaking, coupled with his unique silver hair and cowboy boots, made him one of the most recognizable figures on the Hill.

His sage observations and folksy wisdom made Jack Valenti one of the most effective players in Washington. He was an advisor to Members of Congress on both sides of the aisle; and all of us fortunate enough to receive his council benefited greatly from our association and friendship with him. We all miss him greatly.

Ms. LEE. Mr. Speaker, I rise in support of H. Res. 361, recognizing and honoring Jack Valenti and expressing the condolences of the House of Representatives to his family on his death. I also want to thank my colleague from California, DIANE WATSON, for introducing this resolution.

Mr. Speaker, Jack Valenti was a giant of a man in many respects. While he was well known for his service to Presidents and his work at the Motion Picture Association of America, I came to know Jack best from his tireless and selfless work on behalf of people living with HIV/AIDS, tuberculosis and malaria.

Jack came to this final mission in his life with the same dedication, creativity and vigor that he had so long displayed in serving the MPAA and our nation.

He was a champion for communities devastated by disease throughout the world, and brought both Republicans and Democrats together with his impassioned testimony about the terrible toll that AIDS, tuberculosis and malaria had taken on Africa and the developing world.

I had met with Jack a number of times over the last few years to talk specifically about his work on behalf of the Global Fund to Fight AIDS, Tuberculosis and Malaria. Each time we met I always came away inspired by his energy and his advocacy on behalf of the most vulnerable among us.

We had talked about traveling to Africa together so that he could bear witness to both the tragic impact of AIDS, TB and malaria, and to the hope and dedication of the people—who through it all still maintained their dignity and their optimism for a better tomorrow. Although we never managed to take that trip together, Jack finally made it to Africa for the first time in his life in July of 2006, and I know that he was deeply affected by what he saw.

We had been in the process of organizing another meeting together in March to strategize about AIDS policy and funding for the coming year when he had a stroke. Unfortunately I regret that I never had the chance to talk to him again before he passed away. But I will always remember Jack Valenti for his determined spirit, his compassion, and his friendship. As we continue the global fight against these three diseases, his legacy and his advocacy will continue to serve as a true inspiration for all of us.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in proud support of H. Res. 361, as offered by my distinguished colleague from California and chair of the Congressional Entertainment Caucus, Congresswoman DIANE WATSON. This resolution recognizes and honors the life and lifetime accomplishments of Jack Valenti, while also expressing condolences of the House of Representatives to his family on his death. Having served as a long-

time president of the Motion Picture Association of America, Jack Valenti deserves no better tribute than that of being honored by members of the United States Congress.

Mr. Speaker, Jack Valenti began his political career during the era of the ''Great Society.'' He briefly served as the first special assistant to President Lyndon B. Johnson during his tenure in the White House. However, he resigned from the White House commission In 1966, when he respectfully earned the position as President of the Motion Picture Association of America. Nevertheless, public admiration of this prominent young man followed him from his tenure in politics, unto his career in the film industry and thereafter.

Jack Valenti was born in Houston, Texas on September 5, 1921. During the era of World War II, Mr. Valenti served as a lieutenant in the United States Army Air Corps, flying 51 combat missions as the pilot-commander of a B–25 attack bomber. It was also at this time that he received four decorations—the Distinguished Flying Cross, the Air Medal with four clusters, the Distinguished Unit Citation with one cluster, as well as the European Theater Ribbon with four battle stars.

His educational attainments are marked with his graduation from high school at the age of 15, the youngest high school graduate in his city. He took several years hiatus to work in the field of oil and gas, as well as to serve his Nation as a pilot in the Army Air Corps. He later went on to earn a Bachelors of Arts degree from the University of Houston, where he worked full-time during the day and attended undergraduate courses at night. He continued to advance his education by obtaining a Masters in Business Administration from Harvard University. In 1952, Valenti assisted in the cofounding of an advertising/political consulting agency. It was this agency that led the press during President John F. Kennedy and Vice-President Lyndon B. Johnson's Dallas, Texas visit in 1963.

Valenti's legacy is prevalent through his invention of the movie/film rating, which is still used today. Such a vision and innovation not only transformed the movie industry, but also provided guidance for families, protection for children moviegoers and their parents, as well as safeguard for our filmmakers.

Mr. Speaker, among many things, it will be the vision and character of Mr. Jack Valenti that will greatly be missed. Rarely are we given the opportunities to recognize and honor the lifetime accomplishments of our American heroes, as well have today. For this reason, I ask my colleagues to rise and join me in honoring the life and lifetime accomplishments of the late Jack Valenti. We who knew and loved him will always remember him as a gentleman, a man with boundless energy, a leader in our Nation, a wartime hero, a proud father and a loving husband, a political consultant, and a movie industry powerhouse. He was one in a million and will greatly be missed.

Today, I ask that we join in recognizing Valenti as one of the greatest contributors to the motion picture industry and honoring him for his service, accomplishments, and contributions to our Nation. I also ask that we extend our deepest condolences to his family—wife, Margaret, and children, Alexandra, John and Courtenay.

Mrs. BONO. Mr. Speaker, we have lost a dear friend and national treasure with the passing of the legendary Jack Valenti, but, his legacy lives on. I know this is a tremendous loss for his family, friends, and many admirers, and I join with my colleagues in the House of Representatives in extending our deepest condolences to all those who loved him. We should all be grateful for the many wonderful memories we share of Jack, memories that cannot ease the pain of our loss but remind us of the amazing accomplishments of this remarkable man. I join with others in the House in expressing our sympathy to Jack's beloved wife of 45 years Mary Margaret Valenti, his three children John, Alexandra, and Courtenay Valenti, and his 2 grandchildren.

Born in 1921 as the grandson of Sicilian immigrants, Jack Valenti became part of the ''Greatest Generation'' of Americans who served our country in World War II; and he continued to serve our country long after the War. Jack fought tyranny and served the United States by piloting a B-25 attack bomber in the European theater, flying 51 missions, and earning the Distinguished Flying Cross for his heroism and extraordinary achievement. Following the War, Jack made his home in Texas where he established a successful business in Dallas and became a close friend and ally of President Lyndon Johnson. The terrible events in Dallas on November 22, 1963 pulled Jack Valenti back into the service of our country when soon to be President Johnson asked him to return from Dallas to Washington DC to join his Administration where he served his close friend as confidant and key aide to the President. From the Johnson Administration, Jack Valenti was lured into the film industry as the head of the Motion Picture Association of America where he achieved great success as the preeminent trade representative in Washington, D.C. Among other achievements, Jack was the architect of the revolutionary movie rating system, which is essentially still intact today, providing generations of parents and filmgoers with guidelines on the content of films that carried the MPAA rating designation. Jack spoke often about the importance of open and free markets for Hollywood films, and was a passionate and staunch advocate for the protection of intellectual property rights in the digital age.

But, this is only a brief snapshot of what he did, it does not identify who he was. For Jack Valenti was much larger than any of his numerous accomplishments.

Jack was a dear friend to many, and a truly gifted and remarkable individual. Jack earned the respect of Presidents and porters; his common touch and old world style enticed people to gravitate to him. These attributes, teamed with his keen mind and ability to consider a different point of view, allowed Jack Valenti to gain the admiration and respect of people on both sides of the aisle and even on opposite sides of many Issues.

But for me, the most important thing to recall is the humanity and warmth he conveyed to everyone whose lives he touched. I was proud and privileged to call Jack my friend. He counseled me on issues we cared about, encouraged me to accept the challenges of this great institution, and comforted me during times of personal tragedy. I will be forever grateful for his friendship, guidance, and counsel.

Jack Valenti is truly the embodiment of the phrase, ''his like shall not soon be seen again.'' He was an original, he became a legend, and, he was ours.

He will be missed.

Mr. HOYER. Mr. Speaker, I rise today to honor my friend, Jack Valenti—a man whose prowess as a lobbyist for the movie industry was outshined only by the passion he brought to his work and the steadfast love he had for our country. Jack was a trusted Presidential advisor, a war hero, an author and a pioneer in the American industry.

As President of the Motion Picture Association of America, Jack was one of the most hardworking and dedicated advocates you would find anywhere on Capitol Hill. When he spoke, people listened—and by inventing the movie industry's rating system, he demonstrated just how vital America's business community can be in providing for the common good.

Jack was a consummate professional, a good friend, and someone that I will never forget. My deepest sympathies go out to his family and friends as we mark his passing and commemorate a life that meant so much to people all across this great land.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and agree to the resolution, H. Res. 361, 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.

ESTABLISHING A WELCOME HOME VIETNAM VETERANS DAY

Ms. NORTON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 189) expressing the sense of the House of Representatives that a ''Welcome Home Vietnam Veterans Day'' should be established.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 189

Whereas the Vietnam War was fought in Vietnam from 1961 to 1975, and involved North Vietnam and the Viet Cong in conflict with United States Armed Forces and South Vietnam;

Whereas the United States became involved in Vietnam because policy-makers in the United States believed that if South Vietnam fell to a Communist government then Communism would spread throughout the rest of Southeast Asia;

Whereas members of the United States Armed Forces began serving in an advisory role to the South Vietnamese in 1961;

Whereas as a result of the Gulf of Tonkin incidents on August 2 and 4, 1964, Congress overwhelmingly passed the Gulf of Tonkin Resolution (Public Law 88–408), on August 7, 1964, which effectively handed over war-making powers to President Johnson until such time as ''peace and security'' had returned to Vietnam;

Whereas, in 1965, United States Armed Forces ground combat units arrived in Vietnam;

Whereas, by the end of 1965, there were 80,000 United States troops in Vietnam, and

by 1969 a peak of approximately 543,000 troops was reached;

Whereas, on January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners-of-war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam;

Whereas, on March 30, 1973, the United States Armed Forces completed the withdrawal of combat troops from Vietnam;

Whereas more than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 members of the Armed Forces were wounded;

Whereas, in 1982, the Vietnam Veterans Memorial was dedicated in the District of Columbia to commemorate those members of the United States Armed Forces who died or were declared missing-in-action in Vietnam;

Whereas the Vietnam War was an extremely divisive issue among the people of the United States;

Whereas members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were caught upon their return home in the crossfire of public debate about the involvement of the United States in the Vietnam War;

Whereas the establishment of a ''Welcome Home Vietnam Veterans Day'' would be an appropriate way to honor those members of the United States Armed Forces who served in Vietnam during the Vietnam War; and

Whereas March 30 would be an appropriate day to establish as ''Welcome Home Vietnam Veterans Day'': Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that there should be established a ''Welcome Home Vietnam Veterans Day'' to honor those members of the United States Armed Forces who served in Vietnam.

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

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

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

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in consideration of H. Res. 189, expressing the sense of the House of Representatives that a Welcome Home Vietnam Veterans Day be established.

H. Res. 189, which has 54 cosponsors, was introduced by Representative LINDA SÁNCHEZ on February 16, 2007. H. Res. 189 was reported from the Committee on Oversight and Government Reform on June 12, 2007 by voice vote.

The Vietnam War was the longest military conflict in U.S. history. The hostilities in Vietnam claimed the lives of more than 58,000 Americans, and some 304,000 were wounded in combat. The Vietnam War was a military struggle fought in Vietnam from 1961 to 1973. The patriotic men and women who served valiantly and faithfully in the United States Armed Forces during the Vietnam War were caught, upon their arrival and return home, in the crossfire of public debate about the involvement of the United States in the Vietnam War.

Mr. Speaker, I support this legislation to establish a Welcome Home Vietnam Veterans Day to honor those members of the United States Armed Forces who served in Vietnam during the Vietnam War. The time for a Welcome Home Day is long overdue. I know every Member of this House and every American would want to come forward to welcome home these veterans who were not always welcomed home in the way we should always welcome home those who have served us in the Armed Forces regardless of our feelings on the particular conflict in which they came forward bravely to serve us all.

Mr. Speaker, I commend my colleague, Representative LINDA SÁNCHEZ, for introducing this legislation and urge the swift passage of this bill.

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

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

Mr. Speaker, on March 30, 1973, American combat troops serving in Vietnam completed their service and returned home to the U.S. After 8 years of hard-fought battle and the loss of over 58,000 soldiers, we welcomed our servicemen and women home and wished them a safe return. Over 300,000 troops returned wounded during the war. House Res. 189 seeks to establish March 30 as Welcome Home Vietnam Veterans Day. It is an opportunity to recognize the heroic service of these many veterans.

For fear that Southeast Asia would fall into communism, Congress passed the Gulf of Tonkin Resolution in 1964, thereby giving powers to President Johnson to conduct military command in South Vietnam until peace and security had returned to the war-torn nation. One year later, U.S. combat troops were sent to the embattled country. By 1969, approximately 543,000 American troops were in Vietnam.

Thousands of Vietnam veterans participated in various festivities, parades and reunions every year.

□ 1515

We see them proudly wear their unit numbers, banners, T-shirts and hats covered with pins, sharing stories and updating each other on their lives. It is only fitting that we show our support for these brave men and women by expressing our gratitude for their courageous service.

Around 3 million people visit the Vietnam Veterans Memorial each year. The wall and two accompanying sculptures offer an opportunity to learn about and appreciate the history of the war and its numerous casualties. It is appropriate to commemorate this significant piece of history by recognizing the day combat troops returned home from war as welcome home Vietnam Veterans' Day.

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

Mr. SHAYS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman for yielding.

Mr. Speaker, I certainly rise in support of H. Res. 189. I have a large number of Vietnam veterans in my district. Several years ago, I had a commemorative coin struck that I gave to the Vietnam veterans. I presented it and called it a long overdue welcome home event. There weren't too many dry eyes as the coins were presented. We need to remedy that, and certainly having a Welcome Home Vietnam Vets Day as this bill calls for is long overdue.

The one thing that I ask Vietnam vets to please always do is when our young men and women are returning today from battle, that they always help the community to welcome them back, because no one would like to be treated the way that many Vietnam vets were treated.

This is a great resolution, and it is long overdue. I certainly support finally having a Welcome Home Vietnam Veterans Day.

Mr. SHAYS. Mr. Speaker, I just would again urge passage. I think this is a very thoughtful thing of our colleague from California to have initiated. Frankly, I wonder why we didn't think of it sooner.

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

Ms. NORTON. Mr. Speaker, I want to join my colleague in his remarks, and especially his remarks as to why didn't we think of this before. I want to assure Vietnam War veterans, it has nothing to do with their service. We have had a number of wars since and perhaps we have been somewhat preoccupied with war, but we will never forget this important and very sacrificial group of veterans.

Mr. COURTNEY. Mr. Speaker, I rise today in strong support of H. Res. 189, a resolution that will honor the veterans of the Vietnam War in eastern Connecticut and across our country by calling for the establishment of a ''Welcome Home Vietnam Veterans Day.''

As we know all too well, the Vietnam War was a painful and turbulent period in our Nation's history. Our military involvement there from 1965 to 1973 came at a time of great upheaval and change that divided our Nation. By the end of the war, more than 58,000 members of the Armed Forces had given the ultimate sacrifice. Much has rightfully been done to honor these lost heroes in the 30 years since the end of the war, including a breathtaking memorial not far away from this Capitol on our National Mall.

However, thousands of our troops came home after serving our country in Vietnam

only to be barraged by anti-war and anti-military sentiments rising from the deep and conflicting passions over our involvement in the conflict. As a result, thousands of young men who served our Nation were denied the welcome home they deserved—a painful memory that I hear about even today when I speak with Vietnam veterans.

Today, 30 years after they returned home, those dark days of war still haunt the veterans of Vietnam. Yet, I have been amazed by the strength and dignity of the Vietnam veterans community in eastern Connecticut. Since the end of the war, these proud men have been unmatched in taking care of their own and supporting one another. This past April, over 100 eastern Connecticut Vietnam veterans gathered once again in Norwich, CT for the 7th Annual Vietnam Veterans Day Commemorative Ceremony. I was proud to join them for the ceremony and to honor their service and sacrifice.

Regardless of what one thinks about our involvement in a military conflict, there is no doubt that any American who wears our Nation's uniform deserves a hero's welcome when they return home. That is why I am proud to support the resolution before us today, which expresses the sense of the House that there should be a day set aside every year on March 30 to honor the service of our Vietnam veterans by establishing a ''Welcome Home Vietnam Veterans Day.'' I sincerely hope that this simple resolution will provide our Vietnam veterans with the recognition they have so long deserved.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 189, which puts the House on record in support of a ''Welcome Home Vietnam Veteran's Day.'' This resolution honors members of the United States Armed Forces who fought in Vietnam from 1961 to 1975. In 1982, the Vietnam Veterans Memorial was dedicated in the District of Columbia to commemorate those members of the United States Armed Forces who died or were declared missing-in-action in Vietnam. March 30 would be an appropriate day to establish as Welcome Home Vietnam Veterans Day.

More than 3 million Americans served in Vietnam, and nearly 58,000 lost their lives there. From mountain peaks to tropical rainforest, American soldiers served in hostile country and fought a war for which they were not trained. It was a war of savage, small-unit fighting unlike any other in American history and in a stunning outcome, American soldiers won all of the major battles. About 58,148 men were killed, mostly between the ages of 20 and 29, but some as young as 16 years old. About 2.9 million men in total were involved in the fighting. The average soldier—infantryman—saw about 240 days of combat in 4 years, thanks to the mobility of the helicopter.

As an American, I am very proud of the courageous members of the United States Armed Forces who fought in this war, even though they were not sure of the purpose, to help stop what seemed to be the spreading of Communist beliefs and values. I am more than grateful to the men who gave so that we would be able to live as free as we do today. These men were brave, high spirited, and fearless. These men did something that most Americans never had to do. They risked life and limb in defense of their countrymen. They deserve to be honored for their efforts.

This resolution gives credit where credit is due. It will give Americans a chance to reflect on the men, women, and their stories that were short changed during this difficult time in our history.

Ms. NORTON. 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 gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and agree to the resolution, H. Res. 189.

The question was taken.

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

Ms. NORTON. 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.

ESTABLISHING A NATIONAL PET WEEK

Ms. NORTON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 142) expressing the sense of the Congress that there should be established a National Pet Week, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 142

Whereas this year marks the 26th anniversary of ''National Pet Week'', sponsored by the American Veterinary Medical Association and the Auxiliary to the American Veterinary Medical Association;

Whereas animals and pets give companionship and pleasure in daily living, share the homes of nearly 69,000,000 individuals or families in the United States, and provide special benefits to elderly persons and children;

Whereas the people of the United States have a firm commitment to promote responsible care of animals and pets and guard against cruel and irresponsible treatment;

Whereas teaching kindness and respect for all living animals through education in schools and communities is essential to the basic values of a humane and civilized society;

Whereas the people of the United States are grateful to the veterinary medical profession for providing preventive and emergency medical care and assistance to animals, spaying and neutering animals to combat overpopulation, and contributing to the education of animal owners; and

Whereas the people of the United States are indebted to animal protection organizations, State humane organizations, and local animal care and control agencies for promoting respect for animals and pets, educating children about humane attitudes, and caring for lost, unwanted, abused, and abandoned animals: Now, therefore, be it

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

(1) that there should be established an annual National Pet Week; and

(2) the goals and ideals expressed during National Pet Week should be guides for the people of the United States to observe in the care of pets.

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

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this piece of legislation.

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

There was no objection.

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

Mr. Speaker, I am pleased to join my colleagues in consideration of H. Con. Res. 142, a bill expressing the sense of Congress there should be established a National Pet Week. H. Con. Res. 142, which has 53 cosponsors, was introduced by Representative CHRISTOPHER SHAYS on May 3, 2007. H. Con. Res. 142 was reported from the Oversight Committee on June 12, 2007, by voice vote.

National Pet Week was jointly founded in 1991 by the American Veterinary Medical Association and the Auxiliary to the AVMA and is now widely celebrated throughout the United States and other parts of the world.

Each year National Pet Week's goals are to promote responsible pet ownership, celebrate the bonding and mutual admiration between animals and humans and promote public awareness of veterinary medicine.

Animals and pets provide companionship and pleasure to nearly 69 million individuals and families in the United States. These individuals have dedicated themselves to the care and responsibility of treating animals with love and respect.

Mr. Speaker, I commend my colleague Representative CHRISTOPHER SHAYS for introducing this legislation and I urge swift passage of this bill.

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

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

Mr. Speaker, today we stand with 69 million households in celebrating the joy of pet ownership and recognizing the obligations of responsible animal care as we call on this Congress to establish a National Pet Week.

Some 63 percent of Americans have accepted the calling of pet ownership and have opened their homes to millions of cats, dogs, birds, fish, and other animals. For this generous action, they are rewarded with love, companionship and support. Studies have shown an additional benefit of pet ownership include a healthier life.

A National Pet Week would also honor those who provide medical treatment as well as responsible care for animals, who are certainly deserving of

such treatment. There are approximately 75,000 practicing veterinarians in the United States who perform a great service for this country by giving preventative and emergency care for animals. These veterinarians are also credited with educating pet owners about the benefits of spaying or neutering their animals, thus curbing pet overpopulation problems in the country.

Establishing a week recognizing pet ownership helps highlight many of the issues affecting pets and owners in America, as well as the issue of responsible treatment for animals in general. Sadly, problems such as animal abuse, neglect, overpopulation, hoarding, and organized fighting persist in this country. The people of the United States are indebted to the animal protection and humane organizations who promote respect for animals and provide care for lost, unwanted, abused, and abandoned animals.

It is the essential duty of a civilized society to teach its children the value of kindness and respect toward all living creatures, and this is the perfect opportunity to do so.

Therefore, I call on my colleagues to support the establishment of National Pet Week, to celebrate pet ownership, recognize those who provide responsible animal care, and educate our children about a standard of respect towards all living creatures.

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

Ms. NORTON. Mr. Speaker, I commend my colleague, Mr. SHAYS, upon the introduction of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 142, as amended.

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

A motion to reconsider was laid on the table.

FHA MANUFACTURED HOUSING LOAN MODERNIZATION ACT OF 2007

Mr. DONNELLY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2139) to modernize the manufactured housing loan insurance program under title I of the National Housing Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2139

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

SECTION 1. SHORT TITLE.

This title may be cited as the ''FHA Manufactured Housing Loan Modernization Act of 2007''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) manufactured housing plays a vital role in providing housing for low- and moderate-income families in the United States;

(2) the FHA title I insurance program for manufactured home loans traditionally has been a major provider of mortgage insurance for home-only transactions;

(3) the manufactured housing market is in the midst of a prolonged downturn which has resulted in a severe contraction of traditional sources of private lending for manufactured home purchases;

(4) during past downturns the FHA title I insurance program for manufactured homes has filled the lending void by providing stability until the private markets could recover;

(5) in 1992, during the manufactured housing industry's last major recession, over 30,000 manufactured home loans were insured under title I;

(6) in 2006, fewer than 1,500 manufactured housing loans were insured under title I;

(7) the loan limits for title I manufactured housing loans have not been adjusted for inflation since 1992; and

(8) these problems with the title I program have resulted in an atrophied market for manufactured housing loans, leaving American families who have the most difficulty achieving homeownership without adequate financing options for home-only manufactured home purchases.

(b) PURPOSES.—The purposes of this Act are—

(1) to provide adequate funding for FHA-insured manufactured housing loans for low- and moderate-income homebuyers during all economic cycles in the manufactured housing industry;

(2) to modernize the FHA title I insurance program for manufactured housing loans to enhance participation by Ginnie Mae and the private lending markets; and

(3) to adjust the low loan limits for title I manufactured home loan insurance to reflect the increase in costs since such limits were last increased in 1992 and to index the limits to inflation.

SEC. 3. EXCEPTION TO LIMITATION ON FINANCIAL INSTITUTION PORTFOLIO.

The second sentence of section 2(a) of the National Housing Act (12 U.S.C. 1703(a)) is amended—

(1) by striking ''In no case'' and inserting ''Other than in connection with a manufactured home or a lot on which to place such a home (or both), in no case''; and

(2) by striking '': Provided, That with'' and inserting ''. With''.

SEC. 4. INSURANCE BENEFITS.

(a) IN GENERAL.—Subsection (b) of section 2 of the National Housing Act (12 U.S.C. 1703(b)), is amended by adding at the end the following new paragraph:

''(8) INSURANCE BENEFITS FOR MANUFACTURED HOUSING LOANS.—Any contract of insurance with respect to loans, advances of credit, or purchases in connection with a manufactured home or a lot on which to place a manufactured home (or both) for a financial institution that is executed under this title after the date of the enactment of the FHA Manufactured Housing Loan Modernization Act of 2007 by the Secretary shall be conclusive evidence of the eligibility of such financial institution for insurance, and the validity of any contract of insurance so executed shall be incontestable in the hands of the bearer from the date of the execution of such contract, except for fraud or misrepresentation on the part of such institution.''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall only apply to loans that are registered or endorsed for insurance after the date of the enactment of this Act.

SEC. 5. MAXIMUM LOAN LIMITS.

(a) DOLLAR AMOUNTS.—Paragraph (1) of section 2(b) of the National Housing Act (12 U.S.C. 1703(b)(1)) is amended—

(1) in clause (ii) of subparagraph (A), by striking ''$17,500'' and inserting ''$25,090'';

(2) in subparagraph (C) by striking ''$48,600'' and inserting ''$69,678'';

(3) in subparagraph (D) by striking ''$64,800'' and inserting ''$92,904'';

(4) in subparagraph (E) by striking ''$16,200'' and inserting ''$23,226''; and

(5) by realigning subparagraphs (C), (D), and (E) 2 ems to the left so that the left margins of such subparagraphs are aligned with the margins of subparagraphs (A) and (B).

(b) ANNUAL INDEXING.—Subsection (b) of section 2 of the National Housing Act (12 U.S.C. 1703(b)), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new paragraph:

''(9) ANNUAL INDEXING OF MANUFACTURED HOUSING LOANS.—The Secretary shall develop a method of indexing in order to annually adjust the loan limits established in subparagraphs (A)(ii), (C), (D), and (E) of this subsection. Such index shall be based on the manufactured housing price data collected by the United States Census Bureau. The Secretary shall establish such index no later than one year after the date of the enactment of the FHA Manufactured Housing Loan Modernization Act of 2007.''.

(c) TECHNICAL AND CONFORMING CHANGES.—Paragraph (1) of section 2(b) of the National Housing Act (12 U.S.C. 1703(b)(1)) is amended—

(1) by striking ''No'' and inserting ''Except as provided in the last sentence of this paragraph, no''; and

(2) by adding after and below subparagraph (G) the following:

''The Secretary shall, by regulation, annually increase the dollar amount limitations in subparagraphs (A)(ii), (C), (D), and (E) (as such limitations may have been previously adjusted under this sentence) in accordance with the index established pursuant to paragraph (9).''.

SEC. 6. INSURANCE PREMIUMS.

Subsection (f) of section 2 of the National Housing Act (12 U.S.C. 1703(f)) is amended—

(1) by inserting ''(1) PREMIUM CHARGES.—'' after ''(f)''; and

(2) by adding at the end the following new paragraph:''.

''(2) MANUFACTURED HOME LOANS.—Notwithstanding paragraph (1), in the case of a loan, advance of credit, or purchase in connection with a manufactured home or a lot on which to place such a home (or both), the premium charge for the insurance granted under this section shall be paid by the borrower under the loan or advance of credit, as follows:

''(A) At the time of the making of the loan, advance of credit, or purchase, a single premium payment in an amount not to exceed 2.25 percent of the amount of the original insured principal obligation.

''(B) In addition to the premium under subparagraph (A), annual premium payments during the term of the loan, advance, or obligation purchased in an amount not exceeding 1.0 percent of the remaining insured principal balance (excluding the portion of the remaining balance attributable to the premium collected under subparagraph (A) and without taking into account delinquent payments or prepayments).

''(C) Premium charges under this paragraph shall be established in amounts that are sufficient, but do not exceed the minimum amounts necessary, to maintain a negative credit subsidy for the program under this section for insurance of loans, advances of credit, or purchases in connection with a manufactured home or a lot on which to place such a home (or both), as determined based upon risk to the Federal Government under existing underwriting requirements.

''(D) The Secretary may increase the limitations on premium payments to percentages above those set forth in subparagraphs (A) and (B), but only if necessary, and not in excess of the minimum increase necessary, to maintain a negative credit subsidy as described in subparagraph (C).''.

SEC. 7. TECHNICAL CORRECTIONS.

(a) DATES.—Subsection (a) of section 2 of the National Housing Act (12 U.S.C. 1703(a)) is amended—

(1) by striking ''on and after July 1, 1939,'' each place such term appears; and

(2) by striking ''made after the effective date of the Housing Act of 1954''.

(b) AUTHORITY OF SECRETARY.—Subsection (c) of section 2 of the National Housing Act (12 U.S.C. 1703(c)) is amended to read as follows:

''(c) HANDLING AND DISPOSAL OF PROPERTY.—

''(1) AUTHORITY OF SECRETARY.—Notwithstanding any other provision of law, the Secretary may—

''(A) deal with, complete, rent, renovate, modernize, insure, or assign or sell at public or private sale, or otherwise dispose of, for cash or credit in the Secretary's discretion, and upon such terms and conditions and for such consideration as the Secretary shall determine to be reasonable, any real or personal property conveyed to or otherwise acquired by the Secretary, in connection with the payment of insurance heretofore or hereafter granted under this title, including any evidence of debt, contract, claim, personal property, or security assigned to or held by him in connection with the payment of insurance heretofore or hereafter granted under this section; and

''(B) pursue to final collection, by way of compromise or otherwise, all claims assigned to or held by the Secretary and all legal or equitable rights accruing to the Secretary in connection with the payment of such insurance, including unpaid insurance premiums owed in connection with insurance made available by this title.

''(2) ADVERTISEMENTS FOR PROPOSALS.—Section 3709 of the Revised Statutes shall not be construed to apply to any contract of hazard insurance or to any purchase or contract for services or supplies on account of such property if the amount thereof does not exceed $25,000.

''(3) DELEGATION OF AUTHORITY.—The power to convey and to execute in the name of the Secretary, deeds of conveyance, deeds of release, assignments and satisfactions of mortgages, and any other written instrument relating to real or personal property or any interest therein heretofore or hereafter acquired by the Secretary pursuant to the provisions of this title may be exercised by an officer appointed by the Secretary without the execution of any express delegation of power or power of attorney. Nothing in this subsection shall be construed to prevent the Secretary from delegating such power by order or by power of attorney, in the Secretary's discretion, to any officer or agent the Secretary may appoint.''.

SEC. 8. REVISION OF UNDERWRITING CRITERIA.

(a) IN GENERAL.—Subsection (b) of section 2 of the National Housing Act (12 U.S.C. 1703(b)), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new paragraph:

''(10) FINANCIAL SOUNDNESS OF MANUFACTURED HOUSING PROGRAM.—The Secretary shall establish such underwriting criteria for loans and advances of credit in connection with a manufactured home or a lot on which to place a manufactured home (or both), including such loans and advances represented by obligations purchased by financial institutions, as may be necessary to ensure that the program under this title for insurance for financial institutions against losses from such loans, advances of credit, and purchases is financially sound.''.

(b) TIMING.—Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall revise the existing underwriting criteria for the program referred to in paragraph (10) of section 2(b) of the National Housing Act (as added by subsection (a) of this section) in accordance with the requirements of such paragraph.

SEC. 9. REQUIREMENT OF SOCIAL SECURITY ACCOUNT NUMBER FOR ASSISTANCE.

Section 2 of the National Housing Act (12 U.S.C. 1703) is amended by adding at the end the following new subsection:

''(j) REQUIREMENT OF SOCIAL SECURITY ACCOUNT NUMBER FOR FINANCING.—No insurance shall be granted under this section with respect to any obligation representing any loan, advance of credit, or purchase by a financial institution unless the borrower to which the loan or advance of credit was made, and each member of the family of the borrower who is 18 years of age or older or is the spouse of the borrower, has a valid social security number.''.

SEC. 10. GAO STUDY OF MITIGATION OF TORNADO RISKS TO MANUFACTURED HOMES.

The Comptroller General of the United States shall assess how the Secretary of Housing and Urban Development utilizes the FHA manufactured housing loan insurance program under title I of the National Housing Act, the community development block grant program under title I of the Housing and Community Development Act of 1974, and other programs and resources available to the Secretary to mitigate the risks to manufactured housing residents and communities resulting from tornados. The Comptroller General shall submit to the Congress a report on the conclusions and recommendations of the assessment conducted pursuant to this section not later than the expiration of the 12-month period beginning on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. DONNELLY) and the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. DONNELLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

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

Mr. Speaker, the FHA Manufactured Housing Loan Modernization Act of 2007, which I introduced with my colleagues Chairman FRANK, Mr. TIBERI and Mr. FEENEY, includes important provisions that will help revitalize the manufactured housing industry, which plays a critical role in helping Americans achieve the dream of home ownership by providing them with alternative opportunities for affordable housing. This bill passed the Financial Services Committee unanimously on May 28, 2007.

This $8 billion a year industry provides jobs for people not only in the Second District of Indiana, but throughout the country. These homes house 22 million people in over 10.5 million homes.

Mr. Speaker, I have seen firsthand in my own district how these homes have continued a tradition of quality and safe construction over many years. They present a high quality, affordable housing opportunity for American families.

H.R. 2139 would raise the manufactured housing title I loan limits and annually index them for inflation. It will also give HUD the authority to increase insurance premiums and improve underwriting standards in order to make sure that the program is actuarially sound.

We have a proud and strong tradition in Elkhart and in other Indiana communities of providing first class housing for Americans, providing quality jobs for Hoosiers at the same time. It is part of who we are. In turn, these communities are extraordinarily proud of the role they play and that we play in our district in providing housing for American homebuyers.

Unfortunately, title I loan limits have not been adjusted for inflation since 1992 and the manufactured housing industry has experienced a major decline since that time. In 1992, in the midst of the last downturn, FHA insured 30,000 title I loans. In 2006, that number was less than 1,500. In Indiana alone, that number went from 377 loans in 1992 to only four last year.

These are more than just numbers. They represent a serious drop in a crucial component of affordable home ownership for Americans. This not only affects low and moderate income families that these loans are designed to help, but it affects the manufactured housing industry and the housing market as a whole.

Because of the drastic reduction in FHA title I loans, American families are left to struggle to try and find adequate financing options for their manufactured home purchases. This body has a responsibility to try and provide affordable housing options for American families, and this legislation does just that.

As you know, Mr. Speaker, June is Home Ownership Month, and it is only fitting that we pass this much-needed legislation. Today, I urge all my colleagues to support H.R. 2139, to strengthen the American housing market and to put more affordable housing opportunities within reach for American families.

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

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2139, the Manufactured Housing Loan Improvement Act of 2007. It is virtually identical to legislation that passed the House last year, only it was called the act of 2006, and it passed by 412–6. Obviously, it was a very popular bill.

The bill that we are considering today would modernize the FHA title I manufactured housing loan program, which insures loans for manufactured homes owned on leased land, for lots used to site manufactured homes, and for a combination of manufactured homes and lots. The program is different from the insuring of manufactured homes under title II of FHA, in which the manufactured home is sited

on land also owned and mortgaged under the loan.

As the gentleman from Indiana stated, in 1992 some 3,000 loans were insured under the FHA title I manufactured housing loan program. However, last year this number dropped to around 1,500 loans. Clearly this legislation seeks to address the factors that have been widely cited as the reasons for the steep decline in the number of insured loans. These include vague underwriting standards; a portfolio cap on title I loans; a guarantee that is not sufficient for acceptance in the secondary market; loan limits that have not kept up with inflation, and, actually, they haven't been adjusted since 1992; and a resulting reduced private sector loan origination participation.

During the Financial Services Committee markup of this legislation, Congressman BACHUS offered and the committee accepted wording that would authorize the GAO to assess how the Secretary of Housing and Urban Development utilizes the FHA manufactured housing loan insurance program and other programs administered by HUD to mitigate the risk to manufactured housing residents and communities resulting from tornadoes.

Every year, an average of 800 tornadoes sweep across the United States, resulting in more than 80 deaths, more than 1,500 injuries and millions of dollars in property damage. One of nature's most powerful and violent storms, large tornadoes often record winds with speeds in excess of 250 miles an hour.

Florida and parts of my district were ravaged by these tornadoes earlier this year, which reminded us that natural catastrophes can strike with little warning, forcing communities to confront a loss of infrastructure and, unfortunately, sometimes a loss of life.

Many residents of homes have a place to go in the event of a tornado, whether it is a basement or an interior room. Manufactured housing residents do not have a basement and they often do not have an interior room. Despite rapid advances in tornado warning technology, residents of manufactured housing communities often do not have adequate access to proper shelter.

□ 1530

That is why the House passed the Tornado Shelters Act, which was signed into law in 2003. That bipartisan bill authorized communities to use community development block grant money to construct or improve tornado-safe shelters located in manufactured housing park areas.

Unfortunately, it is not used enough. Often in the face of a tornado threat, it is said we can do two things: pray and prepare. Pray it won't happen again and prepare for the next line of twisters.

While the residents can pray, our government and this Congress can do much to help them prepare.

As we improve the title I manufactured housing loan programs, I hope we can do everything in our power to ensure that residents of manufactured housing communities have adequate protection from natural catastrophes such as tornadoes. H.R. 2139 will facilitate greater access to manufactured housing, and I urge my colleagues to support it.

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

Mr. DONNELLY. Mr. Speaker, I want to thank my colleague, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE). This is an excellent piece of legislation. My colleagues on both sides of the aisle are in support and are participating in H.R. 2139.

Mr. ELLSWORTH. Mr. Speaker, I rise today to urge my colleagues to support the millions of Americans who live in manufactured housing across the country.

Over the years, the willingness of Americans to work hard and achieve their dreams has illustrated the health of our economy and our democracy. Hoosiers recognize the importance of safe, affordable housing to the realization of this American Dream, and my constituents sent me to Congress to make this dream more accessible to Hoosier families.

And so, I am proud to be a cosponsor of the Manufactured Housing Loan Modernization Act, which will expand the opportunities of home ownership. I am also proud to have introduced CJ's Home Protection Act, which will add to the efforts of housing manufacturers to ensure the safety of the families in their homes.

Mr. DONNELLY. 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 Indiana (Mr. DONNELLY) that the House suspend the rules and pass the bill, H.R. 2139, 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.

RECOGNIZING NATIONAL HOMEOWNERSHIP MONTH

Mr. DONNELLY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 477) recognizing National Homeownership Month and the importance of homeownership in the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 477

Whereas the President of the United States has issued a proclamation designating the month of June 2007 as National Homeownership Month;

Whereas the national homeownership rate in the United States has reached a record high of almost 70 percent and more than half of all minority families are homeowners;

Whereas the people of the United States are one of the best-housed populations in the world;

Whereas owning a home is a fundamental part of the American dream and is the largest personal investment many families will ever make;

Whereas homeownership provides economic security for homeowners by aiding them in building wealth over time and strengthens communities through a greater stake among homeowners in local schools, civic organizations, and churches;

Whereas creating affordable homeownership opportunities requires the commitment and cooperation of the private, public, and nonprofit sectors, including the Federal Government and State and local governments; and

Whereas the current laws of the United States, such as the American Dream Downpayment Act, encourage homeownership and should continue to do so in the future: Now, therefore, be it

Resolved, That the House of Representatives—

(1) fully supports the goals and ideals of National Homeownership Month; and

(2) recognizes the importance of homeownership in building strong communities and families.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. DONNELLY) and the gentleman from Illinois (Mr. ROSKAM) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. DONNELLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the legislation, and to insert extraneous material thereon.

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

There was no objection.

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

Mr. Speaker, I rise in support of H. Res. 477 introduced by Congressman GARY G. MILLER of California. This resolution recognizes the importance of National Homeownership Month, which the President designated as June of this year.

Homeownership is one of the fundamental building blocks of our society. And it plays a fundamental role in achieving the American Dream. It helps to provide families with economic security and helps to build strong communities.

The national homeownership rate in the United States has reached a record high of almost 70 percent. This is the result of the hard work of both public and private sector organizations, nonprofit groups, and Federal, State and local government working together for a common cause: to ensure that families have a stable living environment and are in a supportive community.

Homeownership is a crucial indicator of our economic health. I believe that ensuring affordable homeownership for hardworking Americans is one of the most important tasks we have here in Congress. We must work together to encourage more opportunities for homeownership so that buyers are able to choose a housing option that meets their needs.

Owning a home helps families build financial stability, and it puts them on sound financial footing so they are able to invest in things like college and saving for retirement. This not only affects every American family; it allows our economy to prosper. It is important to ensure that while we are promoting homeownership, and that we are preparing homeowners for the responsibility of maintaining and paying off their home, that they understand this process as well.

The rise in predatory lending and in subprime loans has contributed significantly to the high rate of foreclosures in States like Indiana, my home State. Congress must work to ensure a level playing field for home buyers to purchase a home with a mortgage that they can work with and be able to pay. I urge Members to vote in favor of this resolution.

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

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

Mr. Speaker, I rise today in support of H. Res. 477 and am pleased to join with my friend from Indiana and am delighted that we are taking time on the floor today to commemorate homeownership in America.

Recognizing the many benefits of owning a home, the President designated June as National Homeownership Month as he has done for the past 6 years. To complement this designation, H. Res. 477 was introduced by the gentleman from California (GARY G. MILLER) to recognize that designation and the importance of homeownership in the United States.

Owning a home is a fundamental part of the American Dream, with economic security and hard work being rewarded. Homeownership is much more than knowing that one has a roof and four walls to shelter one's family. It is the symbol of the American Dream, and it forms the bedrock of our communities.

Many of my colleagues celebrate the designation of this month as National Homeownership Month because in America every citizen, regardless of race, creed, color, or place of birth has the opportunity to own a home of their own.

Today, the national homeownership rate in the United States has reached a record high, about 70 percent; and more than half of all minority families are homeowners. While many gains have been made, minority homeownership rates still lag. With minority households expected to account for two-thirds of household growth over the coming decade, improving the ability of such households to make a transition to homeownership will be an important test of our Nation's capacity to create economic opportunities for minorities and immigrants and to build strong, stable communities.

Buying a home is the largest personal investment most families will ever make. For the vast majority of families, the purchase of a home represents the path to prosperity. A home is a tangible asset that builds equity, good credit, borrowing power, and overall wealth. Not only does homeownership provide economic security for building wealth over time; it also strengthens and builds communities. Homeownership creates community stakeholders and inspires civic responsibility. People who own a home tend to be more active in charities, churches, neighborhood activities and more likely to vote and get involved with their community's growth, safety and development.

Further, families owning a home offer children a stable living environment, influencing their personal development in many positive, measurable ways both at home and in school.

Without homeowners, neighborhoods, schools and local businesses suffer. Homeownership helps fuel the economy. This happens mostly through people who spend money for home improvements.

I hope Congress will continue to explore new ways to put people on the path to homeownership so more Americans can realize its benefits.

In closing, it is apparent that the Federal Government, consumers and the housing industry are linked by our mutual goal of creating housing opportunities for more Americans. And although significant strides have been made, we still have much more work to do to achieve together for the American people, and our best hope of being successful is to work in close concert with each other.

As Congress considers future action to make homeownership more secure and available, we need to take care not to hamper the market's ability to provide opportunities for homeownership, and that way we can continue to open our communities and neighborhoods to new opportunities for growth and prosperity.

The resolution before us, H. Res. 477, recognizes the importance of homeownership in America and dedicates the House of Representatives to fostering an atmosphere conducive to community development and increased homeownership opportunities. Congress has a real opportunity here to forge a better America, an America where homeownership and security abounds. I know we all look forward to continue to work to further the American Dream, and I hope my colleagues will join with me and my colleague, Mr. DONNELLY, and join in supporting this important resolution that does just that.

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

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

Mr. HINOJOSA. Mr. Speaker, I wish to thank the gentleman from Indiana (Mr. DONNELLY) for yielding time to me. I also want to commend him for his leadership.

I rise in strong support of H. Res. 477, a resolution recognizing the goals and ideals of National Homeownership Month, which falls in June of each year. I also want to commend my colleague on the other side of the aisle, the gentleman from California (Mr. GARY G. MILLER), for introducing the resolution and for working with me on its language.

Owning a home is a fundamental part of the American Dream and is the largest personal investment many families will ever make. Homeownership provides economic security by increasing the stake residents have in their communities, including local schools, civic organizations, community-based organizations, and churches.

Improving homeownership opportunities requires the commitment and cooperation of the private and public sectors, including the Federal Government and State and local governments. Our current laws encourage homeownership to a significant degree, but need to be updated and augmented so that they will continue to promote homeownership in the future.

We need to do everything in our power to ensure that potential home buyers and current homeowners do not become victims of predatory lenders, as has been the case in recent times.

To improve the affordability, availability and quality of housing in America, I co-founded and I am currently the chairman of the Congressional Rural Housing Caucus. The caucus continues to increase in number as more and more Members of Congress realize not only the importance of homeownership in urban dwellings, but those in rural America.

To increase homeownership, I introduced H.R. 1980, the Housing Assistance Counsel Authorization Act. It authorizes $10 million for housing assistance counsel in fiscal year 2008 and $15 million in fiscal year 2009–2014.

HAC, a nonprofit corporation, is the only national housing assistance group that specializes in rural areas and small towns. The House Committee on Financial Services has also held hearings on the bill and reported it favorably to the floor of the House of Representatives. A companion measure has been introduced in the Senate.

Mr. Speaker, I also introduced H.R. 1982, the Rural Housing and Economic Development Improvement Act. The bill authorizes $30 million for the U.S. Department of Housing and Urban Development's RHED program in fiscal year 2008 and $40 million for fiscal years 2009–2013. This bill has also been reported favorably on the floor of the House of Representatives.

I want to take this opportunity to thank Financial Services Chairman BARNEY FRANK, the ranking member; SPENCER BACHUS; Chairwoman MAXINE WATERS; and the ranking member, JUDY BIGGERT; and all their staffs for guiding the HAC and RHED legislation through our committee.

I have also authored a letter to the Housing Appropriations Committee requesting the funding for several programs that the administration's budget

would either eliminate or reduce their funding. I include for today's CONGRESSIONAL RECORD a copy of that letter.

Again, June is National Homeownership Month. I strongly support the goals and ideals of National Homeownership Month and recognize the importance of homeownership in building strong communities and families.

CONGRESS OF THE UNITED STATES,
Washington, DC, March 16, 2007.

Hon. ROSA DELAURO,
Chairwoman, Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations, Washington, DC.

DEAR CHAIRWOMAN DELAURO: There is a housing crisis in rural America. We are requesting that you restore funding for the following USDA rural housing programs in fiscal year 2008: Section 502 direct homeownership loans, $1.25 billion; Section 515 rental housing loans, $100 million; Section 523 self-help housing, $60 million; and Section 514/516 farm labor housing, $50 million each.

The Administration's Fiscal 2008 budget takes square aim at these programs. The budget cuts spending for rural housing by some 71 percent and eliminates over $1.3 billion in rural housing lending assistance targeted to low income families. If the Administration's budget is approved, it will be the first time in 40 years that the Agriculture Department has not offered direct lending assistance to help low income rural families improve their housing conditions.

According to the Economic Research Service of the US Department of Agriculture some four million rural families live in ''housing poverty'', a multidimensional indicator that combines measures of economic need, housing quality and neighborhood quality. What is more, the 2000 Census revealed that 5.5 million people, one-quarter of the non-metro population, face cost overburden and 1.6 million non-metro housing units are either moderately or severely substandard.

As you know, the President's budget calls for the elimination of the Section 502 Direct Loan Program, which is one of the nation's most responsible loan programs for rural communities. Under the present Section 502 program, borrowers may obtain loans for, the purchase or repair of new or existing single-family housing in rural areas. Borrowers with income of 80 percent or less of the area median may be eligible for the direct loans, and may receive interest credit to reduce the interest rate to as low as 1 percent. The loans are repayable over a 33-year period. In a given fiscal year, at least 40 percent of the units financed under this section must be made available only to very low-income individuals or families. The Section 502 direct loan program is an extremely efficient program which results in a total cost to the Federal government of only $10,000 per loan. There currently is a backlog of more than $3.4 billion in loan applications for this program. We encourage you to provide $1.25 billion in funding for Section 502 in fiscal year 2008.

The President's budget also proposes to eliminate funding for the Rural Housing Service Section 515 program. The Section 515 program plays a critical role in facilitating affordable rental housing in rural areas, by providing funds both for new construction and for the repair and preservation of RHS Section 515 affordable rental housing units. The Section 515 program is the only authorized Federal program that provides direct loans for multi-family housing in rural areas. Units built under the 515 program provide affordable rental housing for persons of low, very low, and moderate incomes living in rural areas, many of whom are elderly and disabled. The 515 program also provides funding for the repair and rehabilitation of existing 515 affordable rental housing units, in order to encourage owners to remain in the program and serve lower income families in rural areas. We encourage you to provide $100 million in funding for Section 515 in fiscal year 2008.

The President's budget proposes $9.75 million in funding for Section 523 Self Help Housing which is a reduction of over 70%. Self-Help Housing makes homes affordable by enabling future homeowners to build their homes themselves. Section 523 Self Help Technical Assistance Grants provided to qualified nonprofit and local government organizations to provide technical assistance to low and very low-income families who are building homes in rural areas in conjunction with the Section 502 Mutual Self-Help Housing Loan Program. The grant funds are used to assist eligible families in applying for Section 502 loans, provide pre-purchase homebuyer education, and supervise construction of the housing by the family.

Due to the tremendous success in serving minority households, doubling self help housing is one of the element's of USDA's 'Five Star Commitment to Increasing Minority Homeownership'. But despite the proven success of the self-help model and the momentum that it has built over recent years, budgetary restrictions have made it difficult for RHS to keep pace with demand for Section 523. In fiscal year 2007, a total of $3 million was made available for self-help housing grants. However, the total necessary for extending grants for performing programs that expire in 2008 is $60 million. We encourage you to provide $60 million in funding for Section 523 in fiscal year 2008.

The President's budget reduces farm labor housing funding in Section 514 Farm Labor Housing Loans and in Section 516 Farm Labor Housing Grants by two thirds. As you know, there is a tremendous need for assistance for farm worker housing. Migrant and seasonal farm workers are some of the nation's most poorly housed populations. Farm workers and their families are some of the poorest yet least assisted people in the nation. Approximately 61 percent of farm workers earn incomes below the poverty level. 60 percent of their households are the ones who are also more susceptible to live below the poverty threshold which is six times the national rate. However, less than 20 percent of farm worker households receive public assistance in any form. We encourage you to provide $50 million in funding for Section 514 and 516 in fiscal year 2008.

For these reasons, we urge you to reject the Administration's Rural Development budget. The Administration has already made substantial cuts in federal rural development spending. Over the past 6 years, federal spending on rural housing and community development programs have been reduced by more than 20 percent. We strongly urge you to reject the reductions proposed in the Fiscal 2008 budget and provide adequate funding for federal rural housing and community development programs.

Sincerely,

Rubén Hinojosa, Barney Frank, Rick Renzi, Paul W. Hodes, Charles A. Wilson, Ron Paul, Emanuel Cleaver, Bennie G. Thompson, Nancy Boyda, Michael E. Capuano, Maxine Waters, Tim Holden, Corrine Brown, Carolyn B. Maloney, Luis V. Gutierrez, Peter DeFazio, Darlene Hooley, Earl Blumenauer, Julia Carson, Geoff Davis, Lois Capps, Tom Allen, Mazie K. Hirono, Steve Kagen, John T. Salazar, Neil Abercrombie, Michael H. Michaud, Phil Hare, Rick Larsen, Doris O. Matsui, Dan Boren, Lincoln Davis.

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Mr. ROSKAM. Mr. Speaker, I simply rise and urge the passage of House Resolution 477.

I have no other speakers seeking recognition and, with that, yield back the balance of my time.

Mr. DONNELLY. Mr. Speaker, I have no further requests. I want to thank my good friend, my colleague from Illinois, for his assistance in this. It is a terrific resolution. We look forward to its success.

Mr. GARY G. MILLER of California. Mr. Speaker, I am pleased to rise in strong support of this resolution, which expresses the commitment of Congress to fostering increased homeownership opportunities in this country.

Earlier this month, President Bush designated June as National Homeownership Month, as he has done for the past 6 years.

I introduced H. Res. 477 to complement this designation and to elevate the discussion of housing opportunities in this Nation. This resolution conveys the support of the House for the goals and ideals of National Homeownership Month and reiterates the importance of homeownership in the United States.

I would like to thank the leadership on both sides of the aisle for bringing this important resolution to the floor today.

IMPORTANCE OF HOMEOWNERSHIP IN AMERICA

For millions of Americans in communities all across this country, owning a home is a basic part of realizing the American dream.

Aside from helping Americans achieve their dreams, homeownership also helps to build neighborhoods and strengthen communities. As millions of families have demonstrated, increased homeownership helps to build better communities, and better communities help to build a better America. Families who own homes have a vital stake in their communities, a stronger interest in the safekeeping of their neighborhoods, and a deeper commitment to the quality of their schools and public services.

Today, America's housing markets are the envy of the world. We enjoy the lowest interest rates and the highest homeownership rates of any developed nation. With the national homeownership rate reaching 70 percent, we have had success in promoting housing opportunities. However, we must still do more. We must work to help extend housing opportunities to all Americans who do not currently enjoy the benefits of homeownership.

ROLE OF CONGRESS

Our job in Congress, as responsible policymakers, must be to ensure that government helps, rather than impedes, homeownership in America. When I came to Congress, I made it my top priority to highlight federal policies that have hindered the availability of housing in this country and to find ways for government to positively impact homeownership in America. While we have done much to help Americans become homeowners, we must do more. We must remove the hurdles and needless regulation that keep homeownership out of the reach of some families in America.

And oftentimes in government, we pass policies and laws and regulations that sound really good, and when they are implemented they do the exact opposite of what we intend them

to do. Unfortunately, this trend is very apparent in our housing policies.

CONGRESSIONAL POLICIES

So far in this Congress, I am pleased that we have continued our important work of promoting responsible homeownership policies for our country.

Last month, the House passed the Federal Housing Finance Reform Act to reform Government Sponsored Enterprises (GSEs) that have been at the forefront of creating affordable housing opportunities for American families. A new, credible, independent regulator with appropriate supervisory powers would reaffirm that the GSEs are adequately governed and will continue to provide reasonably-priced funds for housing finance. This bill ensures adequate regulation of GSEs while not adversely affecting the ability of the GSEs to fulfill their housing finance mission.

Another important needed reform to improve homeownership opportunities across our country is to the Federal Housing Administration (FHA). As the private sector mortgage market has become more efficient, the FHA program's inflexible rules and requirements have left it virtually irrelevant as a financing option. Not only can FHA reform provide a viable alternative for families seeking to purchase a home, but it can also help those facing uncertainty about being able to keep their current home.

To make the FHA program a viable mortgage option, we must ensure that the program's products are available across the country and that they meet the needs of borrowers. This includes not only eliminating the geographic barriers to utilization of the program in high cost areas, but also facilitating the purchase of entry-level homes, including condos and manufactured housing. The Committee on Financial Services passed an important FHA reform bill in May and I am optimistic we may consider it on the floor soon.

CONCLUSION

With June designated as National Homeownership Month, there is no better time to discuss these issues. Now more than ever Congress must continue to cultivate an environment in which more Americans may turn the dream of homeownership into a reality.

I am very pleased today that the President has made it a priority to promote affordable housing and homeownership, even while our Nation faces many other challenges at home and abroad. Along with Secretary Jackson and his team at HUD, the President has taken a leading role in finding new and innovative ways to expand homeownership in all areas of this country.

Fortunately, here in Congress, we have leaders from both sides of the aisle who are deeply committed to increasing housing opportunities for more Americans. I want to commend Chairman FRANK, Ranking Member BACHUS, Housing Subcommittee Chairwoman WATERS, and Ranking Member BIGGERT for their work in pursuing policies to address affordable housing in the United States.

I look forward to continuing this relationship in the l10th Congress so that we will have success in the months and years to come in increasing homeownership nationwide.

In closing, it is clear that increased homeownership fosters stronger communities and a better America. National Homeownership Month is a reminder of the significance of housing issues in America. I urge all of my colleagues to support this resolution and recognize the importance of homeownership in the United States.

Ms. LEE. Mr. Speaker, I rise today in strong support of H. Res. 477, recognizing the goals and ideals of National Home Ownership Month. I'd like to thank my colleague from California Congressman GARY MILLER for introducing this resolution.

Mr. Speaker, home ownership has long been acknowledged as a vehicle to build personal wealth, a source of pride and motivation, provided a sense of security to its owners, helped stabilize our neighborhoods and families and a tool that drives the Nation's economic engine.

Unfortunately, in recent years the goals of home ownership have proven elusive for many Americans. According to a recent report by the Center on American Progress, nearly one in three Americans is low-income, with an income below twice the poverty line. A further 1 in 20 Americans lives in extreme poverty, with an income below half of the poverty line.

That's why I have often joined with my colleagues in the House to call for the provision of adequate and affordable housing and a strong, safe and stable community for all Americans particularly those of low- and moderate income individuals and families and members of minority populations.

Furthermore, in the 110th Congress, I am sponsoring three housing bills: H.R. 172—Community Partners Next Door Act; H.R. 173—One Strike and You're Out Bill; and H.R. 174—Public Housing Drug Elimination Program. These bills take steps to address housing affordability, neighborhood safety and fairness in the enforcement of local and Federal statutes.

Mr. Speaker, we have a responsibility to ensure that the gap between the rich and the poor is narrowed and that all Americans have the opportunity to pursue the American dream.

Mr. DONNELLY. 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 Indiana (Mr. DONNELLY) that the House suspend the rules and agree to the resolution, H. Res. 477.

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.

NONADMITTED AND REINSURANCE REFORM ACT OF 2007

Mr. MOORE of Kansas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1065) to streamline the regulation of nonadmitted insurance and reinsurance, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1065

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Nonadmitted and Reinsurance Reform Act of 2007''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Effective date.

TITLE I—NONADMITTED INSURANCE

Sec. 101. Reporting, payment, and allocation of premium taxes.
Sec. 102. Regulation of nonadmitted insurance by insured's home State.
Sec. 103. Participation in national producer database.
Sec. 104. Uniform standards for surplus lines eligibility.
Sec. 105. Streamlined application for commercial purchasers.
Sec. 106. GAO study of nonadmitted insurance market.
Sec. 107. Definitions.

TITLE II—REINSURANCE

Sec. 201. Regulation of credit for reinsurance and reinsurance agreements.
Sec. 202. Regulation of reinsurer solvency.
Sec. 203. Definitions.

TITLE III—RULE OF CONSTRUCTION

Sec. 301. Rule of Construction.

SEC. 2. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, this Act shall take effect upon the expiration of the 12-month period beginning on the date of the enactment of this Act.

TITLE I—NONADMITTED INSURANCE

SEC. 101. REPORTING, PAYMENT, AND ALLOCATION OF PREMIUM TAXES.

(a) HOME STATE'S EXCLUSIVE AUTHORITY.—No State other than the home State of an insured may require any premium tax payment for nonadmitted insurance.

(b) ALLOCATION OF NONADMITTED PREMIUM TAXES.—

(1) IN GENERAL.—The States may enter into a compact or otherwise establish procedures to allocate among the States the premium taxes paid to an insured's home State described in subsection (a).

(2) EFFECTIVE DATE.—Except as expressly otherwise provided in such compact or other procedures, any such compact or other procedures—

(A) if adopted on or before the expiration of the 330-day period that begins on the date of the enactment of this Act, shall apply to any premium taxes that, on or after such date of enactment, are required to be paid to any State that is subject to such compact or procedures; and

(B) if adopted after the expiration of such 330-day period, shall apply to any premium taxes that, on or after January 1 of the first calendar year that begins after the expiration of such 330-day period, are required to be paid to any State that is subject to such compact or procedures.

(3) REPORT.—Upon the expiration of the 330-day period referred to in paragraph (2), the NAIC may submit a report to the Committee on Financial Services and Committee on the Judiciary of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate identifying and describing any compact or other procedures for allocation among the States of premium taxes that have been adopted during such period by any States.

(4) NATIONWIDE SYSTEM.—The Congress intends that each State adopt a nationwide or uniform procedure, such as an interstate compact, that provides for the reporting, payment, collection, and allocation of premium taxes for nonadmitted insurance consistent with this section.

(c) ALLOCATION BASED ON TAX ALLOCATION REPORT.—To facilitate the payment of premium taxes among the States, an insured's

home State may require surplus lines brokers and insureds who have independently procured insurance to annually file tax allocation reports with the insured's home State detailing the portion of the nonadmitted insurance policy premium or premiums attributable to properties, risks or exposures located in each State. The filing of a nonadmitted insurance tax allocation report and the payment of tax may be made by a person authorized by the insured to act as its agent.

SEC. 102. REGULATION OF NONADMITTED INSURANCE BY INSURED'S HOME STATE.

(a) HOME STATE AUTHORITY.—Except as otherwise provided in this section, the placement of nonadmitted insurance shall be subject to the statutory and regulatory requirements solely of the insured's home State.

(b) BROKER LICENSING.—No State other than an insured's home State may require a surplus lines broker to be licensed in order to sell, solicit, or negotiate nonadmitted insurance with respect to such insured.

(c) ENFORCEMENT PROVISION.—Any law, regulation, provision, or action of any State that applies or purports to apply to nonadmitted insurance sold to, solicited by, or negotiated with an insured whose home State is another State shall be preempted with respect to such application.

(d) WORKERS' COMPENSATION EXCEPTION.—This section may not be construed to preempt any State law, rule, or regulation that restricts the placement of workers' compensation insurance or excess insurance for self-funded workers' compensation plans with a nonadmitted insurer.

SEC. 103. PARTICIPATION IN NATIONAL PRODUCER DATABASE.

After the expiration of the 2-year period beginning on the date of the enactment of this Act, a State may not collect any fees relating to licensing of an individual or entity as a surplus lines broker in the State unless the State has in effect at such time laws or regulations that provide for participation by the State in the national insurance producer database of the NAIC, or any other equivalent uniform national database, for the licensure of surplus lines brokers and the renewal of such licenses.

SEC. 104. UNIFORM STANDARDS FOR SURPLUS LINES ELIGIBILITY.

A State may not—

(1) impose eligibility requirements on, or otherwise establish eligibility criteria for, nonadmitted insurers domiciled in a United States jurisdiction, except in conformance with section 5A(2) and 5C(2)(a) of the Non-Admitted Insurance Model Act; and

(2) prohibit a surplus lines broker from placing nonadmitted insurance with, or procuring nonadmitted insurance from, a nonadmitted insurer domiciled outside the United States that is listed on the Quarterly Listing of Alien Insurers maintained by the International Insurers Department of the NAIC.

SEC. 105. STREAMLINED APPLICATION FOR COMMERCIAL PURCHASERS.

A surplus lines broker seeking to procure or place nonadmitted insurance in a State for an exempt commercial purchaser shall not be required to satisfy any State requirement to make a due diligence search to determine whether the full amount or type of insurance sought by such exempt commercial purchaser can be obtained from admitted insurers if—

(1) the broker procuring or placing the surplus lines insurance has disclosed to the exempt commercial purchaser that such insurance may or may not be available from the admitted market that may provide greater protection with more regulatory oversight; and

(2) the exempt commercial purchaser has subsequently requested in writing the broker to procure or place such insurance from a nonadmitted insurer.

SEC. 106. GAO STUDY OF NONADMITTED INSURANCE MARKET.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the nonadmitted insurance market to determine the effect of the enactment of this title on the size and market share of the nonadmitted insurance market for providing coverage typically provided by the admitted insurance market.

(b) CONTENTS.—The study shall determine and analyze—

(1) the change in the size and market share of the nonadmitted insurance market and in the number of insurance companies and insurance holding companies providing such business in the 18-month period that begins upon the effective date of this Act;

(2) the extent to which insurance coverage typically provided by the admitted insurance market has shifted to the nonadmitted insurance market;

(3) the consequences of any change in the size and market share of the nonadmitted insurance market, including differences in the price and availability of coverage available in both the admitted and nonadmitted insurance markets;

(4) the extent to which insurance companies and insurance holding companies that provide both admitted and nonadmitted insurance have experienced shifts in the volume of business between admitted and nonadmitted insurance; and

(5) the extent to which there has been a change in the number of individuals who have nonadmitted insurance policies, the type of coverage provided under such policies, and whether such coverage is available in the admitted insurance market.

(c) CONSULTATION WITH NAIC.—In conducting the study under this section, the Comptroller General shall consult with the NAIC.

(d) REPORT.—The Comptroller General shall complete the study under this section and submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate regarding the findings of the study not later than 30 months after the effective date of this Act.

SEC. 107. DEFINITIONS.

For purposes of this title, the following definitions shall apply:

(1) ADMITTED INSURER.—The term ''admitted insurer'' means, with respect to a State, an insurer licensed to engage in the business of insurance in such State.

(2) EXEMPT COMMERCIAL PURCHASER.—The term ''exempt commercial purchaser'' means any person purchasing commercial insurance that, at the time of placement, meets the following requirements:

(A) The person employs or retains a qualified risk manager to negotiate insurance coverage.

(B) The person has paid aggregate nationwide commercial property and casualty insurance premiums in excess of $100,000 in the immediately preceding 12 months.

(C)(i) The person meets at least one of the following criteria:

(I) The person possesses a net worth in excess of $20,000,000, as such amount is adjusted pursuant to clause (ii).

(II) The person generates annual revenues in excess of $50,000,000, as such amount is adjusted pursuant to clause (ii).

(III) The person employs more than 500 full time or full time equivalent employees per individual insured or is a member of affiliated group employing more than 1,000 employees in the aggregate.

(IV) The person is a not-for-profit organization or public entity generating annual budgeted expenditures of at least $30,000,000, as such amount is adjusted pursuant to clause (ii).

(V) The person is a municipality with a population in excess of 50,000 persons.

(ii) Effective on the fifth January 1 occurring after the date of the enactment of this Act and each fifth January 1 occurring thereafter, the amounts in subclauses (I), (II), and (IV) of clause (i) shall be adjusted to reflect the percentage change for such five-year period in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(3) HOME STATE.—The term ''home State'' means the State in which an insured maintains its principal place of business or, in the case of an individual, the individual's principal residence.

(4) INDEPENDENTLY PROCURED INSURANCE.—The term ''independently procured insurance'' means insurance procured directly by an insured from a nonadmitted insurer.

(5) NAIC.—The term ''NAIC'' means the National Association of Insurance Commissioners or any successor entity.

(6) NONADMITTED INSURANCE.—The term ''nonadmitted insurance'' means any property and casualty insurance permitted to be placed directly or through a surplus lines broker with a nonadmitted insurer eligible to accept such insurance.

(7) NON-ADMITTED INSURANCE MODEL ACT.—The term ''Non-Admitted Insurance Model Act'' means the provisions of the Non-Admitted Insurance Model Act, as adopted by the NAIC on August 3, 1994, and amended on September 30, 1996, December 6, 1997, October 2, 1999, and June 8, 2002.

(8) NONADMITTED INSURER.—The term ''nonadmitted insurer'' means, with respect to a State, an insurer not licensed to engage in the business of insurance in such State.

(9) QUALIFIED RISK MANAGER.—The term ''qualified risk manager'' means, with respect to a policyholder of commercial insurance, a person who meets all of the following requirements:

(A) The person is an employee of, or third party consultant retained by, the commercial policyholder.

(B) The person provides skilled services in loss prevention, loss reduction, or risk and insurance coverage analysis, and purchase of insurance.

(C) The person—

(i)(I) has a bachelor's degree or higher from an accredited college or university in risk management, business administration, finance, economics, or any other field determined by a State insurance commissioner or other State regulatory official or entity to demonstrate minimum competence in risk management; and

(II)(aa) has three years of experience in risk financing, claims administration, loss prevention, risk and insurance analysis, or purchasing commercial lines of insurance; or

(bb) has one of the following designations:

(AA) a designation as a Chartered Property and Casualty Underwriter (in this subparagraph referred to as ''CPCU'') issued by the American Institute for CPCU/Insurance Institute of America;

(BB) a designation as an Associate in Risk Management (ARM) issued by the American Institute for CPCU/Insurance Institute of America;

(CC) a designation as Certified Risk Manager (CRM) issued by the National Alliance for Insurance Education & Research;

(DD) a designation as a RIMS Fellow (RF) issued by the Global Risk Management Institute; or

(EE) any other designation, certification, or license determined by a State insurance commissioner or other State insurance regulatory official or entity to demonstrate minimum competency in risk management;

(ii)(I) has at least seven years of experience in risk financing, claims administration, loss prevention, risk and insurance coverage analysis, or purchasing commercial lines of insurance; and

(II) has any one of the designations specified in subitems (AA) through (EE) of clause (i)(II)(bb);

(iii) has at least 10 years of experience in risk financing, claims administration, loss prevention, risk and insurance coverage analysis, or purchasing commercial lines of insurance; or

(iv) has a graduate degree from an accredited college or university in risk management, business administration, finance, economics, or any other field determined by a State insurance commissioner or other State regulatory official or entity to demonstrate minimum competence in risk management.

(10) PREMIUM TAX.—The term ''premium tax'' means, with respect to surplus lines or independently procured insurance coverage, any tax, fee, assessment, or other charge imposed by a State on an insured based on any payment made as consideration for an insurance contract for such insurance, including premium deposits, assessments, registration fees, and any other compensation given in consideration for a contract of insurance.

(11) SURPLUS LINES BROKER.—The term ''surplus lines broker'' means an individual, firm, or corporation which is licensed in a State to sell, solicit, or negotiate insurance on properties, risks, or exposures located or to be performed in a State with nonadmitted insurers.

(12) STATE.—The term ''State'' includes any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa.

TITLE II—REINSURANCE

SEC. 201. REGULATION OF CREDIT FOR REINSURANCE AND REINSURANCE AGREEMENTS.

(a) CREDIT FOR REINSURANCE.—If the State of domicile of a ceding insurer is an NAIC-accredited State, or has financial solvency requirements substantially similar to the requirements necessary for NAIC accreditation, and recognizes credit for reinsurance for the insurer's ceded risk, then no other State may deny such credit for reinsurance.

(b) ADDITIONAL PREEMPTION OF EXTRATERRITORIAL APPLICATION OF STATE LAW.—In addition to the application of subsection (a), all laws, regulations, provisions, or other actions of a State that is not the domiciliary State of the ceding insurer, except those with respect to taxes and assessments on insurance companies or insurance income, are preempted to the extent that they—

(1) restrict or eliminate the rights of the ceding insurer or the assuming insurer to resolve disputes pursuant to contractual arbitration to the extent such contractual provision is not inconsistent with the provisions of title 9, United States Code;

(2) require that a certain State's law shall govern the reinsurance contract, disputes arising from the reinsurance contract, or requirements of the reinsurance contract;

(3) attempt to enforce a reinsurance contract on terms different than those set forth in the reinsurance contract, to the extent that the terms are not inconsistent with this title; or

(4) otherwise apply the laws of the State to reinsurance agreements of ceding insurers not domiciled in that State.

SEC. 202. REGULATION OF REINSURER SOLVENCY.

(a) DOMICILIARY STATE REGULATION.—If the State of domicile of a reinsurer is an NAIC-accredited State or has financial solvency requirements substantially similar to the requirements necessary for NAIC accreditation, such State shall be solely responsible for regulating the financial solvency of the reinsurer.

(b) NONDOMICILIARY STATES.—

(1) LIMITATION ON FINANCIAL INFORMATION REQUIREMENTS.—If the State of domicile of a reinsurer is an NAIC-accredited State or has financial solvency requirements substantially similar to the requirements necessary for NAIC accreditation, no other State may require the reinsurer to provide any additional financial information other than the information the reinsurer is required to file with its domiciliary State.

(2) RECEIPT OF INFORMATION.—No provision of this section shall be construed as preventing or prohibiting a State that is not the State of domicile of a reinsurer from receiving a copy of any financial statement filed with its domiciliary State.

SEC. 203. DEFINITIONS.

For purposes of this title, the following definitions shall apply:

(1) CEDING INSURER.—The term ''ceding insurer'' means an insurer that purchases reinsurance.

(2) DOMICILIARY STATE.—The terms ''State of domicile'' and ''domiciliary State'' means, with respect to an insurer or reinsurer, the State in which the insurer or reinsurer is incorporated or entered through, and licensed.

(3) REINSURANCE.—The term ''reinsurance'' means the assumption by an insurer of all or part of a risk undertaken originally by another insurer.

(4) REINSURER.—

(A) IN GENERAL.—The term ''reinsurer'' means an insurer to the extent that the insurer—

(i) is principally engaged in the business of reinsurance;

(ii) does not conduct significant amounts of direct insurance as a percentage of its net premiums; and

(iii) is not engaged in an ongoing basis in the business of soliciting direct insurance.

(B) DETERMINATION.—A determination of whether an insurer is a reinsurer shall be made under the laws of the State of domicile in accordance with this paragraph.

(5) STATE.—The term ''State'' includes any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa.

TITLE III—RULE OF CONSTRUCTION

SEC. 301. RULE OF CONSTRUCTION.

Nothing in this Act or amendments to this Act shall be construed to modify, impair, or supersede the application of the antitrust laws. Any implied or actual conflict between this Act and any amendments to this Act and the antitrust laws shall be resolved in favor of the operation of the antitrust laws.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kansas (Mr. MOORE) and the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) each will control 20 minutes.

The Chair recognizes the gentleman from Kansas.

GENERAL LEAVE

Mr. MOORE of Kansas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

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

I would like to thank, Mr. Speaker, Congresswoman GINNY BROWN-WAITE for her help and leadership on H.R. 1065, the Nonadmitted and Reinsurance Reform Act of 2007, as it has moved through the legislative process both in this Congress and in the 109th Congress, when it passed by 417–0. It has been a pleasure working with the gentlewoman and again I appreciate your leadership on this issue.

I also would like to thank the Capital Markets Subcommittee Chair PAUL KANJORSKI and Ranking Member SPENCER BACHUS of the committee for their support of this measure, as well as Chairman BARNEY FRANK for his support in moving this legislation to the House floor.

I reintroduced this bill along with Congresswoman GINNY BROWN-WAITE in February with strong bipartisan support and strong support from the Financial Services Committee. As I previously mentioned, this legislation is virtually identical to legislation that passed the House unanimously by a vote of 417–0 in the 109th Congress. The bipartisan support for this bill is a good example of how both sides can come together to introduce and pass legislation that is not about partisan politics, is not about Republicans or Democrats.

In short, H.R. 1065 would significantly improve the regulation of two specific areas in the commercial insurance marketplace, namely, surplus lines and reinsurance transactions.

Disparate and sometimes directly conflicting State laws in the surplus lines market create unnecessary inefficiencies and make it difficult, if not impossible in some cases, for producers and others to comply with their legal duties.

Testifying in 2005 in front of the Capital Markets Subcommittee on behalf of the National Association of Insurance Commissioners, the Pennsylvania insurance commissioner acknowledged the need for reform of surplus lines regulation, specifically with regard to the way premium tax allocation is handled. According to Commissioner Diane Koken, ''Either Federal legislation or another alternative such as an interstate compact may be needed at some point to resolving conflicting State laws regulating multi-state transactions. The area where this will most likely be necessary is surplus lines premium tax allocation. Federal legislation might also be one option to consider to enable multi-state property risks to access surplus lines coverage in their home States under a single policy subject to a single set of requirements.''

This legislation, Mr. Speaker, addresses the area of surplus lines reform

that I just mentioned as well as necessary reforms in the area of reinsurance. Specifically, this legislation would prohibit the extraterritorial application of State laws and allow ceding insurers and reinsurers to resolve disputes pursuant to contractual arbitration clauses. This reform is long overdue and necessary to restore regulatory certainty to the reinsurance market.

Finally, I would like to note that while many legislative attempts to reform the insurance industry encounter some industry opposition, this bill, Mr. Speaker, is supported by the insurers, the reinsurers and the agents and brokers as well as by most of the State regulators.

I look forward to the passage of this legislation today.

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

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman from Kansas for his kind words.

Mr. Speaker, I rise today in support of H.R. 1056, the Nonadmitted and Reinsurance Reform Act that my colleague, Congressman DENNIS MOORE, introduced. This bill is almost identical to the bill I introduced last year and the one which he referred to that passed the House by 417–0.

For States like Florida and many others on the gulf coast where commercial insurance has been difficult or impossible to come by, the only recourse is to turn to the surplus lines or nonadmitted market. Certainly streamlining the rules in this market is crucial to the consumer and any State that is facing an insurance crisis. Unfortunately, today, the regulation of the surplus lines market is fragmented and cumbersome. Insurers and brokers who want to provide insurance across State lines are subjected to a myriad of different State tax and licensing requirements. Oftentimes these regulations will conflict, making it impossible for one company to comply with all of them.

This situation leaves policyholders underinsured and with even less of a choice in providers. Moreover, most of the companies that purchase insurance in the nonadmitted market do so frequently. These sophisticated commercial entities are large corporations that employ educated risk advisers with a thorough understanding of the market and their risk exposure. Yet in most States, including my home State of Florida, these companies are required to shop around in the admitted market where they know they will be denied coverage, they know that this has happened before and it will happen again, they know they can't get it.

They have to do this before they are permitted to shop in the surplus lines market. This practice is useless and cumbersome and it only adds to the cost for the policyholder. H.R. 1056 solves this quagmire, giving policyholders alternatives to restrictive markets.

The bill also acknowledges another program in the insurance industry, this time on the reinsurance front. Over the years, some State regulators have been taking it upon themselves to throw out arbitration agreements between reinsurance providers and primary carriers. These are contractual agreements decided upon by very sophisticated parties on both sides of the transaction in order to settle disputes without having to go to court. If these agreements are valid in one State, they should be valid in all accredited States. Therefore, H.R. 1056 prohibits States from voiding established, contractual arbitration agreements between reinsurers and primary companies.

Obtaining insurance already has its obstacles. Adding 49 other States' speed bumps of inefficient State rules does not help. And with reinsurance rates rising at crippling numbers, companies should be encouraged to stay out of the courts and follow their own arbitration agreements. Our bill provides commonsense solutions to the nonadmitted and reinsurance market and it enjoys broad support. I thank Mr. MOORE for sponsoring this important insurance reform with me.

I urge the Members of the House to support this bill.

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

Mr. MOORE of Kansas. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HINOJOSA) who is a member of the Financial Services Committee as well as chairman of the Subcommittee on Higher Education.

Mr. HINOJOSA. Mr. Speaker, I thank the Congressman from Kansas for yielding time to me. I rise in strong support of H.R. 1065, the Nonadmitted and Reinsurance Reform Act of 2007. Congressman MOORE from Kansas has been a very effective member of the Financial Services Committee and I commend him for his leadership on reinsurance legislation. I thank the gentleman for sponsoring this much-needed legislation and I am proud to be a cosponsor of this bill.

This important bill will harmonize and in some cases reduce regulation and taxation of this insurance by vesting the home State where it is headquartered with the sole authority to regulate and collect the taxes on a surplus lines transaction. Those taxes that will be collected may be distributed according to a future interstate compact. Absent such a compact, their distribution would be up to the home State.

Mr. Speaker, this legislation will implement streamlined Federal standards allowing a sophisticated commercial purchaser to access surplus lines insurance. It will reduce uncertainty in this marketplace. It will also help protect contractual agreements between sophisticated parties entering into a reinsurance contract. For these reasons and more, I encourage my colleagues on both sides of the aisle to support this important bill.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I don't have any additional speakers on this bill, but I wanted to take a moment to indicate that it is such a pleasure to work with Mr. MOORE, the gentleman from Kansas. He always looks at things in a very bipartisan manner and always with the end goal in mind of helping the consumer. I certainly appreciate that. I know that the policyholders out there do. I would certainly urge passage of this very important bill, H.R. 1056.

With that, I yield back the balance of my time.

Mr. MOORE of Kansas. Mr. Speaker, I would like to return the compliment to Ms. GINNY BROWN-WAITE, the gentlewoman from Florida, and thank her very, very much for her hard work on this legislation and for her leadership. She also works in a bipartisan manner in the times I have seen her in our committee and on the House floor. I very much appreciate it. We need more of that.

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 Kansas (Mr. MOORE) that the House suspend the rules and pass the bill, H.R. 1065.

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

A motion to reconsider was laid on the table.

BAIL BOND FAIRNESS ACT OF 2007

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2286) to amend title 18, United States Code, and the Federal Rules of Criminal Procedure with respect to bail bond forfeitures.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2286

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 ''Bail Bond Fairness Act of 2007''.

SEC. 2. FINDINGS AND PURPOSES.

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

(1) Historically, the sole purpose of bail in the United States was to ensure the defendant's physical presence before a court. The bail bond would be declared forfeited only when the defendant actually failed to appear as ordered. Violations of other, collateral conditions of release might cause release to be revoked, but would not cause the bond to be forfeited. This historical basis of bail bonds best served the interests of the Federal criminal justice system.

(2) Currently, however, Federal judges have merged the purposes of bail and other conditions of release. These judges now order bonds forfeited in cases in which the defendant actually appears as ordered but he fails to comply with some collateral condition of release. The judges rely on Federal Rule of Criminal Procedure 46(f) as authority to do so.

(3) Federal Rule of Criminal Procedure 46(e) has withstood repeated court challenges. In cases such as United States v. Vaccaro, 51 F.3d 189 (9th Cir. 1995), the rule has been held to authorize Federal courts specifically to order bonds forfeited for violation of collateral conditions of release and not simply for failure to appear. Moreover, the Federal courts have continued to uphold and expand the rule because they find no evidence of congressional intent to the contrary, specifically finding that the provisions of the Bail Bond Act of 1984 were not intended to supersede the rule.

(4) As a result, the underwriting of bonds for Federal defendants has become virtually impossible. Where once the bail agent was simply ensuring the defendant's physical presence, the bail agent now must guarantee the defendant's general good behavior. Insofar as the risk for the bail agent has greatly increased, the industry has been forced to adhere to strict underwriting guidelines, in most cases requiring full collateral. Consequently, the Federal criminal justice system has been deprived of any meaningful bail bond option.

(b) PURPOSES.—The purposes of this Act are—

(1) to restore bail bonds to their historical origin as a means solely to ensure the defendant's physical presence before a court; and

(2) to grant judges the authority to declare bail bonds forfeited only where the defendant actually fails to appear physically before a court as ordered and not where the defendant violates some other collateral condition of release.

SEC. 3. FAIRNESS IN BAIL BOND FORFEITURE.

(a)(1) Section 3146(d) of title 18, United States Code, is amended by inserting at the end ''The judicial officer may not declare forfeited a bail bond for violation of a release condition set forth in clauses (i)–(xi), (xiii), or (xiv) of section 3142(c)(1)(B).''.

(2) Section 3148(a) of title 18, United States Code, is amended by inserting at the end ''Forfeiture of a bail bond executed under clause (xii) of section 3142(c)(1)(B) is not an available sanction under this section and such forfeiture may be declared only pursuant to section 3146.''.

(b) Rule 46(f)(1) of the Federal Rules of Criminal Procedure is amended by striking ''a condition of the bond is breached'' and inserting ''the defendant fails to appear physically before the court''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Virginia (Mr. FORBES) 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 to revise and extend their remarks and include extraneous matter on this 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.

Members of the Congress, of the House here, the bail bond system in our country is under considerable pressure. Some would even say that it is broken. The reason is that Federal courts increasingly use bail bonds to ensure that a defendant appear in court but it also is used to make sure that a defendant complies with other requirements while awaiting trial.

□ 1600

As a result of a combination of these factors, there have been critical problems that have developed. When you merge the use of bail bonds, there is presented a greater risk of forfeiture, and, thereby, this has made it much more difficult, especially for those with limited means to obtain these bonds. Frequently, the amount of the bond goes up, sometimes a great deal.

Now, historically, of course, the sole purpose of a bail bond was to ensure that a defendant appears in court. When a bail bond is also used to guarantee compliance with collateral conditions of release, a court may direct the bond to be forfeited should the defendant violate any of these conditions, even if the defendant appears in court. This, of course, heightens the risk of forfeiture and makes it now virtually impossible for many persons to obtain these bonds, because the cost of the bond goes up.

Also, merging the traditional purpose of bail bonds with other conditions of release creates a perverse situation where, ironically, there are less incentives for the defendants who violate these conditions to then appear in court. As a result, thousands of defendants are failing to come to court, which increases the expense and effort by Federal law enforcement officers to secure their presence.

Also, family members and friends of the defendant, who pledge their homes, put the house up for capital, life savings or other assets, are at greater risk of losing their property as well. So, fewer family members and friends feel that they can afford to take the risk of assisting and procuring a bond.

Now, while wealthy defendants can use their own assets for collateral and gain pretrial release, those less-wealthy defendants are incarcerated before trial even when there is little or no risk of flight or threat to the public. Remanding a defendant into pretrial detention when he or she is neither a flight risk nor a danger to society also creates an undue financial burden on our Nation's prison system.

It's also highly unfair to an accused who, of course, thus far, has not been convicted yet of anything. So, hence, the Bail Bond Fairness Act.

What this measure does is attempt to address the problem by restoring the historical purpose of bail bonds; namely, that they be used solely to ensure the defendant's physical presence before a court. Under this measure, a Federal judge has the authority to declare a bail bond forfeited only under the circumstances of where the defendant actually fails to appear in court as ordered, and not simply because the defendant has violated some collateral condition of release.

So I urge my colleagues to support this bill and am very pleased to commend the leaders and members of the subcommittee on crime for helping us bring this measure forward in such an expeditious manner.

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

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

Mr. Speaker, I rise in support of H.R. 2286, the Bail Bond Fairness Act of 2007. Bail bonds are rare in Federal court, and this bill will ensure that bail bondsmen and defendants are treated fairly.

This legislation amends the Federal code to prohibit a judicial officer from forfeiting a bail bond when a defendant violates a performance condition other than failing to appear in court. On balance, I think it is unfair to hold bail bondsmen accountable for compliance with performance conditions such as drug testing, curfews and other non-appearance-related conditions.

A bail bondsman should be held accountable for ensuring the defendant appears at all court dates. It is hard to justify authorizing a court to forfeit a bond for performance conditions that a bail bondsman cannot enforce.

I want to acknowledge the commitment of my colleagues, Congressman WEXLER and Congressman KELLER, who sponsored this bill and have demonstrated leadership on this issue. For these reasons, I support the bill and urge my colleagues to do so as well.

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

Mr. CONYERS. I commend the ranking member, Mr. FORBES, for his good work on this measure.

Mr. Speaker, I yield as much time as he may consume to the subcommittee chairman on crime, another gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I rise today in support of H.R. 2286, the Bail Bond Fairness Act of 2007. The legislation was introduced by Representative WEXLER and Representative KELLER on May 10 of this year and largely mirrors several other bipartisan bills introduced in the last three Congresses.

Historically, bail has been issued for the sole purpose of ensuring a defendant's appearance in court as ordered. In recent years, however, Federal judges have ordered bail bonds forfeited even when the defendants, in fact, appear in court, but they have violated collateral conditions of pretrial release.

Although actual bail forfeitures of bonds for violating collateral conditions are rare, and one of the reasons is that bail bonds, in fact, are rare, one reason cited is that some Federal judges now allow defendants to deposit their own funds in amounts that would be equal to the premium of a commercial bond underwriter, making the commercial bond unnecessary. Even so, the practice of attaching ancillary conditions to the issuance of a bond has created a barrier to pretrial release, because the risk of bond forfeiture has forced many commercial bond underwriters to avoid the Federal system altogether.

We find that commercial bond underwriters will opt to offer their services to defendants in the State system where a risk of loss is lower because they only have to be concerned about the defendant's appearance, not his behavior, or where they also maintain that friends and family of defendants are reluctant to post a bond for defendants because they cannot risk their homes or life savings based on a person's behavior. They may be able to risk it assuming he will show up in court.

H.R. 2286 would return the use of bail bonds to the historic purpose of limiting a judge's authority to order a bond forfeited to a defendant's failure to appear physically in court. It is important to note that the bill does preserve a judge's authority to impose conditions of release and to revoke the pretrial release and order pretrial custody, should a defendant violate any conditions of pretrial release. But so long as a defendant actually appears in court, the bond should not be revoked.

I strongly urge my colleagues to support the bill.

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

Mr. Speaker, you have heard from the other speakers here today about the fairness of this measure, and it certainly is a measure of fairness, how we treat bail bondsmen. And also as the chairman has pointed out, this is a matter of fairness of how we treat individuals who need bond, which they may not otherwise may have.

Even though this is a measure that is very fair, even fair measures don't make it into law without the hard work of individuals. That's why I want to compliment Congressman WEXLER on the good job that he has done. Congressman KELLER, who wanted to be here today to speak on this bill, has worked very hard and tirelessly for it in the committee. Unfortunately, his flight has been delayed, and he won't be here today. But I know if he were here, he would speak on the record here as he has spoken in the committee on this bill.

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

Mr. CONYERS. Mr. Speaker, I yield as much time as he may consume to one of the authors of this measure, the gentleman from Florida (Mr. WEXLER).

Mr. WEXLER. Mr. Speaker, I first and foremost want to thank Chairman CONYERS for his cooperation and great support for H.R. 2286. I also want to thank Ranking Member LAMAR SMITH for working in such a bipartisan fashion.

I especially want to thank Congressman KELLER, Mr. FORBES mentioned just a moment ago. Mr. KELLER and I have worked hand in hand in pushing the Bail Bond Fairness Act, and I know very much that he wished to be here to speak this evening.

I also want to thank Mr. FORBES for his very kind words and his cooperation as well, as well as the subcommittee chairman, Mr. SCOTT of Virginia.

Mr. Speaker, the Bail Bond Fairness Act will ensure equality and fairness for all Federal defendants and will make it possible for bail agents to once again write bonds in Federal courts. This bill addresses a serious problem in the Federal bail bond system, created by requirements that bail agents not only ensure the appearance of defendants in court, but also guarantee other conditions beyond the agent's control, such as alcohol consumption and curfews.

As a result, bail bond agents have stopped writing bonds in Federal cases, and lower-income defendants have become unable to post bail while wealthier individuals do so easily. The result is that poor defendants can't afford bail and must, therefore, stay in jail at taxpayer expense.

H.R. 2286 would remedy these problems and allow professional bail agents to return to the Federal court system. The bill mandates that a bail bond may be forfeited only if a defendant fails to appear in court as ordered.

This legislation reaffirms the original purpose of a bail bond, to guarantee the defendant appears in court. Bail agents must be allowed to serve this purpose and cannot be expected to serve as full-time nannies for defendants whom judges determine are safe to be released.

It is important to note that the Bail Bond Fairness Act totally preserves the authority of the judge to grant or refuse bail. The judge, and the judge only, will continue to make a determination on flight risk and any possible threat to the community.

Judges will still have the discretion to determine who is eligible and who is not for pretrial release, what conditions accompany that release, and whether or not a suspected criminal is a flight risk. We all agree that if a suspected criminal is a threat to the society, to the community, he or she should stay in jail.

The bottom line is that bail bonds should guarantee appearance in court. Any other appropriate conditions set by the judge, such as alcohol or drug consumption, should not be tied to the bond.

This bill enjoys a great deal of bipartisan support, and I again want to thank Congressman KELLER, my colleague from Florida, as one of the prime sponsors and again thank Chairman CONYERS.

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

Mr. CONYERS. Mr. Speaker, I ask my colleagues to support the bill.

Mr. Speaker, H.R. 2286 restores the use of bail bonds to the traditional purpose of ensuring that a defendant appears in court as directed. It removes the risk that a defendant's family and friends will forfeit their homes, savings, or other assets even though the defendant appears, just because of failure to comply with some unrelated collateral condition. And perhaps most importantly, it will increase the appropriate availability of bail bonds to all, not just the wealthy. I urge my colleagues to support this bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H.R. 2286, the "Bail Bond Fairness Act of 2007." I urge my colleagues to join me in voting to report this legislation favorably to the House. I am confident that working together we can address and resolve the real challenges regarding bail bond practices in the Federal judiciary.

H.R. 2286 reforms the current practice of placing performance-based pretrial release conditions on bail bonds. This practice apparently has had the unintended consequence of prompting some commercial bond underwriters to avoid the Federal system and placing a heavy risk on family and friends of defendants who would collateralize property to satisfy a bond. As a result, many defendants are being incarcerated pending disposition of their criminal cases who would otherwise not be confined.

H.R. 2286 restores bail bonds to their historic purpose by prohibiting the forfeiture of a bail bond in all situations except for a defendant's failure to appear. It does this by amending Rule 46(f)(1) of the Federal Rules of Criminal Procedure by striking ''a condition of the bond is breached'' and inserting ''the defendant fails to appear physically before the court.'' The bill, however, preserves a judge's ability to revoke a defendant's bail status and order pretrial detention should a defendant violate any condition of pretrial release.

Mr. Speaker, to better understand the problems in the Federal bail bond system and to evaluate the efficacy of the H.R. 2286, this subcommittee held a legislative hearing at which we heard from an impressive panel of witnesses, which included: The Hon. ROBERT WEXLER, Congressman, Florida 19th District; the Hon. RIC KELLER, Congressman, Florida 8th District; Ms. Linda Braswell, MCBA, Braswell Surety Services, Inc., Stuart, Florida; and Hon. Tommy E. Miller, Magistrate, United States District Court, Eastern Virginia.

Mr. Speaker, it is important for us to remember that the right to bail is guaranteed by the Eighth Amendment to the U.S. Constitution. Historically, the sole purpose of affording bail to a defendant is to ensure the defendant's appearance in court. In recent years, however, Federal judges have taken to merging the purposes of bail with other conditions of release and in many cases have been ordering bonds forfeited even in cases in which the defendant actually appears in court as ordered. The bail is ordered forfeited by the court upon a determination by the court that the defendant failed to comply with some collateral condition of release.

In support of these forfeiture determinations judges rely on Federal Rule of Criminal Procedure 46(f) as authority. For example, if the defendant uses illegal drugs, fails to maintain a job, travels beyond a certain area, the defendant's bail may be revoked, and the defendant returned to jail and the bond forfeited.

Federal Rule of Criminal Procedure 46(f) has been upheld by the courts against challenge. For example, in *United States* v. *Vaccaro*, 51 F.3d 189 (9th Cir. 1995), the court held that the rule 46(f) authorized bond forfeiture for violation of collateral conditions of release and not simply for failure to appear. Moreover, courts have cited congressional failure to act to change this ruling as ratification that it is correct.

Mr. Speaker, the consequences of forfeiting bond as a method of monitoring a defendant's performance rather than for its historically narrowly tailored purpose are several. First, because bond writers are forced to consider the defendant's performance and behavior while on pretrial release, the risk to bond agents has increased dramatically, forcing them to adhere to strict underwriting guidelines. The strict guidelines adversely and disproportionately affect poor and disadvantaged defendants by exacerbating the difficulty in obtaining pretrial release. This means, of course, that only defendants with significant assets are afforded the benefits of pretrial release. Poor defendants are therefore incarcerated before conviction, even those who pose no significant risk of flight and no threat to the public.

Second, family members of the defendant or anyone willing to raise collateral to help procure a bail bond for a loved one are also put at undue risk. This is because a person who puts up his or her home or other assets as collateral may nevertheless lose their property even if the defendant attends court appearances and is not a threat to the community. Thus, fewer friends and family are willing to assist in procuring a bond and those who do may unjustly lose their assets.

Mr. Speaker, a third unintended consequence of this practice of bail forfeiture for collateral pre-trial release violations places an undue financial burden and physical strain on the prison system. Last, revoking a defendant's bond for performance issue such as unemployment reduces considerably a defendant's incentive to make court appearances. Consequently, bond revocation for a performance matter has created a flight risk of a defendant who otherwise may not have been.

In short, placing performance-based conditions on a bail bond strays from the historic purpose of a bail bond, which is to ensure the appearance of a defendant before the court as ordered. The avowed intent of H.R. 2286, sponsored by Congressman WEXLER, is to restore bail bonds to their historic purpose by prohibiting the forfeiture of a bail bond in all situations except for a defendant's failure to appear.

It does this by amending Rule 46(f)(1) of the Federal Rules of Criminal Procedure by striking ''a condition of the bond is breached'' and inserting ''the defendant fails to appear physically before the court.'' The bill, however, preserves a judge's ability to revoke a defendant's bail status and order pretrial detention should a defendant violate any condition of pretrial release.

Mr. Speaker, I urge all members to support this much needed and thoughtful legislation.

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

The SPEAKER pro tempore (Mr. ROSS). 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. 2286.

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

A motion to reconsider was laid on the table.

□ 1615

ERNEST CHILDERS DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC

Mr. HARE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 366) to designate the Department of Veterans Affairs Outpatient Clinic in Tulsa, Oklahoma, as the ''Ernest Childers Department of Veterans Affairs Outpatient Clinic''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 366

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

SECTION 1. DESIGNATION OF ERNEST CHILDERS DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC.

(a) DESIGNATION.—The Department of Veterans Affairs Outpatient Clinic in Tulsa, Oklahoma, shall after the date of the enactment of this Act be known and designated as the ''Ernest Childers Department of Veterans Affairs Outpatient Clinic''.

(b) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the outpatient clinic referred to in subsection (a) shall be considered to be a reference to the Ernest Childers Department of Veterans Affairs Outpatient Clinic.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HARE) and the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

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

Mr. Speaker, the Medal of Honor is the highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States.

It is an honor and a privilege for me to stand here before you today to talk about one such individual. His name was Ernest Childers.

Ernest Childers was the first Native American to receive the Congressional Medal of Honor for his heroic action in 1943 at the battle of Oliveto, Italy, when he charged German machine gun nests against machine gun fire.

Although suffering a broken foot in the assault, Childers ordered covering fire, advanced up a hill, single-handedly killing two snipers, silencing two machine gun nests, and capturing an enemy mortar observer.

His courageous action helped American troops win the battle and save the lives of countless American soldiers. Childers was also awarded the Purple Heart and the Bronze Star for his actions.

H.R. 366 would name the Department of Veterans Affairs Outpatient Clinic in Tulsa, Oklahoma as the ''Ernest Childers Department of Veterans Affairs Outpatient Clinic.''

Until his death on March 17, 2005, Childers was Oklahoma's last Congressional Medal of Honor recipient still living in the State. It is only fitting that we remember such a courageous soldier by naming a veterans outpatient clinic in his honor.

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

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I certainly thank you and Chairman FILNER for bringing these four suspensions to the floor today. These bills pay tribute to the extraordinary valor and fidelity displayed under fire by three soldiers and one Marine by naming VA facilities in their honor.

In earning the Medal of Honor, Charles George, Ernest Childers, Oscar Johnson and Raymond Murphy were bestowed this Nation's highest award for valor in combat. Generally presented to its recipients by the President of the United States of America in the name of Congress, the medal is often called the Congressional Medal of Honor.

At a time when corrosive influences in our society concern many Americans, the intrepid self-sacrifice of these men, two of whom were Native Americans, endures untarnished. It is, therefore, entirely fitting that we name, in their honor, four Department of Veterans Affairs facilities that represent the fulfillment of this Nation's obligation to those who serve us and who, through their sacrifices, ensure our continued liberties.

The bill before us today, H.R. 366, was introduced by Congressman JOHN SULLIVAN, and would honor Ernest Childers, a Native American and Army veteran who was awarded the Medal of Honor for his valor in combat in Italy during World War II. I appreciate the initiative and hard work of my colleague from Oklahoma that he took in bringing this bill to the House.

A Native American of the Creek Nation from Oklahoma, Ernest Childers enlisted in the Oklahoma National Guard in 1937 to earn extra money while attending the Indian school in North Central Oklahoma. Childers deployed from Fort Sill, Oklahoma to Africa to fight the Axis in World War II.

Second Lieutenant Childers, a member of the 45th Infantry Division, was cited for conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty in action September 22, 1943 at Oliveto, Italy. Having already suffered a broken foot, he single-handedly captured enemy gun positions after ordering his eight troops to cover him with fire. Displaying exceptional leadership, initiative, calmness under fire and conspicuous gallantry, Lieutenant Childers served as an inspiration to his men.

Mr. Speaker, I ask that the complete text of Lieutenant Childers' citation award be included in the RECORD.

The President of the United States in the name of the Congress takes pleasures in presenting the Medal of Honor to Ernest Childers.

Rank and organization: Second Lieutenant, U.S. Army, 45th Infantry Division. Place and date: At Oliveto, Italy, 22 September

1943. Entered service at: Tulsa, Okla. Birth: Broken Arrow, Okla. G.O. No.: 30, 8 April 1944.

Citation: For conspicuous gallantry and intrepidity at risk of life above and beyond the call of duty in action on 22 September 1943, at Oliveto, Italy. Although 2d Lt. Childers previously had just suffered a fractured instep he, with 8 enlisted men, advanced up a hill toward enemy machinegun nests. The group advanced to a rock wall overlooking a cornfield and 2d Lt. Childers ordered a base of fire laid across the field so that he could advance. When he was fired upon by 2 enemy snipers from a nearby house he killed both of them. He moved behind the machinegun nests and killed all occupants of the nearer one. He continued toward the second one and threw rocks into it. When the 2 occupants of the nest raised up, he shot 1. The other was killed by 1 of the 8 enlisted men. 2d Lt. Childers continued his advance toward a house farther up the hill, and single-handed, captured an enemy mortar observer. The exceptional leadership, initiative, calmness under fire, and conspicuous gallantry displayed by 2d Lt. Childers were an inspiration to his men.

Mr. Speaker, Ernest Childers continued to serve his Nation after the war. He taught jungle training in Panama, and winter training in Alaska before retiring in 1965 as a Lieutenant Colonel. A brief stint with the Job Corps program in Washington ended after he suffered a heart attack. Upon returning to Oklahoma, he spoke with students about the emotional cost of war.

Most recently, Lieutenant Colonel Childers wrote an inspirational message to the Nation against racism to discourage attacks against Arab Americans after our Nation was attacked on September 11, 2001. Childers wrote, ''Even though, as a Native American, I have darker skin than some Americans, that doesn't mean I'm any less patriotic. Even during those times in our history when Native Americans were persecuted and discriminated against, we still volunteered for military service.''

He said, ''Remember, Native Americans didn't even receive the vote until World War I, yet we served in military action because, when all is said and done, we are loyal and patriotic Americans.''

Ernest Childers died on March 17, 2005. His legacy of valor and courage for future generations of American lives on and it is supremely appropriate that we recognize his legacy by naming this VA facility after him.

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

Mr. HARE. Mr. Speaker, I continue to reserve the balance of my time.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I wish to yield as much time as he may consume to the gentleman from Oklahoma (Mr. SULLIVAN), who sponsored this bill.

Mr. SULLIVAN. Mr. Speaker, I rise today in strong support of my bill, H.R. 366, which will designate the Department of Veterans Affairs Outpatient Clinic in Tulsa, Oklahoma, the Ernest Childers VA Outpatient Clinic to honor one of our Nation's finest military heroes.

Ernest Childers holds the distinction of being the first Native American to receive the Congressional Medal of Honor for his heroic action in 1943 at the battle of Oliveto, Italy, where he charged the German machine gun nest against machine gun fire. Although suffering a broken foot in the assault, Childers ordered covering fire and advanced up the hill, single-handedly killing two snipers, silencing two machine gun nests, and capturing an enemy mortar observer. His courageous action helped American troops win the battle and saved the lives of American soldiers. Childers was also awarded the Purple Heart and Bronze Star for his actions.

Born in Broken Arrow, Oklahoma, Childers enlisted in the Oklahoma National Guard in 1937 to earn extra money while attending the Chilocco Indian School in north central Oklahoma. While stationed at Fort Sill in Oklahoma, he was deployed to Africa to fight in World War II.

Childers retired from the Army in 1965 as a Lieutenant Colonel, but remained very active in the Tulsa community, serving Indian youth which led to the naming of the middle school in Broken Arrow, Oklahoma in his honor.

As a proud Creek Indian, in 1966, Childers was honored by the Tulsa Chapter of the Council of American Indians as ''Oklahoma's Most Outstanding Indian.''

Of his military service in World War II, Childers once said, ''This American Indian has only one country to defend, and when you're picked on, the American Indian never turns his back.'' A fitting quote from a man who exemplified courage under fire and dedication to defending our Nation.

Until his death on March 17, 2005, Childers was one of Oklahoma's last Congressional Medal of Honor recipients still living in the State.

I ask my colleagues to join me in supporting this legislation to honor his life and legacy. We were honored to have him grace us with his model character, defend us with his bravery, and leave us all a life well lived.

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

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I have no additional Members who have requested time, but I just would encourage a positive vote on this bill for, obviously, someone who loved our country very, very much, and would encourage Members to support this resolution.

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

GENERAL LEAVE

Mr. HARE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 366.

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

There was no objection.

Mr. HARE. Mr. Speaker, I strongly urge my colleagues to unanimously support H.R. 366.

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 Illinois (Mr. HARE) that the House suspend the rules and pass the bill, H.R. 366.

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

A motion to reconsider was laid on the table.

CHARLES GEORGE DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER

Mr. HARE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2546) to designate the Department of Veterans Affairs Medical Center in Asheville, North Carolina, as the ''Charles George Department of Veterans Affairs Medical Center''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2546

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

SECTION 1. DESIGNATION OF CHARLES GEORGE DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER.

(a) DESIGNATION.—The Department of Veterans Affairs Medical Center located at 1100 Tunnel Road, Asheville, North Carolina, shall after the date of the enactment of this Act be known and designated as the ''Charles George Department of Veterans Affairs Medical Center''.

(b) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the medical center referred to in subsection (a) shall be considered to be a reference to the Charles George Department of Veterans Affairs Medical Center.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HARE) and the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

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

In its history, the Medal of Honor has been awarded only 3,463 times. 3,458 of those were awarded for separate acts of heroism. I'm here today to tell you about one such act and the extraordinary individual who performed it. I am truly in awe of his courage and selflessness.

His name was Charles George. He was a Private First Class in the United States Army. PFC George distinguished himself by going above and beyond the call of duty in action against the enemy on the night of November 30, 1952.

He was a member of a raiding party committed to engage the enemy and capture a prisoner for interrogation. Subject to intense mortar and machine gun fire, and suffering several casualties throughout the advance, he fought

valiantly, and upon reaching the crest of the hill, leaped into the trenches and engaged with the enemy in hand-to-hand combat.

When friendly troops were ordered to move back upon completion of the assignment, he and two comrades remained to cover the withdrawal. While in the process of leaving the trenches, a hostile soldier hurled a grenade into their midst.

PFC George shouted a warning to one comrade, pushed the other soldier out of danger, and with full knowledge of the consequences, unhesitatingly threw himself upon the grenade, absorbing the full blast of the explosion. Although seriously wounded in this display of valor, he refrained from any outcry which would divulge the position of his companions.

The two soldiers evacuated him to the forward aid station and shortly thereafter he succumbed to his wounds.

This brave young man epitomized courage and self sacrifice. To show our deep appreciation, and so that we never forget, H.R. 2546 would name the Veterans Affairs Medical Center in Asheville, North Carolina, as the Charles George Department of Veterans Affairs Medical Center.

□ 1630

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

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2546, which would rename the Department of Veterans Affairs Medical Center in Asheville, North Carolina, the Charles George Department of Veterans Affairs Medical Center.

This legislation was introduced by my colleague from North Carolina, Representative HEATH SHULER, and I appreciate his efforts to bring this bill to the floor for consideration so that we can pay tribute to yet another Medal of Honor recipient.

This legislation honors a soldier who made the ultimate sacrifice for his comrades in arms and for his country. As a grateful Nation, it is fitting and right to offer tribute to him by giving his name to a facility that expresses our Nation's promise to those who served us in military uniform.

Private First Class Charles George was a native of Cherokee, North Carolina, and a member of the Eastern Band of the Cherokee Nation. He served his country bravely in the U.S. Army and was posthumously awarded the Medal of Honor for his actions on the night of November 30, 1952.

On that night in Korea, Private First Class George was a member of a raiding party committed to engage the enemy and capture a prisoner for interrogation. During the execution of its mission, the group was subjected to intense enemy fire and suffered several casualties. PFC George fought valiantly and, upon reaching the crest of the hill, leapt into the trenches and closed with the enemy in hand-to-hand combat. When friendly troops were ordered to pull back upon completion of the mission, he and two comrades provided cover for the withdrawal of troops. While they were leaving the trenches, a grenade was hurled into their midst. PFC George shouted a warning to his comrades, pushed one soldier out of the way, and threw himself on the grenade. Even though severely injured and certainly in agony, PFC George remained quiet so that his comrades' position would not be disclosed. His companions evacuated him to the first aid station, where he shortly succumbed to his wounds.

Mr. Speaker, at this time I will submit the text of Private First Class George's Medal of Honor citation for the RECORD.

*GEORGE, CHARLES

Rank and organization: Private First Class, U.S. Army, Company C, 179th Infantry Regiment, 45th Infantry Division. Place and date: Near Songnae-dong, Korea, 30 November 1952. Entered service at: Whittier, N.C. Born: 23 August 1932, Cherokee, N.C. G.O. NO.: 19, 18 March 1954. Citation: PFC George, a member of Company C, distinguished himself by conspicuous gallantry and outstanding courage above and beyond the call of duty in action against the enemy on the night of 30 November 1952. He was a member of a raiding party committed to engage the enemy and capture a prisoner for interrogation. Forging up the rugged slope of the key terrain feature, the group was subjected to intense mortar and machine gun fire and suffered several casualties. Throughout the advance, he fought valiantly and, upon reaching the crest of the hill, leaped into the trenches and closed with the enemy in hand-to-hand combat. When friendly troops were ordered to move back upon completion of the assignment, he and 2 comrades remained to cover the withdrawal. While in the process of leaving the trenches a hostile soldier hurled a grenade into their midst. PFC George shouted a warning to 1 comrade, pushed the other soldier out of danger, and, with full knowledge of the consequences, unhesitatingly threw himself upon the grenade, absorbing the full blast of the explosion. Although seriously wounded in this display of valor, he refrained from any outcry which would divulge the position of his companions. The 2 soldiers evacuated him to the forward aid station and shortly thereafter he succumbed to his wound. PFC George's indomitable courage, consummate devotion to duty, and willing self-sacrifice reflect the highest credit upon himself and uphold the finest traditions of the military service.

Mr. Speaker, Private First Class Charles George's incomparable heroism exemplifies the courage, self-sacrifice, and patriotism that are woven throughout the fabric of our Armed Forces. His consuming regard for his comrades exemplifies the very strong bond of those who served in the military feel for one another. PFC George made the ultimate sacrifice for us, and it befits that signal act that we name the Asheville North Carolina VA Medical Center in his honor.

I urge my colleagues to support this excellent legislation, introduced by Mr. SHULER, so that we can name the facility in honor of a very, very brave man who helped our country and certainly the country of South Korea during the Korean War.

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

Mr. HARE. Mr. Speaker, I join my colleague in urging all of my colleagues to unanimously support H.R. 2546.

Mr. SHULER. Mr. Speaker, I rise today to request that a great honor be bestowed on an equally great soldier. I am referring to PFC Charles George, a son of western North Carolina who bravely sacrificed himself for his fellow soldiers and for his country. Private First Class George came from Cherokee, NC. He was a proud member of the Eastern Band of Cherokee Indians and an exemplary soldier in the U.S. Army.

On the night of November 30, 1952, George's company was operating near the South Korean village of Songnae-dong. While charging an enemy camp, Private First Class George dodged mortar and machine-gun fire, jumped into the enemy's trenches, and engaged in hand-to-hand combat. When the American soldiers were ordered to retreat, Private First Class George remained behind to ensure the safety of his withdrawing companions. The enemy then launched a grenade into his company, at which point Private First Class George dove upon the explosive, absorbing the blast and saving his comrades. He died soon after while being evacuated by his fellow soldiers.

Private First Class George was awarded the Congressional Medal of Honor and is the only member of the Eastern Band of the Cherokee Indians to be given this mark of distinction. Now, Mr. Speaker, I ask that we bestow another honor upon Private First Class George by placing his name on the Asheville VA Medical Center. This center has a 112-bed acute care facility and a 120-bed extended care facility that serves veterans in western North Carolina and sections of Georgia, South Carolina, and Tennessee. It provides quality and comprehensive primary, tertiary, and long-term health care to those who have valiantly sacrificed for our country.

Mr. Speaker, I would like to thank Chairman FILNER for his leadership on this issue, as well as the American Legion and the Eastern Band of Cherokee Indians for their diligent efforts to ensure that PFC George is given the honor he deserves. I ask that my colleagues support me in renaming the Asheville VA Medical Center the Charles George VA Medical Center.

Mr. HARE. 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 Illinois (Mr. HARE) that the House suspend the rules and pass the bill, H.R. 2546.

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. HARE. 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. HARE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2546.

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

There was no objection.

OSCAR G. JOHNSON DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY

Mr. HARE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2602) to name the Department of Veterans Affairs medical facility in Iron Mountain, Michigan, as the ''Oscar G. Johnson Department of Veterans Affairs Medical Facility''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2602

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

SECTION 1. NAME OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY, IRON MOUNTAIN, MICHIGAN.

The Department of Veterans Affairs medical facility in Iron Mountain, Michigan, shall after the date of the enactment of this Act be known and designated as the ''Oscar G. Johnson Department of Veterans Affairs Medical Facility''. Any reference to that medical facility in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Oscar G. Johnson Department of Veterans Affairs Medical Facility.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HARE) and the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

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

Medal of Honor recipients have performed selfless acts of courage. When reading their citations, we are deeply humbled by the courage and selflessness of their actions to save their comrades and to defend this great country.

H.R. 2602 would name the Department of Veterans Affairs medical facility in Iron Mountain, Michigan, as the Oscar G. Johnson Department of Veterans Affairs Medical Facility.

The following is from the citation for Sergeant Johnson, who at the time of his action was a private first class in the United States Army. It was September, 1944, and the Allied Forces were attempting to break the German defense line in Italy known as the ''Gothic Line'':

He practically single handedly protected the left flank of his company's position in the offensive to break the German Gothic Line. Company B was the extreme left assault unit of the corps. The advance was stopped by heavy fire from Monticelli Ridge, and the company took fire behind an embankment.

Sergeant Johnson, a mortar gunner, having expended his ammunition, assumed the duties of a rifleman. As leader of a squad of seven men, he was ordered to establish a combat post 50 yards to the left of the company to cover its exposed flank.

Repeated enemy counterattacks, supported by artillery, mortar, and machine gun fire from the high ground to his front, had by the afternoon of 16 September killed or wounded all of his men. Collecting weapons and ammunition from his fallen comrades, in the face of hostile fire, he held his exposed position and inflicted heavy casualties upon the enemy, who several times came close enough to throw hand grenades at him.

On the night of September 16, the enemy launched its heaviest attack on Company B, putting its greatest pressure against the lone defender of the left flank. In spite of mortar fire which crashed about him and machine gun bullets which whipped the chest of his shallow trench, Sergeant Johnson stood erect and repulsed the attack with grenades and small arms fire.

He remained awake and alert throughout the night, frustrating all attempts at infiltration. On 17 September, 25 German soldiers surrendered to him. Two men, sent to reinforce him that afternoon, were caught in a devastating mortar and artillery barrage.

With no thought for his own safety, Sergeant Johnson rushed to the shell hole where they lay half buried and seriously wounded, covered their position by his fire, and assisted a medical corpsman in rendering aid. That night he secured their removal to the rear and remained on watch until his company was relieved.

Five companies of the German paratroop regiment had been repeatedly committed to the attack on Company B without success. Twenty dead Germans were found in front of his position. By his heroic stand and utter disregard for personal safety, Sergeant Johnson was in large measure responsible for defeating the enemy's attempts to turn the exposed left flank. What an incredible hero, Mr. Speaker.

Mr. JOHNSON is no longer with us, but we can keep alive his memory by naming the facility in his honor.

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

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2602, a bill to designate the VA medical facility in Iron Mountain, Michigan, as the Oscar G. Johnson VA Medical Facility. This legislation was introduced by my colleague from Michigan, Representative BART STUPAK, and it will honor a soldier who served his country with gallantry and distinction under fire during World War II near Scarperia, Italy. I appreciate Congressman STUPAK's hard work and initiative on this legislation.

On September 16, 1944, Sergeant Johnson, a mortar gunner, expended his ammunition and assumed the duties of a rifleman. As the leader of the squad of seven men, he was ordered to establish a position 50 yards to the left of his company to cover its exposed flank. Repeated enemy counterattacks had by that afternoon killed or wounded all of his men. Collecting weapons and ammunition from his fallen comrades, he continued to hold his exposed position and inflicted heavy casualties on the enemy throughout the night. On September 17, 25 German soldiers surrendered to him; 25 soldiers surrendered to one very brave soldier.

Two men were sent out to reinforce him that afternoon, but were caught in devastating mortar fire. Sergeant Johnson secured their removal and continued to hold his position until his company was relieved on September 18. Twenty dead Germans were found in front of his position. By his heroic stand and utter disregard for personal safety, Sergeant Johnson was in large measure responsible for defeating the enemy's attempts to turn the exposed left flank.

Mr. Speaker, I will submit Sergeant Johnson's complete Medal of Honor citation into the RECORD.

JOHNSON, OSCAR G.

Rank and organization: Sergeant, U.S. Army, Company B, 363d Infantry, 91st Infantry Division. Place and date: Near Scarperia, Italy, 1618 September 1944. Entered service at: Foster City, Mich. Birth: Foster City, Mich. G.O. No.: 58, 19 July 1945. Citation: (then Pfc.) He practically single-handed protected the left flank of his company's position in the offensive to break the German's gothic line. Company B was the extreme left assault unit of the corps. The advance was stopped by heavy fire from Monticelli Ridge, and the company took cover behind an embankment. Sgt. Johnson, a mortar gunner, having expended his ammunition, assumed the duties of a rifleman. As leader of a squad of 7 men he was ordered to establish a combat post 50 yards to the left of the company to cover its exposed flank. Repeated enemy counterattacks, supported by artillery, mortar, and machinegun fire from the high ground to his front, had by the afternoon of 16 September killed or wounded all his men. Collecting weapons and ammunition from his fallen comrades, in the face of hostile fire, he held his exposed position and inflicted heavy casualties upon the enemy, who several times came close enough to throw hand grenades. On the night of 1617 September, the enemy launched his heaviest attack on Company B, putting his greatest pressure against the lone defender of the left flank. In spite of mortar fire which crashed about him and machinegun bullets which whipped the crest of his shallow trench, Sgt. Johnson stood erect and repulsed the attack with grenades and small arms fire. He remained awake and on the alert throughout the night, frustrating all attempts at infiltration. On 17 September, 25 German soldiers surrendered to him. Two men, sent to reinforce him that afternoon, were caught in a devastating mortar and artillery barrage. With no thought of his own safety, Sgt. Johnson rushed to the shell hole where they lay half buried and seriously wounded, covered their position by his fire, and assisted a Medical Corpsman in rendering aid. That night he secured their removal to the rear and remained on watch until his company was relieved. Five companies of a German paratroop regiment had been repeatedly committed to the attack on Company B

without success. Twenty dead Germans were found in front of his position. By his heroic stand and utter disregard for personal safety, Sgt. Johnson was in a large measure responsible for defeating the enemy's attempts to turn the exposed left flank.

Mr. Speaker, Sergeant Johnson continued to serve his country after the war. He served as a foreman of a National Guard vehicle maintenance shop in Lansing, Michigan, giving his Nation 30 years of service with the National Guard. On May 13, Mr. Johnson died in Iron Mountain, Michigan, leaving behind a legacy of heroism and gallantry.

I support H.R. 2602 as a fitting tribute to a good man who served his Nation well, not just in war but also throughout his life. I certainly urge all of the Members to support this and would remind the Members that certainly Mr. Johnson is one of the many reasons why we do call this, Mr. Johnson's era, the ''Greatest Generation.''

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

Mr. HARE. Mr. Speaker, at this time I would like to yield such time as he may consume to the author of this wonderful piece of legislation, Congressman BART STUPAK from the State of Michigan.

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

I rise today in support of H.R. 2602, a bill to name the Veterans Affairs medical facility in Iron Mountain, Michigan, after Oscar G. Johnson. I am proud to have authored this legislation and proud to bring it to the floor. Oscar Johnson was a friend of mine, and he was a legend in Michigan's Upper Peninsula.

I would like to thank Chairman FILNER and Ranking Member BUYER for their support of this legislation.

As was mentioned, Oscar Johnson was a Congressional Medal of Honor winner and a Dickinson County native. He was awarded the Congressional Medal of Honor for his actions in combat near Scarperia, Italy, in September, 1944.

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I will not go through all the details, as that has already been done by the previous two speakers who have eloquently outlined the heroic actions of Oscar Johnson. Mr. HARE and Ms. GINNY BROWN-WAITE did an excellent job in doing that. I would like to add a few other thoughts.

As was indicated, Sergeant Johnson's service to his country did not stop after he returned home from World War II. In fact, Mr. Johnson continued to serve honorably as a foreman of the National Guard vehicle maintenance shop in Lansing, Michigan, our State capital.

During his 30 years of service, Mr. Johnson worked alongside and guided young soldiers, Vietnam-era veterans, and newly enlisted women in our military service. Oscar Johnson quickly became a beloved member of his local community and exemplified the dedication and sacrifice made by all the men and women who served in the Armed Forces, especially during World War II. He was a local hero and a great American. Mr. Johnson is one of 68 World War II Medal of Honor recipients to have survived combat.

Mr. Johnson passed away in 1998 and developed a reputation for conducting himself with modesty, dignity and honor.

At this time, I will enter into the RECORD an article entitled, ''A Soldier's Story,'' which appeared in the Iron Mountain Daily News after his death in 1998. This article eloquently describes Mr. Johnson's heroic actions during World War II and his commitment to this country.

A SOLDIER'S STORY

(By Jim Anderson)

Oscar Johnson was reluctant, in a newspaper interview, to relate the details of a World War II battle that earned him the Congressional Medal of Honor.

''The way they describe my role, it sounds like I might have been a little better than I was,'' he said.

The story of the battle, as told in his medal presentation, is extraordinary.

Johnson, a soldier from Foster City, practically single-handedly defended the left flank of his company's position from a German paratroop regiment.

The certificate accompanying his Medal of Honor, the nation's highest military decoration, tells it as follows:

Near Scarperia, Italy in September 1944, Johnson's company (Company B) was stopped by heavy fire from Monticelli Ridge and took cover behind an embankment. Johnson, a mortar gunner, having expended his ammunition, assumed the duties of a rifleman.

As leader of a squad of seven men, he was ordered to establish a combat post 50 yards to the left of Company B to cover its exposed flank. Repeated enemy counterattacks, supported by artillery, mortar and machine gun fire from the high ground, had by the afternoon of Sept. 16 killed or wounded all his men.

Collecting weapons and ammunition from his fallen comrades, in the face of hostile fire, he held his exposed position and inflicted heavy casualties upon the enemy, who several times came close enough to throw hand grenades.

That night, the enemy launched a heavy attack on Company B, putting its greatest pressure against the lone defender of the left flank.

In spite of mortar fire that crashed about him and machine gun bullets that whipped the crest of his shallow trench, Johnson stood erect and repulsed the attack with grenades and small-arms fire.

He remained awake and on the alert throughout the night, frustrating all attempts at infiltration.

On Sept. 17, 25 German soldiers surrendered to him. Two men were sent to reinforce him that afternoon, but were caught in a mortar and artillery barrage.

Johnson, ignoring his own safety, rushed to the shell-hole where they lay half-buried and seriously wounded, covered their position by his fire, and assisted a medic in rendering aid. That night, he secured their removal to the rear and remained on watch until his company was relieved.

Five companies of the German paratroop regiment had been repeatedly committed to the attack against Company B without success. Twenty dead Germans were found in front of Johnson's position.

According to his presidential citation, Johnson's heroic stand and utter disregard for personal safety was in large measure responsible for defeating the enemy's attempts to turn the exposed left flank.

Oscar Johnson, one of the rare recipients of the Medal of Honor to have survived combat, died Wednesday at the age of 77.

He had gone on, after the war, to serve as foreman of a National Guard vehicle maintenance shop in Lansing. During 30 years of duty with the Guard, he saw a lot of changes.

''During the '50s, we got a lot of boys joining to avoid the draft,'' he said in a 1980 Panax Newspapers interview. ''A lot of them were farm boys who knew a lot about equipment. I enjoyed working with them. Now we get guys in who have to be taught to drive a stick-shift.''

The biggest change, he said, was working with women.

''I can't say anything bad about them,'' he said. ''They make real good jeep drivers and they seem to have more responsibility toward their vehicles. They don't think a thing about pulling out a battery or crawling underneath with an oil pan.''

He said the Vietnam-era veterans he worked with at the Guard were really no different than the veterans of World War II or the Korean War.

''The biggest difference is that they don't get as much attention,'' he said.

After his Guard service, Johnson retired in Dickinson County.

He was a regular church-goer.

A couple of years ago, he attended a Good Friday service at First Lutheran Church in Iron Mountain. I'm sure he attended many others—this happened to be one I managed to make.

Part of the service is the reading of the ''Good Friday Solemn Reproaches,'' representing the agony and reproaches of the crucified Savior.

This line is included:

''I grafted you into the tree of my chosen Israel, and you turned on them with persecution and mass murder.''

Those lines might have been echoing in my thoughts when I noticed Oscar.

The sight of his ruddy face and white hair made it especially clear that it took his sacrifices, and those of countless others, to stop the unspeakable horrors inflicted on Jews in Europe.

Near the end of the service, after a silence is kept for meditation on the mystery of redemption, there is a time to visit a cross at the altar.

Traditionally, one is to bow before the cross, touch it, or kiss it.

Oscar Johnson approached the cross, walking with a slight limp as he did in his later years, but with a sure confidence and grace.

He didn't bow before the cross, touch it, or kiss it.

What he did was this. He gave it a casual, respectful soldier's salute and limped back to his pew.

To this day, the memory of that simple gesture brings forward tears.

Maybe it's true, as Johnson claimed, that the Medal of Honor story made him sound a little better than he was.

It must also be true that he was more.

So it is fitting tonight that we honor Oscar Johnson, his years of service and his family by naming the Veterans Affairs Medical Facility in Iron Mountain Michigan the ''Oscar G. Johnson Department of Veterans Affairs Medical Facility.''

This legislation has been endorsed by the city of Iron Mountain, the Veterans of Foreign Wars, the American

Legion, Disabled American Veterans and the Military Order of the Purple Heart.

Mr. Johnson was the last Congressional Medal of Honor winner living in the Upper Peninsula. As I stated earlier, he was a friend of mine. I first introduced this legislation in 2000, it is now 2007. It is time for the family and friends to have the honor of Oscar Johnson having his name attached to the VA Medical Facility in Iron Mountain, Michigan.

I would also like to thank the entire Michigan U.S. House delegation for cosponsoring this legislation, and our two Senators, STABENOW and LEVIN, for their support of this legislation. And I thank the previous speakers.

GENERAL LEAVE

Mr. HARE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2602.

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

There was no objection.

Mr. HARE. Mr. Speaker, I urge my colleagues to unanimously support H.R. 2602.

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 Illinois (Mr. HARE) that the House suspend the rules and pass the bill, H.R. 2602.

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

A motion to reconsider was laid on the table.

RAYMOND G. MURPHY DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER

Mr. HARE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 229) to redesignate a Federal building in Albuquerque, New Mexico, as the ''Raymond G. Murphy Department of Veterans Affairs Medical Center''.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 229

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

SECTION 1. REDESIGNATION.

The Federal building known and designated as the ''Department of Veterans Affairs Medical Center'' located at 1501 San Pedro Drive, SE, in Albuquerque, New Mexico, shall be known and redesignated as the ''Raymond G. Murphy Department of Veterans Affairs Medical Center''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the ''Raymond G. Murphy Department of Veterans Affairs Medical Center''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HARE) and the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

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

Mr. Speaker, on December 9, 1861, Iowa Senator James W. Grimes introduced S. 82 in the United States Senate, a bill designed to ''promote the efficiency of the Navy'' by authorizing the production and distribution of ''medals of honor''. On December 21 the bill was passed, authorizing 200 such medals be produced ''which shall be bestowed upon such petty officers, seamen, landsmen and Marines as shall distinguish themselves by their gallantly in action and other seamanlike qualities during the present war.'' President Lincoln signed the bill, and the Medal of Honor was born.

The first Medal of Honor was the Navy Medal of Honor. Raymond Murphy was a Second Lieutenant in the United States Marine Corps when he risked his life and went above and beyond the call of duty as a platoon commander in action against the enemy.

Although painfully wounded by fragments from an enemy mortar shell while leading his evacuation platoon, Second Lieutenant Murphy refused medical aid and continued to lead his men up a hill through hostile mortar and small-arms fire, while shouting words of encouragement to his men.

Under the increasing intense enemy fire, he immediately located casualties as they fell and made several trips up and down the fire-swept hill to direct evacuation teams to the wounded, personally carrying many of the stricken Marines to safety. When reinforcements were needed by the assaulting elements, Second Lieutenant Murphy employed part of his unit as support and, during the ensuing battle, personally killed two of the enemy with his pistol.

With all the wounded evacuated and the assaulting units beginning to disengage, he remained behind with a carbine to cover the movement of friendly forces off the hill, and although suffering intense pain from a previous wound, seized an automatic rifle to provide more firepower when the enemy reappeared in the trenches.

After reaching the base of the hill, he organized a search party and again ascended the slope for a final check on missing Marines, locating and carrying the bodies of a machine gun crew back down the hill.

Wounded a second time while conducting the entire force to the line of departure through a continuing barrage of enemy small-arms, artillery and mortar fire, he once again refused medical attention until assured that every one of his men, including all the casualites, had preceded him to the main lines.

Second Lieutenant Murphy's actions epitomize the Marine Corps motto, Semper Fidelis, ''always faithful,'' and demonstrate his loyalty and commitment to marine comrades-in-arms.

After the war, Mr. Murphy continued his service to his veteran comrades in New Mexico, serving as Director of Veteran Services at the VA center in Albuquerque, New Mexico.

Renaming the VA Medical Center in Albuquerque, New Mexico is a fitting tribute to a tireless advocate of veterans.

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

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I am pleased that we are considering S. 229 on the House floor today. This Senate bill would name the VA Medical Center in Albuquerque, New Mexico the Raymond G. ''Jerry'' Murphy Department of Veterans Affairs Medical Center.

Jerry Murphy was awarded the Medal of Honor and the Silver Star for heroism during the Korean War. Its companion bill in the House, H.R. 474, introduced by Representative WILSON, has the support of the entire New Mexico delegation as well as Governor Richardson from that State.

During his service in the United States Marine Corps, Second Lieutenant Murphy was cited for his ''conspicuous gallantry at the risk of his life and above and beyond the call of duty as a platoon commander. He was twice wounded, but he repeatedly refused medical attention and continued to lead his men in an assault against a cleverly concealed and well-entrenched enemy force.

Mr. Speaker, at this time I would submit for the RECORD the text of Lieutenant Murphy's Medal of Honor citation.

MURPHY, RAYMOND G.

Rank and organization: Second Lieutenant, U.S. Marine Corps Reserve, Company A, 1st Battalion, 5th Marines, 1st Marine Division (Rein.). Place and date: Korea, 3 February 1953. Entered service at: Pueblo, Colo. Born: 14 January 1930, Pueblo, Colo. Citation: For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as a platoon commander of Company A, in action against enemy aggressor forces. Although painfully wounded by fragments from an enemy mortar shell while leading his evacuation platoon in support of assault units attacking a cleverly concealed and well-entrenched hostile force occupying commanding ground, 2d Lt. Murphy steadfastly refused medical aid and continued to lead his men up a hill through a withering barrage of hostile mortar and small-arms fire, skillfully maneuvering his force from one position to the next and shouting words of encouragement. Undeterred by the increasing intense enemy fire, he immediately located casualties as they fell and made several trips up and down the fire-swept hill to direct evacuation teams to the wounded, personally carrying many of the stricken marines to safety. When reinforcements were needed by the assaulting elements, 2d Lt. Murphy employed part of his unit as support and, during the ensuing battle, personally killed 2 of the enemy with his pistol. With all the wounded evacuated and the assaulting units beginning

to disengage, he remained behind with a carbine to cover the movement of friendly forces off the hill and, though suffering intense pain from his previous wounds, seized an automatic rifle to provide more firepower when the enemy reappeared in the trenches. After reaching the base of the hill, he organized a search party and again ascended the slope for a final check on missing marines, locating and carrying the bodies of a machine gun crew back down the hill. Wounded a second time while conducting the entire force to the line of departure through a continuing barrage of enemy small-arms, artillery, and mortar fire, he again refused medical assistance until assured that every one of his men, including all casualties, had preceded him to the main lines. His resolute and inspiring leadership, exceptional fortitude, and great personal valor reflect the highest, credit upon 2d Lt. Murphy and enhance the finest traditions of the U.S. Naval Service.

Mr. Speaker, after the Korean War, Jerry Murphy spent most of his adult life in service to New Mexico's veterans. He was Director of the Veterans Services Division of the Albuquerque, New Mexico, VA Regional Office from 1974 to 1997.

Jerry Murphy was a paragon of service because after his retirement he served as a volunteer at the VA Hospital, pushing veterans in their wheelchairs to their appointments. Many of those veterans did not know who was helping them, but that's the kind of man that Jerry was. This brave marine and true comrade left this Earth on April 6, 2007. Of course he was buried wearing his VA Hospital volunteer smock.

Mr. Speaker, no one could be more deserving of having a VA Hospital named after him than Jerry Murphy, who served his country with conspicuous gallantry and intrepidity well beyond the call of duty.

I urge my colleagues to support S. 229.

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

Mr. HARE. Mr. Speaker, I yield as much time as he may consume to the gentleman from New Mexico (Mr. UDALL).

Mr. UDALL of New Mexico. Mr. Speaker, I rise today in support of legislation to rename the VA Medical Center in Albuquerque, New Mexico after Raymond ''Jerry'' Murphy. I believe this naming will go far to honor a veteran who gave so much of his personal life and professional career to this Nation.

After serving as a Marine Corps captain in Korea and earning the Congressional Medal of Honor, Mr. Murphy spent over 20 years as the VA Director of Veterans Services at the very VA medical center this legislation would rename after him. He was a tireless advocate for veterans and helped thousands of veterans and their families over the decades.

While the entire delegation has risen in strong support of this legislation, it should be noted that both New Mexico's veterans' service organizations and John Garcia, the Secretary of Veterans Services in New Mexico and a veteran himself, initiated this renaming, bringing the service of Mr. Murphy to our attention and suggesting the legislation.

Both Senator DOMENICI and Representative WILSON are to be commended for introducing this legislation, and Senator DOMENICI for getting it out of the Senate and getting it over here to the House so that we could act upon it.

Additionally, I would like to thank Chairman FILNER for his leadership on this legislation and his leadership on all veterans issues.

Unfortunately, Mr. Murphy fell ill with cancer and passed away before this honor could be bestowed upon him. However, this naming will ensure that future generations of New Mexicans will learn of the selfless work of Mr. Murphy, and hopefully many more will emulate him in devoting their lives to public service.

Mr. Murphy personified duty, and I'm pleased that this legislation will be passing the House today.

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

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I yield to the gentlelady from New Mexico (Mrs. WILSON) as much time as she may consume.

Mrs. WILSON of New Mexico. Mr. Speaker, in January of this year, I introduced the companion to the Senate measure that we're considering today, and I wanted to thank both my colleagues from New Mexico, Mr. PEARCE and Mr. UDALL, for their support of that legislation.

I'm very happy today that the House is taking up the Senate version of this bill, which is supported both by Senator BINGAMAN and by Senator DOMENICI. I am also very pleased that the governor of New Mexico, Governor Richardson, and a wide variety of veterans' organizations in New Mexico, have supported this legislation.

Jerry Murphy passed away on April of this year, on Good Friday. He was a hero in Korea, as my colleagues have pointed out, but it's the way he chose to spend the rest of his life that makes him so special to New Mexico's veterans. He was a Second Lieutenant in the Marine Corps Reserves. He volunteered to go into the Marine Corps when it looked as though he was going to be drafted and sent to Korea in the Army and he thought the Marine Corps might suit him better. In 1952, he commanded an infantry platoon in the Fifth Marines in Seoul, Korea, and was a recipient of the Silver Star.

In February of 1953, he positioned his unit about the Imjin River facing the Chinese Communist troops. Their job was to continually push the Chinese lines to keep them from getting too dug in. He was commanding the reserve platoon, and as the battle went on and he sensed that the operation was not being executed as planned because there were no wounded coming back to the lines, he decided he had to go forward and find out what was going on. When he took his platoon forward, he found that all the officers and the noncommissioned officers of the two assault platoons were dead or wounded, and there was mass confusion among the troops.

He very quickly took command, and in the midst of machine gun fire, he ordered his men to find their comrades and evacuate the area. He made several trips in the midst of heavy gunfire to rescue casualties. At one point, he was helping to lift a stretcher and he was hit in the back by the fragments of an enemy grenade. He refused medical attention and continued to lead his men to rescue their wounded comrades.

As he continued to command his reserves, he came face to face with two Chinese soldiers, and he killed them both. The Chinese entered the trenches as the last American wounded troops were being evacuated. Jerry Murphy picked up an automatic rifle and held off the Chinese Communist forces until all of the marines were safe.

He then went and counted all his marines. He noticed he had a handful still missing, and he went back to the top of the hill with a search team. He located the bodies of a machine gun crew and took them down the hill.

□ 1700

At this point, he was wounded a second time. He again refused medical treatment until all his men had preceded him into the main line. He eventually received treatment and returned to America.

In October, 1953, when he was in graduate school, Jerry Murphy was awarded the Medal of Honor. It was presented to him by President Eisenhower on October 27, 1953.

For more than 20 years after Jerry Murphy left the service, he dedicated his life to serving New Mexico veterans. He served at the VA hospital as Director for Veterans Services. For 23 years, he provided lots of support to all kinds of veterans in New Mexico. The neat thing is that even after he retired from the VA, he continued to volunteer at the VA hospital.

One of the VA hospital employees once told me that Jerry Murphy was a volunteer; he had his turquoise smock on, and he would push veterans to and from their appointments at the VA hospital. The veterans had no idea who it was that was pushing them around in their wheelchairs. He was always a humble servant. That is the kind of man he was: A quiet, humble servant, soft-spoken, a modest man who was concerned with his fellow soldiers. His humility really never ended. You know, if you think about this guy, he was a Marine, a Medal of Honor winner, and he chose to be put to rest wearing his VA volunteer smock. He will be missed by his family and his wife, Mary Ann.

I want to commend Senators DOMENICI and BINGAMAN for sponsoring this legislation and ushering it through the

Senate; my colleagues, Mr. PEARCE and Mr. UDALL, for cosponsoring the House version of the bill; Secretary John Garcia of New Mexico for first suggesting to all of us that it might be appropriate to name the VA medical center after Jerry; the chairman and ranking member of the Veterans Affairs Committee, Mr. BUYER and Mr. FILNER, for their leadership and willingness to bring this legislation forward.

Mr. Speaker, I urge passage of this bill.

Mr. HARE. Mr. Speaker, I continue to reserve the balance of my time.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. I thank the gentlewoman from Florida for yielding.

Mr. Speaker, I thank the chairman of the committee for his work on this important bill; Senator DOMENICI, Senator BINGAMAN, Secretary Garcia, Governor Richardson, Congressman UDALL, and Congresswoman WILSON for their lead in recognizing Jerry Murphy's life of service.

We have heard about his exploits. We have heard about the valor that he displayed under fire. Many of us too often believe that heroism can only be exhibited in those extreme circumstances. But I would say that it takes more courage to live a life of service that he chose to live after his heroic exploits where he was awarded the Nation's highest award for valor where he received the Silver Star, the Purple Heart, the Korean Service Medal, the Bronze Stars. This was a true hero. Yet, he wasn't faced with multi-million dollar book signing deals, no movie contracts; just a quiet life serving other veterans who are often overlooked.

The Korean War is often referred to in New Mexico by veterans of that conflict as ''the Forgotten War,'' because so many of the veterans of that time have simply been overlooked. Yet, Jerry Murphy chose to live a life where he remembered each and every one of them. So, it is entirely appropriate today that we would name a facility in New Mexico for the guy who worked at the facility, always remembering those forgotten veterans. That is the kind of life that takes real valor and real heroism to live day after day after day.

For his quiet life of service, we are simply saying, Thank you for a job well done, Mr. Murphy. God bless you and keep you.

Mr. HARE. Mr. Speaker, I continue to reserve the balance of my time.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, at each opportunity granted us to consider a bill honoring the service of a Medal of Honor recipient, I stand in awe of the dedication to country and comrades these people displayed through their lives, whether those lives extended beyond their act of bravery or were ended in that the act.

Of the four Medal of Honor recipients to whom we have paid tribute today, one made the ultimate sacrifice for his comrades and his Nation. Three survived the battle to return home where they continued to serve their Nation through service in the military and through service to the Federal Government. Many who lived and worked with them had no knowledge that these men had received America's highest award for valor in combat. Their lives of quiet humility only accentuated their moments of resounding achievement.

The great example of those lives and those moments will, with passage of these bills, Mr. Speaker, be enshrined in the namings that we are now considering.

We must remember that we are voting not simply to name four buildings; we are consecrating the gift of four lives lived well.

Mr. Speaker, I urge my colleagues to support S. 229.

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

Mr. HARE. Mr. Speaker, in closing, I have had the opportunity I think twice now to be able to manage bills on the floor of the House. I want to say that today is a very proud day for me. These are four great, great men; heroes they are, one and all. I am honored, and I thank the committee for allowing me the opportunity to do this.

As my colleague said, this isn't just naming buildings after somebody. This is really a lasting memory of people who have given everything they have ever had. Everything we are as a Nation we owe to these four great people.

I urge my colleagues to unanimously support Senate bill 229.

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 Illinois (Mr. HARE) that the House suspend the rules and pass the Senate bill, S. 229.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HARE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

DECEPTIVE PRACTICES AND VOTER INTIMIDATION PREVENTION ACT OF 2007

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1281) to amend title 18, United States Code, to prohibit certain deceptive practices in Federal elections, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1281

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 ''Deceptive Practices and Voter Intimidation Prevention Act of 2007''.

SEC. 2. PROHIBITION ON DECEPTIVE PRACTICES IN FEDERAL ELECTIONS.

(a) IN GENERAL.—Chapter 29 of title 18, United States Code, is amended by adding at the end the following:

''§ 618. Deceptive practices in Federal elections

''(a) Whoever, before or during a Federal election knowingly communicates election-related information about that election, knowing that information to be false, with the intent to prevent another person from exercising the right to vote in that election, or attempts to do so, shall be fined under this title or imprisoned not more than 5 years, or both.

''(b) As used in this section—

''(1) the term 'Federal election' means any general, primary, run-off, or special election for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Delegate or Commissioner from a territory or possession; and

''(2) the term 'election related information' means information regarding—

''(A) the time, place, or manner of conducting the election;

''(B) the qualifications for or restrictions on voter eligibility for the election, including—

''(i) any criminal penalties associated with voting in the election; or

''(ii) information regarding a voter's registration status or eligibility;

''(C) with respect to a closed primary election, the political party affiliation of any candidate for office, if the communication of the information also contains false information described in subparagraph (A) or (B); or

''(D) the explicit endorsement by any person or organization of a candidate running for any office voted on in the election.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 29 of title 18, United States Code, is amended by adding at the end the following new item:

''618. Deceptive practices in Federal elections.''.

SEC. 3. MODIFICATION OF PENALTY FOR VOTER INTIMIDATION.

Section 594 of title 18, United States Code, is amended by striking ''one year'' and inserting ''5 years''.

SEC. 4. SENTENCING GUIDELINES.

(a) REVIEW AND AMENDMENT.—Not later than 90 days after the date of enactment of this Act, the United States Sentencing Commission, pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements applicable to persons convicted of any offense under sections of title 18, United States Code, that are added or modified by this Act.

(b) AUTHORIZATION.—The United States Sentencing Commission may, for the purposes of the amendments made pursuant to this section, amend the Federal sentencing guidelines in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note) as though the

authority under that section had not expired.

SEC. 5. REPORTING VIOLATIONS AND REMEDIAL ACTION.

(a) REPORTING.—Any person may report to the Attorney General any violation or possible violation of section 594 or 618 of title 18, United States Code.

(b) CORRECTIVE ACTION.—

(1) IN GENERAL.—Immediately after receiving a report under subsection (a), the Attorney General shall consider and review such report and, if the Attorney General determines that there is a reasonable basis to find that a violation has occurred, the Attorney General shall—

(A) undertake all effective measures necessary to provide correct information to voters affected by the false information; and

(B) refer the matter to the appropriate Federal and State authorities for criminal prosecution or civil action after the election.

(2) REGULATIONS.—

(A) IN GENERAL.—The Attorney General shall promulgate regulations regarding the methods and means of corrective actions to be taken under paragraph (1). Such regulations shall be developed in consultation with the Election Assistance Commission, civil rights organizations, voting rights groups, State and local election officials, voter protection groups, and other interested community organizations.

(B) STUDY.—

(i) IN GENERAL.—The Attorney General, in consultation with the Federal Communications Commission and the Election Assistance Commission, shall conduct a study on the feasibility of providing the corrective information under paragraph (1) through public service announcements, the emergency alert system, or other forms of public broadcast.

(ii) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report detailing the results of the study conducted under clause (i).

(3) PUBLICIZING REMEDIES.—The Attorney General shall make public through the Internet, radio, television, and newspaper advertisements information on the responsibilities, contact information, and complaint procedures applicable under this section.

(c) REPORTS TO CONGRESS.—

(1) IN GENERAL.—Not later than 90 days after any primary, general, or run-off election for Federal office, the Attorney General shall submit to Congress a report compiling and detailing any allegations of false information submitted pursuant to subsection (a) and relating to such election.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) detailed information on specific allegations of deceptive tactics;

(B) statistical compilations of how many allegations were made and of what type;

(C) the geographic locations of and the populations affected by the alleged deceptive information;

(D) the status of the investigations of such allegations.

(E) any corrective actions taken in response to such allegations;

(F) the rationale used for any corrective actions or for any refusal to pursue an allegation;

(G) the effectiveness of any such corrective actions;

(H) whether a Voting Integrity Task Force was established with respect to such election, and, if so, how such task force was staffed and funded;

(I) any referrals of information to other Federal, State, or local agencies;

(J) any suit instituted under section 2004(b)(2) of the Revised Statutes (42 U.S.C. 1971(b)(2)) in connection with such allegations; and

(K) any criminal prosecution instituted under title 18, United States Code, in connection with such allegations.

(3) REPORT MADE PUBLIC.—On the date that the Attorney General submits the report required under paragraph (1), the Attorney General shall also make the report publicly available through the Internet and other appropriate means.

(d) DELEGATION OF DUTIES.—

(1) IN GENERAL.—The Attorney General shall delegate the responsibilities under this section to a Voting Integrity Task Force established under paragraph (2).

(2) VOTING INTEGRITY TASK FORCE.—

(A) IN GENERAL.—The Attorney General shall establish a Voting Integrity Task Force to carry out the requirements of this section with respect to any general, primary, run-off, or special election for Federal office.

(B) COMPOSITION.—Any Voting Integrity Task Force established under paragraph (1) shall be under the direction of the Assistant Attorney General for the Civil Rights Division and the Assistant Attorney General for the Criminal Division, jointly.

(e) FEDERAL OFFICE.—For purposes of this section, the term ''Federal office'' means the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Delegate or Commissioner from a territory or possession of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Virginia (Mr. FORBES) 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 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 myself such time as I may consume.

Mr. Speaker, I am pleased to join the lead sponsors, the gentleman from Illinois, RAHM EMANUEL; the gentleman from New Jersey, RUSH HOLT; the gentleman from California, XAVIER BECERRA; the gentleman from California, MIKE HONDA; and the gentleman from Minnesota, KEITH ELLISON, with more than 50 other cosponsors of this important legislation to protect the right to vote. Obviously there is no more important issue that comes before this Congress than protecting the right to vote. It is the cornerstone right of our democracy. Without it, all other rights and privileges enjoyed by us are in jeopardy.

Protecting this right, however, has not been an easy task. Historically, it was not until passage of the 1965 Voting Rights Act that we began to accord the highest meaning to that right. Less than 40 years later, however, we endured the debacle of the Florida 2000 presidential election.

□ 1715

And the problems continue. In the most recent midterm and presidential elections, we learned of numerous incidents in which deceptive practices were used to thwart and frustrate citizens from exercising the right to vote. Some voters were, believe it or not, told to vote on the wrong day. Wednesday is not the right day to vote in congressional or presidential elections. Others were told that they could not vote without paying outstanding parking tickets. Others were told that they would be imprisoned if they voted without paying overdue utility bills. Ultimately, eligible voters were misled, deceived and disenfranchised in a number of other ways.

It is our collective intent in the Judiciary Committee to end this practice, and we are here talking about seriously protecting the right to vote.

I believe every Member of the House of Representatives cares deeply about this issue, and that is why we must pass the measure under consideration, for this bill explicitly prohibits deceptive practices, provides voters with greater Federal protection and increases the penalty for voter intimidation and misinformation in campaigns.

What makes me proud of this measure is that so many of our organizational friends in the voting rights community and the civil rights community as well have joined us in support of this legislation. Among them are the People For the American Way, the very historic Lawyers Committee For Civil Rights Under Law, the NAACP, the ACLU, the Jewish Council For Public Affairs, and the New York City Bar itself.

This is not an entire solution for reforming and improving the election process. Among other things, we also need to reduce our reliance on unverifiable electronic voting machines, which undermine accountability and our citizens' confidence in election results. We also need to ensure a fair allocation of voting machines in polling places, as well as a unified system of educating those who work the polls as to the rules and procedures. We should make election day a national holiday, so no one has to choose between their responsibilities as citizens and their responsibilities to their employers.

But this legislation is an important step and one that we should take today. Let's face it: If we allow the infrastructure of our democracy to remain frazzled and to decay, our citizens will rightly lose confidence in the legitimacy of the voting process, and we should work to keep that from ever happening.

Mr. Speaker, I am proud to join with all of my colleagues on both sides of the aisle to support this measure.

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

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

Mr. CONYERS. Mr. Speaker, I am proud to yield such time as he may

consume to the gentleman from Illinois, Mr. RAHM EMANUEL, whose genius brought this measure into existence. He thought long and hard about this before we all got on board.

Mr. EMANUEL. Mr. Speaker, I want to thank the chairman and my colleagues Mr. HOLT from New Jersey, Mr. BECERRA from California, Mr. HONDA from California and Mr. ELLISON from Minnesota in joining me in sponsoring this legislation and bringing it to the floor today.

Mr. Speaker, I remember when we had this legislation in the full committee by Chairman CONYERS. About a week earlier than that, I had taken my 10-year-old down to Selma for the anniversary of the March over the bridge. It was his birthday gift, and we went on that march with JOHN LEWIS. And through the museums we walked through, my son and I were reminded of how the State was used to intimidate voters from exercising their right to vote. America reached out and widened the circle of democracy by ensuring that those who wanted to exercise their right to vote had a chance to vote.

That week, when I came back from Selma, we were in the full committee marking up this legislation. What had happened, and I noted then in the committee and others had noted, and it was not unique, was that the baton of intimidation had been transferred from the State to parties. They intimidated voters using leaflets to falsify voting places, days of voting and what information was required to vote. Phone calls had been used, all types of information, to basically dissuade Americans from exercising their right to vote. Through the 1950s, 1940s, 1930s, et cetera, that was the voice of our State governments and apparatus, to intimidate voters.

That insane act of intimidation, in communities across America and neighborhoods, now that baton had been passed to State parties, who were doing the same thing, suppressing people's right to exercise their right to vote.

Three years ago in this hall in the President's State of the Union, he recognized a young woman from Iraq who voted. She held up her purple finger. Colleagues, on the Republican side of the aisle, they also marked their finger purple, recognizing the importance of voting. Iraq and the people of Iraq, Sunni, Shia and Kurd, had taken that step of courage and voted. She came here in the State of the Union in this hall, the hall of democracy that people around the world look at, and said, you protected our right to vote.

This legislation is intended to ensure that individuals do not receive phone calls lying and deceiving about where they vote; they do not receive leaflets telling them they need other information than they properly need to vote; and, most importantly, that the location of where they are voting had been changed, when it never had been changed, all in an attempt to suppress the voting by individuals across communities and to depress the turnout of people who wanted to vote on Election Day.

The chairman of the committee noted other things we have to do, like a paper trail for voting to ensure the integrity on election day.

This legislation ensures that if you try to use acts of intimidation to deprive people of the right to vote, the United States Government, with the full force of its laws, will say there is a higher penalty and you will pay a price for that act of deception.

I commend Members on both sides of the aisle for bringing up this legislation. It is bipartisan in nature and in its finest sense it speaks to the voice of democracy. Whatever our policy differences on other subjects, we ensure that when people want to vote, they have a right to vote, and that the agencies of both our parties and our government don't try to intimidate people from exercising that right, but encourage them to vote.

That is what the Act here is. I am proud that this legislation not only receives bipartisan support, but wide support across both parties, because it speaks to what is so appropriately the American way and what is right about voting.

Mr. Speaker, nothing is more American than voting and nothing could be more un-American than deceiving one from taking the right to vote.

I want to thank the chairman for bringing this legislation to the floor today.

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

Mr. Speaker, I was delighted to hear the gentleman from Illinois talk about having made the trip to Selma with JOHN LEWIS this year. I had the privilege of doing that several years ago and learned the experiences that you can learn only by being there and walking down the avenues that great men like JOHN LEWIS traveled.

One of the things that is important for us to remember is we have heard discussions here today about the denial of the right to vote, and that denial changes from generation to generation in the methodology used to deny people.

At one time we heard discussions about the denial by the State of individuals' right to vote. We have also heard discussions about it is a denial to vote if you fraudulently give information to individuals about their voting rights. But it is equally a denial if you are here illegally and you are voting by non-citizen, and that is a denial to individuals legally voting in elections, and that is just as much of a problem. It is also a denial if we have people voting in elections when they are not legally entitled to do so.

So, Mr. Speaker, H.R. 1281 addresses the very serious issue of integrity in the election system and it provides that whoever knowingly communicates false election-related information about that election with intent to prevent another person from exercising the right to vote in that election or attempts to do so shall be fined under this title or imprisoned not more than 5 years or both.

We all want fair elections and we all want people to vote based on facts and not false rumors. I hope one day we will be able to reach the point where we are able to take away those false rumors. This legislation can't do that. But I am glad this legislation addresses the problem of knowingly and intentionally trying to give false information, and I support that approach.

I am also glad to see that ranking member SMITH's amendment to strike the part of the bill as it was originally introduced that would limit its prohibition on voting fraud to fraud committed within 60 days of a Federal election was adopted by the committee. If it is fraud, it is fraud, and it shouldn't have been limited to just 60 days. That amendment is included in this legislation on its floor here today.

Illegal voting by non-citizens can occur when voting registration forms are filled out more than 60 days before a Federal election. It is illegal for non-citizens to vote in Federal elections, and that raises an important issue of interpretation that I would like to take just a moment to address, Mr. Speaker.

We have to ensure that the courts give this bill its full intended scope to protect our elections from all fraud, all denial of people's right to vote.

The National Voter Registration Act of 1993 requires that a person registering to vote affirm that they are a U.S. citizen. If a non-citizen signs or attempts to sign any form that can be used for voting purposes, including a voter registration form, and that form states that they are a citizen when they are not, then that is a false statement.

This bill specifically defines election-related information to include ''information regarding a voter's registration status or eligibility.'' If a non-citizen fraudulently votes for, say, candidate Jones, they will necessarily negate the legitimate vote of a legal voter that voted for candidate Brown. That effectively denies the legal voter's right to vote.

In the landmark case Reynolds v. Sims, the Supreme Court stated ''the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise.'' So an illegally voting non-citizen in that case would violate the clear terms of H.R. 1281 and be subject to up to 5 years in jail.

Regarding the issue of intent, Black's Law Dictionary defines ''constructive intent'' as ''a legal principle that actual intent will be presumed when an act leading to the result could have been reasonably expected to cause that result.''

If someone knows they are not a citizen but they sign a voter registration form that states that they are a citizen, and then that person votes illegally and knows they are voting illegally, then they obviously know that their illegal vote is going to cancel out the vote of another legally voting citizen. That knowledge constitutes intents to deny another voter their right to exercise their vote, and it is properly punished under this legislation.

I certainly support that result, and I believe the court should interpret this legislation accordingly. After all, the bill is designed to protects the rights of legal voters, not illegal ones.

At the committee's markup, I offered a sentencing enhancement amendment to enforce this principle. However, I was deeply disappointed that it was ruled nongermane. It provided that, ''if the offense results in voting in a Federal election by more than 10 persons who are not citizens of the United States, the offender shall be fined under this title or imprisoned not more than 10 years or both.''

If we really want to stop this, we can get serious by making those penalties meet the crime. I believe that this was an incorrect germaneness ruling based on the rules and precedents of the House. I had certainly hoped to have a vote on this amendment before we got to final consideration here on the floor.

Increasing the penalties for those whose fraudulent, illegal voting negates the legal votes of more than 10 citizens is common sense, and I thought it would have bipartisan support.

Despite my disappointment on that score, I support this legislation because it provides another mechanism for punishing illegal non-citizen voting and other forms of fraud. However, this legislation does not go nearly far enough. It fails to address what the American people want, more reliable and accurate forms of voter identification. A better system of voter identification would increase confidence in the integrity of elections by preventing more illegal voters from denying citizens the right to vote by negating their legal votes with fraudulently cast ballots.

I hope some day both sides of the aisle can work toward that end. But, Mr. Speaker, as to today, we support this legislation and we are especially pleased with the fact that it reminds us that if we are denying the right to vote, it doesn't matter if it is the State denying it, it doesn't matter if it is done because of fraudulent information, it doesn't matter if it is done because someone is illegally voting and negating the vote of someone who is legally voting, or if someone is entering a voting booth who is not legally entitled to do so and they cast an illegal vote.

With that, Mr. Speaker, I encourage my colleagues to support this legislation.

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

Mr. CONYERS. Mr. Speaker, it is my pleasure now to yield such time as he may consume to the gentleman from New Jersey (Mr. HOLT), the coauthor of this bill, who has worked in this area with the Committee on the Judiciary across the years. I have been very pleased about his work in trying to create an effective paper trail and other voter rights initiatives, and I am so happy that he is with us today.

Mr. HOLT. Mr. Speaker, I thank the distinguished Chair, and I commend him for his work in this area, and I rise today to urge my colleagues to support the Deceptive Practices and Voter Intimidation Prevention Act.

This important legislation, as you have heard, would make it a crime knowingly to communicate false information about an election with the intention of preventing another person from exercising the right to vote and would require the Department of Justice to take immediate corrective action on behalf of affected voters, as well as to refer such matters for appropriate prosecution.

It pains me deeply, as I think it does all here, that this is necessary still four decades after the enactment of the Voting Rights Act. It should pain us all that when the United States looks in the mirror, what we see staring back at us is an electoral system still rife with abuses. It embarrasses me to say this, but it is what we must do, take an honest look to begin to correct.

This legislation is essentially the legislation that I introduced in the previous Congress, along with a companion bill in the other body by Senator OBAMA. I am pleased that Representative EMANUEL and Chairman CONYERS and many others have joined to advocate this bill now.

Now, consider just a few examples. In the 2004 elections in Milwaukee, Wisconsin, fliers attributed to a nonexistent organization called the Milwaukee Black Voters League were distributed in minority neighborhoods warning residents that ''if anyone in your family has ever been found guilty of anything, even a traffic violation, you can't vote in the presidential election,'' and that ''if you violate any of these laws, you can get 10 years in prison.'' It sounds like nonsense, but to those voters, that was intimidation.

It was no better in 2006. In a documented case in Virginia, a registered voter received a telephone message from a caller claiming to be from the Virginia Board of Elections informing him that he was not registered, and that if he showed up at the polls to vote, he would be criminally prosecuted. Again, it is easy to dismiss that as nonsense, but it is coercion.

□ 1730

It is disenfranchisement, it is deception.

Now there is no way to know exactly how many voters were deterred or led astray by such deceptive practices, but such practices are no less criminal than outright threats or intimidation.

Now as you've heard from the chairman and others, this is not the be all and end all of election reform legislation. We still have to prevent disenfranchisement that results from the shortage of equipment, equipment inequitably distributed among precincts. We still have to prevent disenfranchisement by manipulation of the registration lists. We still need to require that provisional ballots be counted if they are legitimate because under the Help America Vote Act, they must be offered to voters who are not on the registration list, but if it turns out that the voter is a legitimate voter, the provisional ballot is not required under law to be counted.

We must make sure that tabulation of results after the polls close is more transparent. I have various legislation that would deal with these things, as well as legislation that would ensure that every voter has a voter-verified paper ballot and that audits would apply in every Federal election. Those are some of the things we need to do.

But this is an important step to beat back, to subdue the cynicism about our government. When I talk with students, I often ask them what they think is the most ingenious invention of humans. And they, knowing that I am a scientist, often come up with some technological answer. I would argue that it is our constitutionally democracy. It has transformed not just America but the world, demonstrating that peaceful and productive government by the consent of the governed is possible.

That consent, the very cornerstone of the system, is given by the vote. And the Supreme Court has held that the right to vote is the most fundamental right as it is the preservative of all others. The measure before us will criminalize knowing acts of deception designed to prevent voters from voting.

Our democratic government works only if the people believe it does. Think about that. If we are to let people work their will at the polling place, we must remove coercion, deception, distortion and disenfranchisement. Cynicism about the process, cynicism about our ability to governor ourselves is at a critically high level. By passing this legislation, we can help to reduce that cynicism and help to realize the promise of the genius of Philadelphia 220 years ago.

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

Mr. Speaker, I am just delighted today that we can come in here on an issue that we agree on and recognize, as the gentleman just stated, that this is not the end all legislation. It is a small step, but it is a step. No matter what the legislation is that we pass, it is only going to be as good as the enforcement that goes behind, and we want to send out a message to prosecutors across the country who might get an opportunity to enforce this of how excited we are to put at least another tool in their hand where they can have

the possible imprisonment of up to 5 years for denying people the right to vote, whether it is by fraudulent information, or whether it is individuals that are illegally voting by noncitizens.

We have had reports to our committee of thousands of voters who are registered in as many as four States. While this may not be a perfect piece of legislation, it at least takes us a step in the direction we want to go.

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

Mr. CONYERS. Mr. Speaker, I merely want to close by thanking the distinguished ranking member on the Crime Subcommittee, RANDY FORBES, for the excellent work that he performs all the time, but especially on this bill. I want no misunderstanding about our appreciation of this bill being about prohibiting deceptive practices against eligible voters.

This is not a measure that deals with prosecuting ineligible voters unless they try to deceive eligible voters. The issue of voter fraud is a very serious one, well publicized, and it is the intention of the Chair of the committee that the Subcommittee on Crime hold hearings on this subject because we think it is an important one that needs to be examined very clearly.

But today, we move forward from the 15th amendment in the Constitution, we move forward from the Voter Rights Act of 1965 that has been amended several times, and we now come to a specific set of practices that have been very detrimental in coercing and intimidating and confusing many voters.

I am so pleased that this committee at this day and time is prepared to deal with preventing voters from being disenfranchised by being misled on their way to polling. It has been documented and we are directly prohibiting these kinds of tactics and we are turning many of them from a misdemeanor into a felony. I congratulate all the members of the Committee on the Judiciary and particularly the sponsors of this piece of legislation, and urge support of the bill.

Mr. LEVIN. Mr. Speaker, I rise in strong support of H.R. 1281, the Deceptive Practices and Voter Intimidation Prevention Act. I am proud to be a cosponsor of this important bill.

We have come a long way since the Jim Crow era of voter disenfranchisement and intimidation, but we still have a long way yet to go to ensure an equal right to vote for all citizens. Every election, we hear shocking and disgraceful stories of voters being lied to about their voter registration or citizenship status, polling place information, or even the date of the election, in order to suppress the vote in certain areas. The targets of these tactics seem to always be the same: racial minorities, immigrants and poor communities.

Thomas Paine once said, ''Voting is the right upon which all other rights depend.'' Throughout our nation's history, Congress has acted to ensure that right, granting African Americans and women the right to vote, prohibiting states from requiring the payment of poll taxes to vote, and the passage and reauthorization of the Voting Rights Act of 1965. Today, we continue in that grand tradition with passage of this important legislation to make it unlawful to knowingly communicate false information with the intent to prevent another person from casting a ballot.

The right to vote may be the most basic right we have as Americans, but we must remain vigilant in protecting this right in order to ensure that it is not weakened or undermined by those who seek political gain at the expense of this basic tenet of democracy.

I urge my colleagues to join me in supporting H.R. 1281.

Ms. MOORE of Wisconsin. Mr. Speaker, I rise today in strong support of the Deceptive Practices and Voter Intimidation Prevention Act.

Tactics that attempt to deceive or mislead voters regarding elections, candidates, or voting procedures chip away at the very cornerstone of our democracy: the right to vote. I strongly support this legislation because it will track and expose these tactics for what they are in order to continue to prove that we are not living up to the true meaning of democracy. Every vote is not being considered. Every vote is not being counted.

Before and during the last election, there were reports of mass disenfranchisement and voter intimidation across the country. My district was subject to all types of deceptive flyers and phone calls targeted to black voters with misinformation designed to discourage them from voting. Mr. Speaker, as you know such tactics designed to prevent citizens from exercising their right to vote are not new. I am pleased that this legislation will make these types of acts a federal crime and set a penalty of up to 5 years in prison for any type of voter intimidation.

I urge my colleagues to value and protect the right to vote by voting for this important legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H.R. 1281, the Deceptive Practices and Voter Intimidation Prevention Act of 2007. H.R. 1281 will hopefully go a long way in addressing a variety of election irregularities that have arisen in recent elections, including deceptive practices, voter intimidation, voter disenfranchisement, and an overall lack of trust in the electoral process.

Mr. Speaker, protecting the right to vote of all Americans is of paramount importance to me. The most fundamental aspect of American citizenship is the right to vote and to have full confidence that the vote is counted. Thousands of people have bled and died for the right to vote and their sacrifices shall not be in vain. Whenever this body is presented with inquiries to determine whether our voting system has been compromised in any manner, we have a solemn duty to investigate such matters.

As many of you know, election reform became a central issue in the wake of the irregularities identified in Florida in the 2000 Presidential Election. In June 2001, the U.S. Commission on Civil Rights, an independent bipartisan agency charged with monitoring and protecting voting rights, reported that ''credible evidence shows many Floridians were denied the right to vote.'' After analyzing the 179,855 ballots that were invalidated, and finding that fifty-three percent (53%) were cast by black voters, the Commission concluded that in Florida, African-Americans were 10 times as likely to have a vote rejected as a white voter. This concern helped lead to the passage in 2002 of the Help America Vote Act (HAVA). The Judiciary Committee held hearings on the legislation, and members of our Committee participated in the Conference Committee. Since the enaction of HAVA, concern about deceptive practices and election irregularities have not abated. There have been numerous published reports about these incidents in both the 2004 and 2006 elections. There are also a number of reported incidents that were not addressed by the HAVA legislation. These include the following:

Ohio—There were numerous reported irregularities in Ohio in the 2004 election, which led me to conduct a review and issue a much-cited report entitled, ''What Went Wrong in Ohio.'' The irregularities identified included:

1. Newly registered voters in Lake County received letters informing them that their registrations were illegal and that they would be unable to vote. The letter was sent on falsified Lake County Board of Elections letterhead.

2. An elderly couple living on the North Side of Columbus received a call informing them that their polling place had changed and that they should vote ''on the other side of town.'' The caller claimed to be a representative of the Franklin County Board of Elections. When the elderly couple called the board to verify the change, they learned that others in the area had received deceptive phone calls, including offers to hand-deliver absentee ballots to the Board of Elections office.

3. The misallocation of voting machines led to lines of 10 hours or more that disenfranchised scores if not hundreds of thousands of predominantly minority voters. In Franklin County, 27 of the 30 wards with the most machines per registered voter showed majorities for Bush, while 6 of the 7 wards with the fewest machines delivered large margins for Kerry.

4. Then-Secretary of State Kenneth Blackwell's decision to restrict provisional ballots resulted in the purging of tens if not hundreds of thousands of voters. In Hamilton County, this resulted in the result where hundreds of voters who showed up at the right polling place, but were directed to the wrong table by election workers, had their ballots thrown out.

5. Mr. Blackwell's rejected voter registration applications based on paper weight. Ironically, forms obtained from the Secretary of State's office did not comply with his own paper weight directive.

6. Preelection ''caging'' tactics, selectively targeting 35,000 predominantly minority voters for intimidation. The Third Circuit has previously found these activities to be illegal and indirect violation of consent decrees barring the targeting of minority voters for poll challenges.

North Carolina—In 2004, more than 4,500 votes were lost because of a mistake in voting machine capacity. In Carteret County, these votes were lost because officials believed that a computer that stored ballots electronically could hold more data than it did.

Louisiana—In 2002, flyers stating voters may cast their ballots 3 days after the election ''if the weather is bad,'' were distributed in public housing complexes in New Orleans.

South Dakota—In 2004 in South Dakota, Native American voters were prevented from

voting for failing to provide photographic identification upon request, despite the lack of such requirements under state or federal law.

Arizona—Latino voters in Pima County, Arizona were reportedly met at multiple polling places with a man who claimed he was ''bent on discovering'' how many illegal immigrants were voting in the 2004 primary election. Dressed in a black shirt with the image of a badge and the words ''U.S. Constitution Enforcement'' on his back, the man carried a camera and video recorder holstered in a tool belt as he entered polling places, looking for ''anomalies.''

Wisconsin—In the days leading up to the 2004 presidential election, voters in Milwaukee's African American neighborhoods received flyers from the fictional ''Milwaukee Black Voters League.'' The flier falsely claimed that individuals could be found ineligible to vote due to traffic violations, the criminal records of family members and voting in a previous election during the year.'' Voters were also warned that violations of such ''laws'' could result in a ten-year prison sentence or forced separation from one's children.

Virginia—Voters in eight Virginia counties were apparent victims of attempts at intimidation just before the 2006 election. Some received messages from callers claiming to be from the non-existent ''Virginia Elections Commission,'' telling them of incorrect voter registration information and possible criminal charges for voting. Other callers falsely claimed to represent a federal campaign and told voters that their polling places had changed, sometimes to addresses that did not exist.

California—In 2006, Latino voters in Orange County, California, received mailings from the ''California Coalition for Immigration Reform,'' falsely warning them in Spanish that ''if you are an immigrant, voting in a federal election is a crime that can result in incarceration.''

Maryland—In 2006 certain candidates distributed fliers in predominantly African-American neighborhoods falsely claiming that the candidates had been endorsed by their opponents' party and by prominent African American figures.

Florida—In 2004, over 4,000 potential voters, including students at the University of Florida and Florida A&M University, discovered their party registrations had been switched and their addresses changed. Changed addresses could have barred them from voting because they would have shown up at the wrong polling place.

Pennsylvania—In Pittsburgh, fliers printed on county letterhead stated that ''due to immense voter turnout expected on Tuesday,'' the election had been extended: Republicans vote on November 2, and Democrats vote on November 3. Across the country, voters received similar fliers in the 2004 presidential election.

1. Pennsylvania and Illinois/Abusive Robo-Calls—The media also detailed numerous instances of prerecorded phone calls designed to confuse voters. These misleading calls were made late in the evening, or during the night, in an apparent effort to generate anger at particular candidates. According to the Associated Press, one individual ''received three prerecorded messages in four hours. Each began, 'Hello, I'm calling with information about [candidate] Lois Murphy [in the Philadelphia area].'" The Philadelphia Daily News reported that ''[t]he calls, which begin by offering 'important information about Lois Murphy,' are designed to mislead voters into thinking the message is from her.'' In Illinois, The Barrington Courier-Review reported that a resident received the following phone call—''Hi. I'm calling with information about [Candidate] Melissa Bean.'' She received the same call a total of 21 times since October 24. Others reported receiving the same calls, none of which were paid for by Ms. BEAN's campaign.

Mr. Speaker, I urge my colleagues to join me in support of H.R. 1281 to make the necessary changes that will ensure the highest level of voter integrity.

Mr. HOYER. Mr. Speaker, I rise in strong support of H.R. 1281 to make it unlawful for anyone to disseminate false election-related information about an election in order to prevent another person from exercising the right to vote. I commend Chairman CONYERS and Representative EMANUEL for their leadership in bringing this critical bill to the floor.

The pernicious practices that H.R. 1281 would combat are not just academic to me. During the Maryland governor's race last year, there were numerous and substantiated reports of political operatives distributing false campaign materials on Election Day to confuse voters about the candidates, including endorsements they had allegedly received.

In recent elections in Maryland, including the 2006 elections, operatives have also spread false information about the time, place or manner of voting or qualifications for, or restrictions on, voting, or the political affiliations of candidates.

These grotesque practices are a direct assault on the most fundamental right of Americans: the right to vote and have that vote counted.

Over the past 40 years, tremendous progress has been made removing the most conspicuous obstacles and impediments to voting in order to guarantee that all Americans, regardless of their race or color, can vote. Unfortunately, there exists in our Nation a small but committed group of individuals who will sink to any low if they believe it will produce a victory. H.R. 1281 goes after these people, who are a disease on our democratic system.

I am hopeful that the House will overwhelming pass H.R. 1281 and send the message that deceptive campaign practices are un-American and anti-democratic.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today as an original cosponsor and strong supporter of H.R. 1281, the Deceptive Practices and Voter Intimidation Act of 2007.

This is an issue that is close to my heart. I am grateful to my colleagues Mr. EMANUEL, for introducing this legislation, and Chairman CONYERS, for his consideration or H.R. 1281 in the Judiciary Committee.

The great promise of America is that every citizen has a vote, a voice in how our government is run. And we've seen in recent years where 100 or 50 or 5 or even 1 vote has changed the outcome of an election. So making sure that every U.S. citizen is able to vote is one of our most fundamental responsibilities.

When most people think of Voting Rights Act violations they thing of the 1960s, when African Americans were prevented from voting because of the color of their skin. Many do not realize that voter suppression still occurs today.

The targets of intimidation remain the same. This last election, minority and naturalized immigrant communities were the targets of deception, misinformation and voter intimidation designed to abridge their right to vote.

In the district I represent, California's 47th, concerns were raised when about 14,000 registered Hispanic voters received a written letter, in Spanish, from the ''California Coalition for Immigration Reform'' informing voters that immigrants voting in a federal election were committing a crime ''that could result in incarceration and possible deportation. . .''

It also went on to advise voters that ''the U.S. government is installing a new computerized system to verify names of all the newly registered voters who participate in the elections in October and November. Organizations against immigration will be able to request information from this new computerized system.''

The intent of the letter was to intimidate. Families were afraid that their personal information would be shared with anti-immigration groups if they voted. They were afraid of retaliation for exercising their right to vote.

Revisiting and reforming the voting rights laws will send a clear message to potential violators that deceptive practices are unacceptable and will be prosecuted to the full extent of the law.

H.R. 1281 will strengthen the prohibition and punishment of deceptive practices that aim to keep voters away from the polls on Election Day.

I urge my colleagues to support this legislation, which will go a long way in preventing future acts of voter intimidation.

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. 1281, 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.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2643, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110–211) on the resolution (H. Res. 514) providing for consideration of the bill (H.R. 2643) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, which was referred to the House Calendar and ordered to be printed.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL SAVE FOR RETIREMENT WEEK

Ms. SCHWARTZ. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 513) supporting the goals and ideals of National Save for Retirement Week.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 513

Whereas Americans are living longer and the cost of retirement continues to rise, in part because the number of employers providing retiree health coverage continues to decline, and retiree health care costs continue to increase at a rapid pace;

Whereas Social Security remains the bedrock of retirement income for the great majority of the people of the United States, but was never intended by Congress to be the sole source of retirement income for families;

Whereas recent data from the Employee Benefit Research Institute indicates that, in the United States, less than ⅔ of workers or their spouses are currently saving for retirement and that the actual amount of retirement savings of workers lags far behind the amount that will be needed to adequately fund their retirement years;

Whereas many workers may not be aware of their options for saving for retirement or may not have focused on the importance of, and need for, saving for their own retirement;

Whereas many employees have available to them through their employers access to defined benefit and defined contribution plans to assist them in preparing for retirement, yet many of them may not be taking advantage of employer-sponsored defined contribution plans at all or to the full extent allowed by the plans as prescribed by Federal law;

Whereas all workers, including public- and private-sector employees, employees of tax-exempt organizations, and self-employed individuals, can benefit from increased awareness of the need to save adequate funds for retirement and the availability of tax-preferred savings vehicles to assist them in saving for retirement; and

Whereas October 21 through October 27, 2007, has been designated as ''National Save for Retirement Week'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Save for Retirement Week, including raising public awareness of the various tax-preferred retirement vehicles;

(2) supports the need to raise public awareness of efficiently utilizing substantial tax revenues that currently subsidize retirement savings, revenues in excess of $125,000,000,000 as of the 2006 Fiscal Year Budget;

(3) supports the need to raise public awareness of the importance to save adequately for retirement and the availability of tax-preferred employer-sponsored retirement savings vehicles; and

(4) calls on the States, localities, schools, universities, nonprofit organizations, businesses, other entities, and the people of the United States to observe this week with appropriate programs and activities with the goal of increasing the retirement savings for all the people of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Pennsylvania (Ms. SCHWARTZ) and the gentleman from Texas (Mr. SAM JOHNSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Pennsylvania.

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

Mr. Speaker, this resolution supports the goals and ideals of National Save for Retirement Week which will soon be designated by the Senate as October 21 through October 27, 2007. I want to thank Senators CONRAD and SMITH for working with me and my esteemed colleague, Mr. JOHNSON of Texas, to bring attention to the importance of retirement planning for American families.

We are living in a time when workers are being asked to shoulder an increasing share of the cost of savings for retirement. Even with an employee-sponsored retirement plan and the promise of Social Security benefits, American families need to put additional money aside to ensure a financially secure retirement. For many American families, saving is becoming an increasingly difficult task as they struggle to meet their everyday obligations. Even in solidly middle income families, financial resources are stretched thin as parents work to meet other pressing needs, whether it is purchasing health care coverage, paying for college, meeting energy costs, or simply paying monthly bills on time.

Over the past several years, we have seen a dramatic shift in our retirement system. Most workers are no longer eligible for traditional pensions which provide a predictable monthly benefit throughout retirement. Instead, workers are now bearing more of the costs and investment risks of saving adequately for their retirement under defined contribution plans, like 401(k)s.

As a result, the value of most workers' retirement benefits and the security of their retirement is now directly linked to their investment decisions and the balance held in their account when they retire rather than their years of service.

The dramatic shift towards individual defined contribution plans is clear. In 1980, there were over 148,000 defined benefit plans that provided guaranteed benefits to workers, and there were approximately 341,000 defined contribution plans that relied on the returns on investments made by workers. By 2003, just over 20 years later, the number of defined benefit plans had fallen to just about 47,000, while the number of defined contribution plans had risen to nearly 653,000.

While this shift is empowering American workers to make more of their own financial decisions, many families are finding it difficult to save significantly to meet all of their retirement needs.

A study conducted by the Employee Benefit Research Institute shows that average 401(k) balances range from approximately $4,500 for participants in their 20s with less than 3 years of service to just under $200,000 for participants in their 60s with at least 30 years of service.

Unfortunately, a balance of less than $200,000 may not be enough to finance an individual's retirement years. For example, a worker in my own State of Pennsylvania with a $200,000 balance who makes the financially prudent decision of purchasing an annuity could expect a maximum monthly benefit of about $1,300. $1,300 can go just so far in meeting monthly household expenses. Retirees have to ask can $1,300 pay their mortgage, health costs, car payments, gas and leisure activities, and will it be sufficient in 5, 10 or 15 years given the increasing cost of living to meet their expenses and their expectations for retirement?

These concerns become more alarming as recent data show a decline in actual worker participation in employer-sponsored retirement plans. In 2004, only 40 percent of families had an individual who participated in either form of employer-based plan. This means that a majority of American working families are not currently participating in any retirement plan at work.

As our country shifts towards an increasing reliance on individual savings, workers are facing increased difficulty as they prepare for retirement. And it heightens the importance of educating our workers about the pressing need to save.

In my district, I have partnered with banks, credit unions and other financial institutions to host seminars to help provide families with the information they need to make educated, financially responsible decisions about their family budgets and to help them establish a habit of saving for the future.

□ 1745

I have also worked with schools in my district to help reach out to children, even at young ages, in order to emphasize the importance of saving for the future. It is never too early to learn that every little bit we save now will help in the long run. Whether you're a 16-year-old receiving your first paycheck or a 25-year-old getting your first real increase, or a 45-year-old with a mortgage and two kids who need braces, a habit of putting a little bit away each month in regular savings can, with the help of compound interest, add up to a secure retirement. The resolution before us today supports and encourages educational opportunities on a national scale and creates a collaborative effort to emphasize the importance of making saving for retirement a priority for all American families.

Mr. Speaker, I urge my colleagues to support this resolution so that we can help make American workers more financially secure in their retirement years.

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today in support of National Save for Retirement Week that will be celebrated during the week of October 21 to 27 this year.

Our national savings rate is abysmal. Despite our best efforts, there are

fewer traditional pension plans every year. The costs associated with retiree health continue to skyrocket, and the Social Security and Medicare board of trustees have long warned us that without change, Social Security and Medicare will be unable to pay future promised benefits. However, there is one bright spot for Americans who have employer-based retirement savings plans. We all know and love the 401(k) plan and its cousins, the 403(b) and the 457. These plans make it possible for Americans to take charge of their own financial future by putting away savings for retirement in a convenient, safe and well-performing manner.

For far too many people, there is too much month left at the end of their paycheck and they just don't get around to putting away money for their own retirement. With a 401(k) plan, the money for retirement is set aside before the other bills get paid. The paycheck that they bring home is then available for life's daily needs, while the money for retirement is going to work with compound interest. You know, Einstein said the most powerful force on Earth is the power of compound interest. For Americans who set aside part of their paycheck for a 401(k), the power of compound interest helps them pave their way to retirement.

Another great benefit of saving at work is that in most cases, the employer is going to match some of the amount saved. To the extent that an employer will match, for instance, the first 5 percent of your salary, that's a 100 percent rate of return on those savings. If someone who makes $50,000 a year saves $2,500, the employer will match it with another $2,500. That's free money. So the employee starts out at a 100 percent rate of return. If the market performs as it traditionally has and returns an average of 8 percent a year, the employee's money doubles again every 10 years. So for an additional set-aside of $2,500, in 10 years, that employee is likely to have $10,000. That's powerful.

During the week of October 21 to 27, everyone who plays a role in retirement will be called to action. All the companies that sponsor retirement plans, all the companies that do the work to administer these plans, financial consultants and groups like the Employee Benefit Research Institute that runs the Choose to Save campaign are encouraged to bring this powerful message to more people.

In the clutter of everyday life, we are bombarded with advertisements for everything from breakfast cereal to fast cars. Advertisements for retirement savings don't always break through the clutter. Again, our negative savings rate goes to show that. Our support of the National Save for Retirement Week today will help that message break through, as communities across our great Nation join in a concerted, week-long effort to teach Americans the importance of saving.

I urge all my colleagues to join Representative SCHWARTZ and me in passing this legislation so that more and more Americans can choose to save.

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

Ms. SCHWARTZ. Mr. Speaker, I want to thank my colleague from Texas for working with me to raise this important issue. It is my hope that we will continue to work together to encourage Americans to save for retirement.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Pennsylvania (Ms. SCHWARTZ) that the House suspend the rules and agree to the resolution, H. Res. 513.

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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the House will stand in recess until 6 p.m.

Accordingly (at 5 o'clock and 50 minutes p.m.), the House stood in recess until 6 p.m.

□ 1800

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:

H. Res. 189, by the yeas and nays;

H.R. 2546, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

ESTABLISHING A WELCOME HOME VIETNAM VETERANS DAY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 189, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and agree to the resolution, H. Res. 189.

The vote was taken by electronic device, and there were—yeas 381, nays 0, not voting 51, as follows:

[Roll No. 549]

YEAS—381

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehner
Bonner
Bono
Boozman
Boswell
Boucher
Boustany
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cubin
Culberson
Davis (AL)
Davis (CA)
Davis (IL)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Fallin
Farr
Fattah
Feeney
Filner
Flake
Forbes
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Giffords
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Grijalva
Hall (NY)
Hall (TX)
Hare
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
Hunter
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jindal
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Langevin
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)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
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
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nunes
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar

Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
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)
Walsh (NY)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—51

Blunt
Boren
Boyd (FL)
Capuano
Carson
Carter
Crenshaw
Cuellar
Cummings
Davis (KY)
Davis, Jo Ann
Dingell
Doolittle
Emerson
Everett
Ferguson
Fortenberry
Gallegly
Gerlach
Gilchrest
Green, Al
Green, Gene
Gutierrez
Harman
Issa
Jefferson
Johnson (IL)
Jones (OH)
Kilpatrick
Kind
Kucinich
LaHood
Lantos
Maloney (NY)
Meeks (NY)
Murtha
Neugebauer
Oberstar
Ortiz
Paul
Peterson (PA)
Poe
Pomeroy
Pryce (OH)
Rogers (AL)
Rush
Sessions
Simpson
Walz (MN)
Westmoreland
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1824

Ms. WOOLSEY, Mr. EHLERS, Ms. VELÁZQUEZ and Mr. BISHOP of Georgia changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. JOHNSON of Illinois. Mr. Speaker, on rollcall No. 549 had I been present, I would have voted ''yea.''

CHARLES GEORGE DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2546, 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. HARE) that the House suspend the rules and pass the bill, H.R. 2546.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 381, nays 0, not voting 51, as follows:

[Roll No. 550]

YEAS—381

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehner
Bonner
Bono
Boozman
Boswell
Boucher
Boustany
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cubin
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Forbes
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Giffords
Gillibrand
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Grijalva
Hall (NY)
Hall (TX)
Hare
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
Hunter
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Langevin
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)
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meehan
Meek (FL)
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
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nunes
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
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)
Walsh (NY)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—51

Blunt
Boren
Boyd (FL)
Capuano
Carson
Carter
Crenshaw
Cuellar
Davis (KY)
Davis, Jo Ann
Doolittle
Emerson
Everett
Feeney
Ferguson
Fortenberry
Gallegly
Gerlach
Gilchrest
Gohmert
Green, Al
Green, Gene
Gutierrez
Harman
Issa
Jefferson
Jones (OH)
Kilpatrick
Kind
Kucinich
LaHood
Lantos
Maloney (NY)
Marshall
Meeks (NY)
Murtha
Neugebauer
Oberstar
Ortiz
Paul
Peterson (PA)
Poe
Pomeroy
Pryce (OH)
Rogers (AL)
Rush
Sessions
Simpson
Walz (MN)
Westmoreland
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1830

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.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to official business in the 13th Congressional District of Michigan, I was unable to cast my vote on two resolutions. Had I been present, I would have voted ''aye'' on H. Res. 189, Expressing the sense of the House of Representatives that a ''Welcome Home Vietnam Veterans Day,'' should be established, and ''aye'' on H.R. 2546—To designate he Department of Veterans Affairs Medical Center in Asheville, North Carolina, as the ''Charles George Department of Veterans Affairs Medical Center.''

PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Mr. Speaker, today I was unavoidably delayed and missed the votes on H. Res. 189, Expressing the sense of the House of Representatives that a ''Welcome Home Vietnam Veterans Day''

should be established (rollcall 549), and H.R. 2546, To designate the Department of Veterans Affairs Medical Center in Asheville, North Carolina, as the ''Charles George Department of Veterans Affairs Medical Center'' (rollcall 550).

PERSONAL EXPLANATION

Mr. DAVIS of Kentucky. Mr. Speaker, on Monday, June 25, 2007, I was absent from the House for a familial medical emergency.

Had I been present I would have voted:

On rollcall No. 548—''yes''—H. Res. 189—Expressing the sense of the House of Representatives that a ''Welcome Home Vietnam Veterans Day'' should be established.

On rollcall No. 549—''yes''—H.R. 2546—To designate the Department of Veterans Affairs Medical Center in Asheville, North Carolina, as the ''Charles George Department of Veterans Affairs Medical Center.''

IN SUPPORT OF 100 PERCENT AIRPORT WORK SCREENING

(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, America recently got a wake-up call when we learned that law enforcement had thwarted a Muslim extremist plot to blow up Kennedy Airport and the surrounding neighborhoods.

This is not the first time that we have had our security exposed at our airports. In March airport employees at Orlando International exploited a loophole in our security and placed a bag with an arsenal of weapons on the airplane. As workers, they never had to pass through a metal detector or had anyone check their bags or equipment.

That is why I introduced H.R. 1413 with my good friend Congresswoman NITA LOWEY from New York to implement a 100 percent worker screening pilot program at seven of our airports.

Listen up, America. It is unacceptable that we spend billions to secure our airports and airplanes from dangerous passengers, yet we leave the back door open to workers. I would hope that the Homeland Security Committee heard this wake-up call and scheduled a full committee markup as soon as possible so we can close this dangerous loophole.

IT IS TIME TO BRING OUR TROOPS HOME FROM IRAQ

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, as we begin to commemorate and celebrate the founding of this Nation, what a great Nation, July 4 brings all Americans together. We stand strong. We are bold and we are proud. I am proud to be an American.

But I petition this government, this Congress, this President that we must resolve the Iraq crisis. Our soldiers are defined as they are, warriors for justice. But when you have a complete collapse of government, as was evidenced in the last 24 hours, suicide bombs, car bombs, an enormous toil and toll of lives being taken, our soldiers emerged in neighborhoods, sitting as sitting ducks, it is time to bring our troops home. And as long as we remain tone deaf to the American people, we undermine the values of this Nation that indicates we all are created equal.

It is time to bring our troops home from Iraq. It is time for a new policy and a new direction.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. ROSS). 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.

REVISIONS TO THE 302(a) ALLOCATIONS AND BUDGETARY AGGREGATES ESTABLISHED BY THE CONCURRENT RESOLUTIONS ON THE BUDGET FOR FISCAL YEARS 2007 AND 2008

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

Mr. SPRATT. Mr. Speaker, pursuant to section 207(d) of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, I hereby submit the revised 302(a) allocations for the House Committee on Appropriations for Fiscal Years 2007 and 2008. Section 207(d)(2) directs the Chairman of the Committee on the Budget to adjust the discretionary spending allocations for an Internal Revenue Service tax compliance program integrity initiative as provided in section 207(d)(1)(B) of S. Con. Res. 21.

DISCRETIONARY APPROPRIATIONS: APPROPRIATIONS COMMITTEE 302(a) ALLOCATION

(In millions of dollars)

	Budget authority	Outlays
Fiscal Year 2007	950,316	1,029,465
Fiscal Year 2008	953,459	1,028,780

IN SUPPORT OF H. RES. 505, RECOGNIZING THE INNUMERABLE CONTRIBUTIONS OF THE RECREATIONAL BOATING COMMUNITY AND THE BOATING INDUSTRY TO THE CONTINUING PROSPERITY AND AFFLUENCE OF THE UNITED STATES

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

Mr. KLEIN of Florida. Mr. Speaker, I would first like to commend the distinguished chairman of the House Committee on Transportation and Infrastructure (Mr. OBERSTAR) for his support of House Resolution 505 and for his leadership on the committee. These days we face mounting challenges to improve our infrastructure and protect our highways and waterways from expanding populations and from terrorist attacks. Personally, I can think of no other person better qualified to lead this important committee.

Mr. Speaker, I rise today in support of House Resolution 505 to highlight the important contribution of the recreational boating community and the boating industry to our quality of life and to our continued economic prosperity and to urge the President to issue a proclamation calling upon the American people to observe National Boating Day.

Boating is a famous symbol for south Florida, where I am from. Millions of residents and tourists take to the waters of south Florida by boat to fish, dive, snorkel, and view scenic tours along our pristine coastline and unique intracoastal waterway. Palm Beach County alone has over 40,000 registered boaters, and Ft. Lauderdale's majestic canals have earned it the nickname the ''Venice of America.''

But the significance of the boating community is not only symbolic. The recreational marine industry is a major economic force in Florida, responsible for over $18 billion of revenues and 220,000 jobs statewide. And I should note that $13 billion of the economic impact and 162,000 of those jobs as well as almost half of the industry's gross sales come from the tri-county region of Miami-Dade, Broward, and Palm Beach Counties.

As many of our colleagues know, the contributions of the recreational boating community extend far beyond the Sunshine State. The boating population exceeds 73 million individuals in our country and an estimated 18 million recreational watercraft. In addition, the recreational boating industry provides more than $39 billion in sales and services to the U.S. economy and provides nearly 380,000 manufacturing jobs. Altogether there are approximately 1,400 active boat builders in the United States with contributions from all 50 States.

One need only look at the geographic diversity among members of our Congressional Boating Caucus, of which I am a proud member, to measure the broad influence and contributions of the boating community and the boating industry to our country and the quality of our life. Members come from 38 States, including Wyoming, Pennsylvania, Kansas, and West Virginia. Clearly, boating is not just a coastal pastime; it is an American pastime.

In addition, boating also brings us closer to our national treasures. I strongly believe that an appreciation for environmental stewardship comes through interacting with nature. For example, it is hard to comprehend the beauty of coral reefs until you see them underwater with your own eyes.

Once you do, you begin to understand their importance and the need to protect them for the continued health of our oceans.

Boating gives us these cherished opportunities to commune with nature. It should be no surprise that boaters can be impassioned stewards of the environment, teaching future generations of boaters a healthy respect and appreciation for our natural resources.

It is for these and other reasons that I introduced House Resolution 505, recognizing the contributions of the recreational boating community and the boating industry to the continuing prosperity and affluence of the United States. This resolution calls upon President Bush to issue a proclamation to observe National Boating Day with an appropriate time being July 1.

I was happy to have so many of our colleagues from the Boating Caucus join me in supporting this resolution, including the distinguished co-chairs of the caucus, the Honorable GENE TAYLOR from Mississippi and the Honorable CANDICE MILLER from Michigan. I am sure that they can attest that boating is an integral part of our economy and our quality of life not just for those along the coast but for the entire country.

Mr. Speaker, I applaud my colleagues for adopting this resolution today and recognizing the contributions of recreational boating and the boating industry.

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

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

THE PROSECUTION OF FORMER U.S. BORDER PATROL AGENTS

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, the House Judiciary Committee is scheduled to hold a hearing this week to examine mandatory minimum sentencing laws. Included in this hearing will be the opportunity to examine the issue of mandatory minimum sentencing in the case of U.S. Border Patrol Agents Ramos and Compean.

As the Members of this House well know, in February, 2006, the two agents were convicted in a U.S. District Court in Texas for shooting a Mexican drug smuggler. They were sentenced to 11 and 12 years in prison respectively, and today is the 160th day since the agents entered Federal prison.

The law that the agents were charged with violating, 18 United States Code, section 924(c)(1)(A), carries a mandatory minimum sentence of 10 years. As enacted by Congress, the law requires a defendant to be indicted and convicted either of ''using'' or ''carrying'' a firearm during and in relation to the commission of a crime of violence or ''possessing'' a firearm in furtherance of a crime of violence.

However, neither Mr. Ramos nor Mr. Compean were ever charged with specific elements of the crime. Instead, the Office of the U.S. Attorney for the Western District Court of Texas, Mr. Johnny Sutton, extracted from the U.S. Criminal Code a sentencing factor, ''discharging'' a firearm, and substituted that sentencing factor for the congressionally defined elements of the offense. Ten years of each of their sentences were based on an indictment and conviction for a Federal crime that does not exist. The law they were charged with violating has never been enacted by the United States Congress but rather was fashioned by the U.S. Attorney's Office.

In this case I can imagine how difficult it would be to obtain an indictment and conviction for ''using,'' ''possessing,'' or ''carrying'' a firearm when the Border Patrol agents were required to carry firearms as part of their job. That difficulty may well explain why this U.S. Attorney's Office unilaterally changed Congress's definition of a crime to a definition that would be easier for the prosecution to prove.

When this issue was brought to my attention and to the attention of my colleagues VIRGIL GOODE and former Texas State Judge TED POE, we were pleased to join forces with the Gun Owners Foundation, U.S. Border Control, U.S. Border Control Foundation, and the Conservative Legal Defense & Education Fund to file a friend of the court brief in the U.S. Court of Appeals for the Fifth Circuit. The brief urges reversal of these unjust convictions and 10-year mandatory minimum sentences by spelling out how charges contained in two counts of the indictment against the agents are fatally defective. I want to thank Chairman JOHN CONYERS for scheduling a hearing on this issue, as well as the Subcommittee on Crime and Terrorism and Homeland Security for its willingness to investigate the injustice committed against these two border agents.

I encourage the chairman and the committee to take a thorough look at the action of the Office of the U.S. Attorney for the Western District of Texas and his aggressive prosecution of law enforcement officers like Ramos and Compean.

Mr. Speaker, as I close, I want to let the families of Compean and Ramos know that we are not going to forget these two border agents. They are heroes and should never have been sent to prison.

□ 1845

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

U.S. TRADE DEFICIT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, the U.S. trade deficit continues its relentless spiral upwards. More red ink. More outsourced jobs. More foreign imports. Nothing seems capable of slowing it down, neither the misguided Bush administration policy of forcing down the value of the dollar on global markets, nor a half-hearted, ineffective and ultimately unsuccessful attempt to increase U.S. exports. America wants results, not rhetoric.

According to recent reports, the current account deficit, which is the broadest measure of the trade deficit, reached $193 billion just in the first quarter of this year. Every year the red ink gets deeper. This represents 5.7 percent of our gross domestic product. It is a heavy ball and chain on the economic growth in our country, and it is becoming heavier. The trade deficit in goods in the first quarter surpassed $200 billion, and it dwarfed surpluses in services and income payments.

Although you won't hear it from the economists on the coasts, the gargantuan deficit in goods is a dagger pointed at the heart of the economy in parts of the country such as I represent. We need action in Washington to stop the loss of jobs due to the trade deficit hemorrhage and unfair foreign competition, including the remaining closed markets of the world in first world nations like Japan.

The trade deficit, Mr. Speaker, reveals two fundamental weaknesses in our national economic policy. First is our unforgivable utter dependence on imported petroleum, the primary category of trade deficit. American consumers end up paying twice for the government's failure to declare energy independence, first when they fill up, and second, when their own economy is undermined by the global oil giants working in tandem with the repressive kingdoms of the Middle East and other places.

One would think that our government would have heard the warnings long enough and often enough to take action against our dangerous dependence on foreign oil, and I mean real action, like energy independence within a decade.

The President talked about it in his State of the Union speech, but he has not followed up with action. In fact, in his administration we are importing a billion more barrels of petroleum annually from other countries. So we should not be surprised, maybe, considering the President and Vice President are both oil men at heart.

The other weakness revealed by the current account deficit is our failure to

develop a trade policy that makes as its priority the competitiveness of American jobs and American businesses. The government, rather, has pursued a policy that sends manufacturing jobs overseas to third world places like China, which represents a growing share of this red ink. Talk to tool and dye makers in Ohio, those who somehow have survived. Talk to workers in the auto industry or the auto parts sector; they must wonder whether it is the official policy of the United States Government to throw them to the wolves.

Where, they ask, is the policy for making the United States economy competitive here at home in each of the categories where we have lost the edge?

Together, the trade deficit with China from petroleum and from automotive products account for 95 percent of the total, and somebody's got to pay. In order to finance the deficit, Americans are borrowing and selling assets to the tune of approximately $600 billion a year. Anything in your town been put on the chopping block yet? Debt service amounts to approximately $2,000 a year for every working American. We are truly indebted.

Sooner or later somebody has to pay that bill, and the American people know who that somebody is. The Chinese government alone holds enough foreign reserves to purchase about 5 percent of the shares of all publicly traded U.S. companies. The U.S. trade deficit is the main source of that Chinese wealth. Dr. Peter Morici of the University of Maryland has written about the impact of our trade policy on economic growth. He notes that every dollar spent on imports that is not matched by a dollar of exports reduces domestic demand here at home and employment and shifts workers into activities where productivity is lower.

Productivity is at least 50 percent higher in industries that export and compete with imports, and reducing the trade deficit and moving workers into these industries would increase our gross domestic product. If the administration and Congress showed the fortitude to cut the trade deficit, and we're not talking about a balanced trade account, just cutting the deficit by half, the gross domestic product would increase by an estimated $250 billion, or more than $1,700 for every working American. That comes to 1 percent a year due to this halving of the deficit rather than the loss of 1 percent of economic growth every year due to this continuing failed trade policy, which has been in place for at least two decades.

If we could just cut the deficit in half, workers wages could once again keep pace with inflation, families would no longer fall further behind with each passing month, and we would have better jobs, better paying wages and better benefits.

Mr. Speaker, unfortunately we will not see that economic growth until our government deals with this trade deficit and stops the hemorrhage. That would require political courage. I would sure like to see some of it here in this town.

U.S. RECORDS $193 BILLION FIRST QUARTER CURRENT ACCOUNT DEFICIT TAXING U.S. GROWTH

(By Peter Morici)

Today, the Commerce Department reported the first quarter current account deficit was $192.6 billion, up from $187.9 billion in the fourth quarter.

The deficit was 5.7 percent of GDP. The consensus forecast was $203 billion, and my published forecast was 195.8.

The current account is the broadest measure of the U.S. trade balance. In addition to trade in goods and services, it includes income received from U.S. investments abroad less payments to foreigners on their investments in the United States.

In the first quarter, the United States had a $24.1 billion surplus on trade in services and a $10.4 billion surplus on income payments. This was hardly enough to offset the massive $200.9 billion deficit on trade in goods.

The huge deficit on trade in goods is caused by a combination of an overvalued dollar against the Chinese yuan, a dysfunctional national energy policy that increases U.S. dependence on foreign oil, and the competitive woes of the three domestic automakers. Together, the trade deficit with China and on petroleum and automotive products account for about 95 percent of the deficit on trade in goods and services.

To finance the current account deficit, Americans are borrowing and selling assets at a pace of about $600 billion a year. U.S. foreign debt exceeds $6 trillion, and the debt service comes to about $2,000 a year for every working American.

A significant share of these funds was loaned to Americans by foreign governments. China and other governments loaned Americans more than 4.3 percent of GDP.

The current account deficit imposes a significant tax on GDP growth by moving workers from export and import-competing industries to other sectors of the economy. This reduces labor productivity, research and development (R&D) spending, and important investments in human capital. In 2007 the trade deficit is slicing about $250 billion off GDP, and longer term, it reduces potential annual GDP growth to 3 percent from 4 percent.

FINANCING THE DEFICIT

The current account deficit must be financed by a capital account surplus, either by foreigners investing in the U.S. economy or loaning Americans money. Some analysts argue that the deficit reflects U.S. economic strength, because foreigners find many promising investments here. The details of U.S. financing belie this argument.

In the first quarter, U.S. investments abroad were $420.8 billion, while foreigners invested $623.6 billion in the United States. Of that latter total, only $23.5 billion or less. than 4 percent was direct investment in U.S. productive assets. The remaining capital inflows were foreign purchases of Treasury securities, corporate bonds, bank accounts, currency, and other paper assets. Essentially, Americans borrowed $600 billion to consume 5.7 percent more than they produced.

Foreign governments loaned Americans $147.8 billion or 4.3 percent of GDP. That well exceeded net household borrowing to finance homes, cars, gasoline, and other consumer goods. The Chinese and other governments are essentially bankrolling U.S. consumers, who in turn are mortgaging their children's income.

The cumulative effects of this borrowing are frightening. The total external debt now exceeds $6 trillion. The debt service at 5 percent interest, amounts to $2000 for each working American.

The Chinese government alone holds enough U.S. and other foreign reserves to purchase about five percent of the shares of all publicly trade U.S. companies. The U.S. trade deficit is the primary driver behind this phenomenon.

CONSEQUENCES FOR ECONOMIC GROWTH

High and rising trade deficits tax economic growth. Specifically, each dollar spent on imports that is not matched by a dollar of exports reduces domestic demand and employment, and shifts workers into activities where productivity is lower.

Productivity is at least 50 percent higher in industries that export and compete with imports, and reducing the trade deficit and moving workers into these industries would increase GDP.

Were the trade deficit cut in half, GDP would increase by about $250 billion or more than $1,700 for every working American. Workers' wages would not be lagging inflation, and ordinary working Americans would more easily find jobs paying higher wages and offering decent benefits.

Manufacturers are particularly hard hit by this subsidized competition. Through recession and recovery, the manufacturing sector has lost 3.2 million jobs since 2000. Following the pattern of past economic recoveries, the manufacturing sector should have regained about 2 million of those jobs, especially given the very strong productivity growth accomplished in durable goods and throughout manufacturing.

Longer-term, persistent U.S. trade deficits are a substantial drag on growth. U.S. import-competing and export industries spend three-times the national average on industrial R&D, and encourage more investments in skills and education than other sectors of the economy. By shifting employment away from trade-competing industries, the trade deficit reduces U.S. investments in new methods and products, and skilled labor.

Cutting the trade deficit in half would boost U.S. GDP growth by one percentage point a year, and the trade deficits of the last two decades have reduced U.S. growth by one percentage point a year.

Lost growth is cumulative. Thanks to the record trade deficits accumulated over the last 10 years, the U.S. economy is about $1.5 trillion smaller. This comes to about $10,000 per worker.

Had the Administration and the Congress acted responsibly to reduce the deficit, American workers would be much better off, tax revenues would be much larger, and the Federal deficit could be eliminated without cutting spending.

The damage grows larger each month, as the Bush administration dallies and ignores the corrosive consequences of the trade deficit.

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

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

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

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

BRING THE SOLDIERS HOME

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

Mr. MCDERMOTT. Mr. Speaker, they say they care about the soldiers. The President and his administration talk a lot about the soldiers, but in Iraq, the situation keeps getting worse. There are another 18 months left in this administration, and unless the Republicans finally dig in and demand action instead of words, casualties will continue to rise at a horrendous rate. In the 18 months the President remains in office, 1,800 more soldiers will die and 18,000 more U.S. soldiers will be wounded if they keep up at the present rate.

We are suffering as mightily as we did in Vietnam, and the results are just as catastrophic and just as preventable. We have a choice, but this President chooses to spend more U.S. lives in Iraq, and he does so with the full support of the Republican Party, which is the only way he can survive.

The American people have spoken, the Democratic Party has spoken, we all said the same thing: Set a timetable and get U.S. soldiers out of Iraq's civil war. Even the majority of Iraq's elected Parliament has demanded a timetable for U.S. withdrawal, but the President ignores it all.

So far, the Republican Party has sat on its conscience and given the President every blank check he asks for. Too many Republicans in this House and Senate know the truth, but they remain silent and acquiescence and give up their congressional responsibility.

The American people have submerged the President's approval rating in an effort to get his attention, but he keeps ignoring the fact, the evidence and the lessons of history. And it is be possible because blind allegiance has become the litmus test of the members of his party.

Republicans used to give the President blank checks, now they give him a rubber stamp veto to keep Americans fighting and dying in a war he lost several years ago. U.S. casualties will continue to rise at the President continues to escalate his stay-the-course policy in Iraq.

The President's stubbornness has nothing to do with taking new ground in Iraq, but it has everything to do with gaining rights to what's underground in Iraq, the oil wealth of the Iraqi people. That's why the rhetoric is already being planted by the administration with friendly media that September won't really matter when it comes to a progress report. As Frank Rich reported in the Sunday New York Times, the fix is already on. And I will enter this journalism into the RECORD.

[From the New York Times, June 24, 2007]

THEY'LL BREAK THE BAD NEWS ON 9/11

(By Frank Rich)

By this late date we should know the fix is in when the White House's top factotums fan out on the Sunday morning talk shows singing the same lyrics, often verbatim, from the same hymnal of spin. The pattern was set way back on Sept. 8, 2002, when in simultaneous appearances three cabinet members and the vice president warned darkly of Saddam's aluminum tubes. ''We don't want the smoking gun to be a mushroom cloud,'' said Condi Rice, in a scripted line. The hard sell of the war in Iraq—the hyping of a (fictional) nuclear threat to America—had officially begun.

America wasn't paying close enough attention then. We can't afford to repeat that blunder now. Last weekend the latest custodians of the fiasco, our new commander in Iraq, Gen. David Petraeus, and our new ambassador to Baghdad, Ryan Crocker, took to the Sunday shows with two messages we'd be wise to heed.

The first was a confirmation of recent White House hints that the long-promised September pivot point for judging the success of the ''surge'' was inoperative. That deadline had been asserted as recently as April 24 by President Bush, who told Charlie Rose that September was when we'd have ''a pretty good feel'' whether his policy ''made sense.'' On Sunday General Petraeus and Mr. Crocker each downgraded September to merely a ''snapshot'' of progress in Iraq. ''Snapshot,'' of course, means ''Never mind!''

The second message was more encoded and more ominous. Again using similar language, the two men said that in September they would explain what Mr. Crocker called ''the consequences'' and General Petraeus ''the implications'' of any alternative ''courses of action'' to their own course in Iraq. What this means in English is that when the September ''snapshot'' of the surge shows little change in the overall picture, the White House will say that ''the consequences'' of winding down the war would be even more disastrous: surrender, defeat, apocalypse now. So we must stay the surge. Like the war's rollout in 2002, the new propaganda offensive to extend and escalate the war will be exquisitely timed to both the anniversary of 9/11 and a high-stakes Congressional vote (the Pentagon appropriations bill).

General Petraeus and Mr. Crocker wouldn't be sounding like the Bobbsey Twins and laying out this coordinated rhetorical groundwork were they not already anticipating the surge's failure. Both spoke on Sunday of how (in General Petraeus's variation on the theme) they had to ''show that the Baghdad clock can indeed move a bit faster, so that you can put a bit of time back on the Washington clock.'' The very premise is nonsense. Yes, there is a Washington clock, tied to Republicans' desire to avoid another Democratic surge on Election Day 2008. But there is no Baghdad clock. It was blown up long ago and is being no more successfully reconstructed than anything else in Iraq.

When Mr. Bush announced his ''new way forward'' in January, he offered a bouquet of promises, all unfulfilled today. ''Let the Iraqis lead'' was the policy's first bullet point, but in the initial assault on insurgents now playing out so lethally in Diyala Province, Iraqi forces were kept out of the fighting altogether. They were added on Thursday: 500 Iraqis, following 2,500 Americans. The notion that these Shiite troops might ''hold'' this Sunni area once the Americans leave is an opium dream. We're already back fighting in Maysan, a province whose security was officially turned over to Iraqi authorities in April.

In his January prime-time speech announcing the surge, Mr. Bush also said that ''America will hold the Iraqi government to the benchmarks it has announced.'' More fiction. Prime Minister Nuri al-Maliki's own political adviser, Sadiq al-Rikabi, says it would take ''a miracle'' to pass the legislation America wants. Asked on Monday whether the Iraqi Parliament would stay in Baghdad this summer rather than hightail it to vacation, Tony Snow was stumped.

Like Mr. Crocker and General Petraeus, Mr. Snow is on script for trivializing September as judgment day for the surge, saying that by then we'll only ''have a little bit of metric'' to measure success. This administration has a peculiar metric system. On Thursday, Peter Pace, the departing chairman of the Joint Chiefs of Staff, called the spike in American troop deaths last week the ''wrong metric'' for assessing the surge's progress. No doubt other metrics in official reports this month are worthless too, as far as the non-reality-based White House is concerned. The civilian casualty rate is at an all-time high; the April–May American death toll is a new two-month record; overall violence in Iraq is up; only 146 out of 457 Baghdad neighborhoods are secure; the number of internally displaced Iraqis has quadrupled since January.

Last week Iraq rose to No. 2 in Foreign Policy magazine's Failed State Index, barely nosing out Sudan. It might have made No. 1 if the Iraqi health ministry had not stopped providing a count of civilian casualties. Or if the Pentagon were not withholding statistics on the increase of attacks on the Green Zone. Apparently the White House is working overtime to ensure that the September ''snapshot'' of Iraq will be an underexposed blur. David Carr of The Times discovered that the severe Pentagon blackout on images of casualties now extends to memorials for the fallen in Iraq, even when a unit invites press coverage.

Americans and Iraqis know the truth anyway. The question now is: What will be the new new way forward? For the administration, the way forward will include, as always, attacks on its critics' patriotism. We got a particularly absurd taste of that this month when Harry Reid was slammed for calling General Pace incompetent and accusing General Petraeus of exaggerating progress on the ground.

General Pace's record speaks for itself; the administration declined to go to the mat in the Senate for his reappointment. As for General Petraeus, who recently spoke of ''astonishing signs of normalcy'' in Baghdad, he is nothing if not consistent. He first hyped ''optimism'' and ''momentum'' in Iraq in an op-ed article in September 2004.

Come September 2007, Mr. Bush will offer his usual false choices. We must either stay his disastrous course in eternal pursuit of ''victory'' or retreat to the apocalypse of ''precipitous withdrawal.'' But by the latest of the president's ever-shifting definitions of victory, we've already lost. ''Victory will come,'' he says, when Iraq ''is stable enough to be able to be an ally in the war on terror and to govern itself and defend itself.'' The surge, which he advertised as providing ''breathing space'' for the Iraqi ''unity'' government to get its act together, is tipping that government into collapse. As Vali Nasr, author of ''The Shia Revival,'' has said, the new American strategy of arming Sunni tribes is tantamount to saying the Iraqi government is irrelevant.

For the Bush White House, the real definition of victory has become ''anything they can get away with without taking blame for defeat,'' said the retired Army Gen. William Odom, a national security official in the Reagan and Carter administrations, when I spoke with him recently. The plan is to run out the Washington clock between now and Jan. 20, 2009, no matter the cost.

Precipitous withdrawal is also a chimera, since American manpower, materiel and bases, not to mention our new Vatican City-sized embassy, can't be drawn down overnight. The only real choice, as everyone knows, is an orderly plan for withdrawal that will best serve American interests. The real debate must be over what that plan is. That debate can't happen as long as the White House gets away with falsifying reality, sliming its opponents and sowing hyped fears of Armageddon. The threat that terrorists in civil-war-torn Iraq will follow us home if we leave is as bogus as Saddam's mushroom clouds. The Qaeda that actually attacked us on 9/11 still remains under the tacit protection of our ally, Pakistan.

As General Odom says, the endgame will start ''when a senior senator from the president's party says no,'' much as William Fulbright did to L.B.J. during Vietnam. That's why in Washington this fall, eyes will turn once again to John Warner, the senior Republican with the clout to give political cover to other members of his party who want to leave Iraq before they're forced to evacuate Congress. In September, it will be nearly a year since Mr. Warner said that Iraq was ''drifting sideways'' and that action would have to be taken ''if this level of violence is not under control and this government able to function.''

Mr. Warner has also signaled his regret that he was not more outspoken during Vietnam. ''We kept surging in those years,'' he told The Washington Post in January, as the Iraq surge began. ''It didn't work.'' Surely he must recognize that his moment for speaking out about this war is overdue. Without him, the Democrats don't have the votes to force the president's hand. With him, it's a slam dunk. The best way to honor the sixth anniversary of 9/11 will be to at last disarm a president who continues to squander countless lives in the names of those voiceless American dead.

The truth about September will be that the President is still losing the Iraq war, but that's not what we will be told, nor will the President tell the American people that he has no plan to treat all the gravely wounded soldiers returning from Iraq. Already America has lost over 3,500 soldiers, as many as 53,000 more are gravely wounded. As many as 50,000 more may yet be afflicted with post traumatic stress disorder or traumatic brain injury.

As the Associated Press reported over the weekend, our government is overwhelmed now in trying to care for our wounded, and the President has this Nation on course to see 20,000 more casualties before he leaves office. That's what will happen unless his own Republican Party finally tells him and the American people the truth about Iraq, and the urgent need to get their soldiers out of harm's way.

The Vietnam Memorial in Washington is a place where we commemorate the soldiers who died during the last failed war. Had enough people gotten through to the President back in 1968, there would only be one side of that Memorial because we could have saved at least 25,000 lives. That's why we have to get through to the President today. The American people can't, the Democratic Party can't, even the Iraq Parliament can't. That leaves own the Republican Party to stop the memorial to Iraq's fallen heroes from growing any larger than it already will be.

We have a chance today to save U.S. lives by seeing the Iraq war for what it is and what it isn't. It is a civil war created by us, and it isn't in America's interest to be there.

Bring the soldiers home, Mr. President.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WATERS) is recognized for 5 minutes.

(Ms. WATERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the majority leader.

Mr. MEEK of Florida. Mr. Speaker, it's an honor to address the House, and it's good to be here before we go on 4th of July break to celebrate the birthday of this great country.

As you know, in the 30-something Working Group, we come to the floor to discuss a number of issues that are facing the American people, and also, I think it's important to identify our focus on the issues in Iraq and Afghanistan and the issues that are facing the American people.

I think, Mr. Speaker, the events over the weekend in Iraq and also in Afghanistan even give us further focus on making sure that the issues that are facing our men and women that are in harm's way are addressed here in the Congress. I think it's also very important for us to focus on what has not happened in this Congress as it relates to making sure that we meet the needs of our men and women.

We have appropriation bills that have been held up in the process that are now moving through the process. It's not because of the majority side's lack of will to be able to move them, it's the fact that we have some of our friends on the other side of the aisle that see it fit to slow the process down, but that argument is for another day.

As you know, I'm one of the Members, especially on this side of the aisle, that push for bipartisanship. Mr. Speaker, I spend quite a bit of time here on the floor talking about how when we work together, we're able to move the American agenda forward. And I look forward to continuing to stand up on behalf of bipartisanship here in the House to accomplish a goal to be able to make sure that our men and women in harm's way are able to receive the representation that the American people voted for.

Mr. Speaker, I think also what we should touch on is the fact that we have sent a number of documents to the White House, and those documents happen to be law, or proposed law. We had a bill that passed both House and Senate emergency supplemental that had not only benchmarks in it, but also withdrawal dates that were sensible and that were timely to let the Iraqi Government know that we will not continue to reward a lack of action on their side and accomplishment on their side as it relates to securing Iraq. That was vetoed by the President. But I can say that not one Democrat went to the White House and stood behind the President and said that we will stop any override of the President's veto.

□ 2100

I am so glad that we did send that bill there to show the American people that we are willing to do the things that we need to do.

We also passed a nonbinding resolution against the surge in Iraq, the escalation, I must add, in Iraq of U.S. troops and personnel. That was a strong message that the American people wanted to send out. That was successfully passed. Now, we are going to have two reports when we get back July 15, I would say to Mr. LARSON, our Vice Chair, in a report in September. I think it is going to be very, very important for the Members to remember that we are Americans first, Members of Congress. Along with that, that first chair that I mentioned, and on the second hand, that we are from two different parties, because there are men and women who are counting on us to work together.

But those of us on this side of the aisle have to provide the leadership. If the leadership doesn't come from the White House, then we are here, sent by American taxpayers, American voters, to represent them from the said districts that we are from. But it is important that we provide that leadership and opportunity.

I would like to yield to my good friend, Mr. JOHN LARSON, from the great State of Connecticut. He is our Vice Chair of the Democratic Caucus. I want to thank you, sir, for your leadership on this very issue of Iraq.

Mr. LARSON of Connecticut. Well, let me first and foremost congratulate the gentleman from Florida (Mr. MEEK), and Mr. RYAN and Mrs. WASSERMAN SCHULTZ and Mr. MURPHY for continuing to come to the floor, the 30-somethings, and talk about issues that are so important to this country. There is no more important issue before this Congress or this country, than the war in Iraq.

There is no more important issue to the American public. But it is clear, and I think General Odom stated it

best, because as the gentleman from Florida (Mr. MEEK) pointed out, this Congress, with its small Democratic majorities, has done what it can to end the war in Iraq and put a bill on the President's desk. The President opted to veto that bill. Our colleagues on the other side of the aisle opted to stay the course with the President of the United States.

As General Odom says, and I quote, ''The end game will start when a senior senator from the President's party, or a senior Member from the House of Representatives, much as William Fulbright did to LBJ during Vietnam, stands up and says no, stands up and says let's end the war.''

Let's create the kind of strategic withdrawal that we need in order to preserve our troops, in order to maintain our military's readiness, in order to bring sanity back into the lives, especially the reservists and the National Guard who have put out so much for us. We are going to go home at the end of this week and celebrate the Fourth of July while our troops are slugging it out there, while this administration goes through some endgame strategy where they sound like the Bobbsey twins getting together and say, ''Well, now, all of a sudden, September 15 is only a snapshot of perhaps what will happen.'' A snapshot.

To the men and women who are putting their lives on the line every single day, it's time to end the war. That will only happen in this House of Representatives and in the United States Senate, as was pointed out by General Odom, when Members on the other side of the aisle recognize that they have to stand up and say ''no'' to the President. They hint about it. They talk about it.

Meanwhile, while they dither, we lost more than 23 soldiers this past weekend. How much longer can the insanity continue here without a strategy that provides us with the strategic withdrawal to an over-the-horizon force as has been advocated on this floor by colleagues on both sides of the aisle? Why is it that RON PAUL is the only presidential candidate who has the nerve on the Republican side to talk about it without fear of being called unpatriotic or in fact booed in an audience?

This Chamber should be a chamber where we have the opportunity to speak truth to power. Thank God for people like WAYNE GILCHREST. Thank God for people like WALTER JONES. But Members on the other side of the aisle need to join with this majority so that we can create an override if the President remains obstinate, along with the Vice President, in this myopic pursuit of victory. Victory. No definition of what ''victory'' is, other than ''staying there for as long as it takes.'' We see that the Iraqi government is not living up to its proposals, that the surge is an entire failure. Yet, people come to the floor and people present in the newspapers arguments that somehow the surge might work, what it just needs is a little more time, or perhaps what it needs is even more troops.

It is time to end this war. It is time to make sure that we have people on the other side of the aisle that are willing to speak truth to power and face up to the fact that it is in the best interest of our country, that it is the very American thing to do, to stand up for our troops, to provide for our families that are here at home worried sick about the prospect of sending their loved ones into this insurgent civil war nightmare we have come to call Iraq.

The American public is way ahead of this Chamber, way ahead of the Senate. We plead with our colleagues, especially as we go forward to this July 4 weekend, to find the courage of our forebears and to stand up, since we are the body that decides on war. You have Senator WARNER saying that he ought to reconsider the authorization of this war, to do what they did in Vietnam, to recognize that the Congress, during that era, stood up and deauthorized the Gulf of Tonkin resolution that put an end to an unjust war.

We know now, of course, that we found no weapons of mass destruction. We know now that we had no exit strategy. We know now that this administration's closest adviser that they took into their bosom was Ahmed Chalabi, who ultimately ends up saying, ''So what? I lied to you. So what? I lied to you. You got what you wanted. You had a civil war in your country. The Iraqis are going to have to have a civil war in their country.''

Americans soldiers, men and women who have served this country with honor, go over there to fulfill their duty to their country. We have a duty and a responsibility here to make sure that we are doing everything within our power to make sure that they are safe and secure. Instead, we have stuck them in the middle of a civil war. The military objectives of this war have long since been accomplished. It is time to bring the troops home.

I commend Mr. MEEK and Mr. RYAN for having come to this floor day in and day out and discussed this thing. But we have to turn it up. Especially for those of you in our viewing audience, continue to turn it up at home. Turn up the conversation and the dialogue that so many have taken to the streets, to protest, to talk about moving other Members of this great body to come and arrive at the same conclusion that most Americans have. It is time for the safe, secure and strategic withdrawal of our troops from Iraq.

Mr. MEEK, I thank you for the opportunity to come down here and address, along with you, Members of the 30-something Group, who have continued to speak truth to power here. I especially want to commend Mr. RYAN from Ohio for his efforts, as well.

Mr. MEEK of Florida. Well, I am glad Mr. RYAN from Ohio has joined us, Mr. Vice Chairman. I just want to commend you for your work with the Iraq Watch Group and the work that you have been doing here in the House, not only working with Members such as myself, but others that are trying to find a way that we, Mr. Speaker, can get our troops home more sooner than later. I think it is important that all Members focus on the fact that we come to the floor to make sure that we can work together.

Again, Mr. Speaker, I would like to not only warn, but I would like to bring to the attention of the Members of the House that when that bipartisanship is blocked or Members are discouraged from voting on legislation, or voting in the affirmative, or slowing down the process, when we are trying to carry out the work that the American people sent us up here to do, then we have to rise up, the majority that the Vice Chairman speaks of so much, to do the things that we need to do on behalf of the people.

□ 1915

I think, Mr. LARSON, when you were talking, I couldn't help but reflect on what we were able to do last week as it relates to our military construction/VA spending bill, which was the largest single increase in VA in the 77-year history of the VA. It was a bipartisan vote that took place in the final analysis, and it was something that was well-needed.

This is far from what you remember under Republican control, when the chairman of the Veterans Affairs Committee just got so fed up and could no longer tell the veterans groups in this country that he could help them, do what he thought he was supposed to have done on behalf of those men and women coming back, those men and women waiting in line 6 months to see a specialist or what have you. He was removed as chairman.

Now we are under a Democratic-controlled Congress, understanding our responsibilities, understanding we have two wars going on, understanding that the VA doesn't have all of the things that it needs to have because of the cuts that have been made, understanding there is a Secretary of the VA appointed by the President that was confirmed by the Republican Senate, understanding that he doesn't want to make career decisions like some Members have, one Member did, who used to be the Chair of the Veterans Affairs Committee. And I have that in my document that I will bring up a little later.

But I think it is important that we keep the focus; that we work double time in making sure that our men and women that are taking the fight to almost an unseen aggressor in the middle of a civil war in Iraq, with no end in sight, that they know that we are here, especially the majority of us here in this House, and will do everything in our power, go to as many meetings as we need to go to and get legislation to this floor and keep it in the forefront.

I say this, Mr. LARSON and Mr. RYAN, because I know there are a number of

military families that are there waiting on their loved ones to come home. I know there is a wife waiting for a husband, or a husband that is waiting on the wife to come back. I know there is a child that wants to celebrate what my children celebrate, me walking through the door, their mother walking through the door, on a nightly basis, being able to do the things that families do. But if you are a soldier, you are deployed 12 to 15 months, Mr. Speaker, hands down. And we know with this surge that the troop levels have reached a level that has endangered the readiness of our country here. I think it is important.

Mr. LARSON of Connecticut. Mr. Speaker, if the gentleman will yield for a moment, I thank you again, because I do want to say that Frank Rich wrote an important column in The New York Times yesterday, and it is one that I will submit for the record. I think it also lays it out pretty clearly.

I would like to quote here. First he is quoting retired General William Odom. ''For the Bush White House, the real definition of victory has become 'anything they can get away with without taking blame for defeat,' said the retired Army General William Odom, a national security official in the Reagan and Carter administrations,'' when Frank Rich spoke to him most recently. ''The plan is to run out the Washington clock between now and January 20, 2009, no matter the cost.''

''A precipitous withdrawal is also a chimera, since American manpower, material and bases, not to mention our new Vatican-sized embassy, can't be drawn down overnight.''

And here is the important thing that I think Mr. Rich says. ''The only real choice, everyone knows, is an orderly plan for withdrawal that will best serve American interests. The real debate must be over what that plan is. That debate can't happen as long as the White House gets away with falsifying reality, sliming its opponents and sowing hyped fears of Armageddon. The threat that terrorists in a civil war-torn Iraq will follow us home if we leave is as bogus as Saddam's mushroom clouds. The al Qaeda that actually attacked us on 9/11 still remains under the tacit protection of our ally, Pakistan.

''As General Odom says, 'the endgame will start when a senior senator from the President's party says no,' much like William Fulbright did. That's why in Washington this fall,'' he goes on to say, ''eyes will turn once again to JOHN WARNER, the senior Republican with the clout to give political cover to other members of his party who want to leave Iraq before they are forced to evacuate Congress. In September, it will nearly be a year since Mr. WARNER said that Iraq was 'drifting sideways' and that action would have to be taken if this level of violence is not under control and this government is able to function.

''Mr. WARNER has also signaled his regret that he was not more outspoken during Vietnam. 'We kept surging in those years,' he told The Washington Post in January, as the Iraq surge began. 'It didn't work.' Surely,'' Rich goes on to say, ''he must recognize that his moment for speaking out about this war is overdue. Without him, the Democrats don't have the votes,'' and I repeat, without Republicans, ''the Democrats don't have the votes to force the President's hand. With him, it's a slam-dunk. The best way to honor the sixth anniversary of 9/11,'' as we take up this week the 9/11 Commission response, ''is to at last disarm a President who continues to squander countless lives in the names of those voiceless American dead.''

Mr. Speaker, I include the entire Frank Rich article for the RECORD.

[From the New York Times, June 24, 2007]

THEY'LL BREAK THE BAD NEWS ON 9/11

(By Frank Rich)

By this late date we should know the fix is in when the White House's top factotums fan out on the Sunday morning talk shows singing the same lyrics, often verbatim, from the same hymnal of spin. The pattern was set way back on Sept. 8, 2002, when in simultaneous appearances three cabinet members and the vice president warned darkly of Saddam's aluminum tubes. ''We don't want the smoking gun to be a mushroom cloud,'' said Condi Rice, in a scripted line. The hard sell of the war in Iraq—the hyping of a (fictional) nuclear threat to America—had officially begun.

America wasn't paying close enough attention then. We can't afford to repeat that blunder now. Last weekend the latest custodians of the fiasco, our new commander in Iraq, Gen. David Petraeus, and our new ambassador to Baghdad, Ryan Crocker, took to the Sunday shows with two messages we'd be wise to heed.

The first was a confirmation of recent White House hints that the long-promised September pivot point for judging the success of the ''surge'' was inoperative. That deadline had been asserted as recently as April 24 by President Bush, who told Charlie Rose that September was when we'd have ''a pretty good feel'' whether his policy ''made sense.'' On Sunday General Petraeus and Mr. Crocker each downgraded September to merely a ''snapshot'' of progress in Iraq. ''Snapshot,'' of course, means ''Never mind!''

The second message was more encoded and more ominous. Again using similar language, the two men said that in September they would explain what Mr. Crocker called ''the consequences'' and General Petraeus ''the implications'' of any alternative ''courses of action'' to their own course in Iraq. What this means in English is that when the September ''snapshot'' of the surge shows little change in the overall picture, the White House will say that ''the consequences'' of winding down the war would be even more disastrous: surrender, defeat, apocalypse now. So we must stay the surge. Like the war's rollout in 2002, the new propaganda offensive to extend and escalate the war will be exquisitely timed to both the anniversary of 9/11 and a highstakes Congressional vote (the Pentagon appropriations bill).

General Petraeus and Mr. Crocker wouldn't be sounding like the Bobbsey Twins and laying out this coordinated rhetorical groundwork were they not already anticipating the surge's failure. Both spoke on Sunday of how (in General Petraeus's variation on the theme) they had to ''show that the Baghdad clock can indeed move a bit faster, so that you can put a bit of time back on the Washington clock.'' The very premise is nonsense. Yes, there is a Washington clock, tied to Republicans' desire to avoid another Democratic surge on Election Day 2008. But there is no Baghdad clock. It was blown up long ago and is being no more successfully reconstructed than anything else in Iraq.

When Mr. Bush announced his ''new way forward'' in January, he offered a bouquet of promises, all unfulfilled today. ''Let the Iraqis lead'' was the policy's first bullet point, but in the initial assault on insurgents now playing out so lethally in Diyala Province, Iraqi forces were kept out of the fighting altogether. They were added on Thursday: 500 Iraqis, following 2,500 Americans. The notion that these Shiite troops might ''hold'' this Sunni area once the Americans leave is an opium dream. We're already back fighting in Maysan, a province whose security was officially turned over to Iraqi authorities in April.

In his January prime-time speech announcing the surge, Mr. Bush also said that ''America will hold the Iraqi government to the benchmarks it has announced.'' More fiction. Prime Minister Nuri al-Maliki's own political adviser, Sadiq al-Rikabi, says it would take ''a miracle'' to pass the legislation America wants. Asked on Monday whether the Iraqi Parliament would stay in Baghdad this summer rather than hightail it to vacation, Tony Snow was stumped.

Like Mr. Crocker and General Petraeus, Mr. Snow is on script for trivializing September as judgment day for the surge, saying that by then we'll only ''have a little bit of metric'' to measure success. This administration has a peculiar metric system. On Thursday, Peter Pace, the departing chairman of the Joint Chiefs of Staff, called the spike in American troop deaths last week the ''wrong metric'' for assessing the surge's progress. No doubt other metrics in official reports this month are worthless too, as far as the non-reality-based White House is concerned. The civilian casualty rate is at an all-time high; the April-May American death toll is a new two-month record; overall violence in Iraq is up; only 146 out of 457 Baghdad neighborhoods are secure; the number of internally displaced Iraqis has quadrupled since January.

Last week Iraq rose to No. 2 in Foreign Policy magazine's Failed State Index, barely nosing out Sudan. It might have made No. 1 if the Iraqi health ministry had not stopped providing a count of civilian casualties. Or if the Pentagon were not withholding statistics on the increase of attacks on the Green Zone. Apparently the White House is working overtime to ensure that the September ''snapshot'' of Iraq will be an underexposed blur. David Carr of The Times discovered that the severe Pentagon blackout on images of casualties now extends to memorials for the fallen in Iraq, even when a unit invites press coverage.

Americans and Iraqis know the truth anyway. The question now is: What will be the new new way forward? For the administration, the way forward will include, as always, attacks on its critics' patriotism. We got a particularly absurd taste of that this month when Harry Reid was slammed for calling General Pace incompetent and accusing General Petraeus of exaggerating progress on the ground.

General Pace's record speaks for itself; the administration declined to go to the mat in the Senate for his reappointment. As for General Petraeus, who recently spoke of ''astonishing signs of normalcy'' in Baghdad, he is nothing if not consistent. He first hyped ''optimism'' and ''momentum'' in Iraq in an op-ed article in September 2004.

Come September 2007, Mr. Bush will offer his usual false choices. We must either stay his disastrous course in eternal pursuit of ''victory'' or retreat to the apocalypse of ''precipitous withdrawal.'' But by the latest of the president's ever-shifting definitions of victory, we've already lost. ''Victory will come,'' he says, when Iraq ''is stable enough to be able to be an ally in the war on terror and to govern itself and defend itself.'' The surge, which he advertised as providing ''breathing space'' for the Iraqi ''unity'' government to get its act together, is tipping that government into collapse. As Vali Nasr, author of ''The Shia Revival,'' has said, the new American strategy of arming Sunni tribes is tantamount to saying the Iraqi government is irrelevant.

For the Bush White House, the real definition of victory has become ''anything they can get away with without taking blame for defeat,'' said the retired Army Gen. William Odom, a national security official in the Reagan and Carter administrations, when I spoke with him recently. The plan is to run out the Washington clock between now and Jan. 20, 2009, no matter the cost.

Precipitous withdrawal is also a chimera, since American manpower, materiel and bases, not to mention our new Vatican City-sized embassy, can't be drawn down overnight. The only real choice, as everyone knows, is an orderly plan for withdrawal that will best serve American interests. The real debate must be over what that plan is. That debate can't happen as long as the White House gets away with falsifying reality, sliming its opponents and sowing hyped fears of Armageddon. The threat that terrorists in civil-war-torn Iraq will follow us home if we leave is as bogus as Saddam's mushroom clouds. The Qaeda that actually attacked us on 9/11 still remains under the tacit protection of our ally, Pakistan.

As General Odom says, the endgame will start ''when a senior senator from the president's party says no,'' much as William Fulbright did to L.B.J. during Vietnam. That's why in Washington this fall, eyes will turn once again to John Warner, the senior Republican with the clout to give political cover to other members of his party who want to leave Iraq before they're forced to evacuate Congress. In September, it will be nearly a year since Mr. Warner said that Iraq was ''drifting sideways'' and that action would have to be taken ''if this level of violence is not under control and this government able to function.''

Mr. Warner has also signaled his regret that he was not more outspoken during Vietnam. ''We kept surging in those years,'' he told The Washington Post in January, as the Iraq surge began. ''It didn't work.'' Surely he must recognize that his moment for speaking out about this war is overdue. Without him, the Democrats don't have the votes to force the president's hand. With him, it's a slam dunk. The best way to honor the sixth anniversary of 9/11 will be to at last disarm a president who continues to squander countless lives in the names of those voiceless American dead.

Mr. RYAN of Ohio. Mr. Speaker, as we a couple weeks ago had a big brouhaha here on what we would do as Democrats to protect the homeland, I think Frank Rich is exactly right: They are already trying to get us here, and this war has created more terrorists who are trying to get at the United States. Many may be here already. We don't know.

But if you look at what we wanted to do with the homeland security bill a couple of weeks ago, put 3,000 more Border Patrol agents on the borders, make sure that we completely fund the cargo inspections coming in and out of our ports, make sure the technology is at our ports to find out if biological or chemical weapons are coming in, fund the first responders, fund the cops, fund the firemen, fund the equipment that they need for interoperability, so we have an agenda on how to protect the homeland that is much different than this one here.

But as Mr. Rich said, and there was also an article today in The New York Times, U.S. generals doubt the ability of Iraqi army to hold gains.

Now, no kidding. They had a big brouhaha with the speaker there, who was a Sunni Arab, who was put on leave at the request of a broad coalition of the three parties after incidents in which he lost his temper at other members and struck them or allowed his guards to rough them up. Now, I understand we have had a few brouhahas here in the House and in the Senate, but we didn't have an occupying force telling us to get along and get together.

These guys can't get their act together, Mr. LARSON, in a way that will allow them to take over their own country. When you look at what is going on here and the testimony before Congress on June 12 from General Dempsey, in charge of training the Iraqi army, he said there is a need to increase the Iraqi forces by at least 20,000 troops this year and a further expansion would be needed in 2008. That is not possible. He said, ''However, the past few days of fighting have not yielded the kind of success that we needed. Despite the efforts to encircle leaders from al Qaeda and others there, we are not getting the job done.''

We have so many cultural differences with the Iraqi people, the difficulties in training them, the lack of competence among the administration to jump on this, the lack of troops, on and on and on and on it goes.

I want to lend my voice to yours, Mr. LARSON and to Mr. KENDRICK MEEK from Florida, to say that it is time to bring these troops home. Let's redeploy in a very responsible way, protecting the safety of our troops, Mr. LARSON, which we all support, and make sure that we handle this politically and diplomatically, because we won this military battle, but now it is an occupation.

Mr. LARSON of Connecticut. As you have said on more than one occasion on the floor, Mr. RYAN, what we have needed all along here is a diplomatic surge, not a military surge. It is such a shame that we have abandoned so much of American foreign policy. In fact, more than 50 years of American foreign policy that were centered around deterrence, diplomacy and containment. Instead, we went into the wrong-headed policies of preemption and unilateralism, which have brought us to the quagmire that we are in today.

It breaks my heart to travel with JACK MURTHA to Bethesda and see the young men and women who are there, who have become the heroes, of course, in our country, but victims of a myopic, failed strategy with no exit in sight.

How much longer can the American public, or for that matter, this body, put up with the slogans that ''we will stand down as the Iraqis stand up,'' when more of our troops are needed and less Iraqis continue to join us; when they decide that they are going to take the next couple of months off while we slog it out in a civil war?

Our soldiers don't know in many respects who the enemy is over there, because oftentimes they are getting played, one religious sect against another, settling ages of old scores rather than accomplishing any kind of goal of establishing a democracy or establishing a government or people that are going to stand up so that we can stand down.

Mr. MEEK of Florida. Mr. Chairman, it is interesting that you would say that, and I can definitely share with you that we have to put a face on this issue.

Mr. Speaker, I know time after time again there are some Members that are concerned that we may have a single focus on Iraq, and that is not the case. We are moving the House. We have appropriation bills that are moving through the process. We have legislation. We have the 9/11 legislation coming up this week. The Senate is fast at work, doing work before we leave on Friday. It is important to put a face on this.

I said before, Iraq, Iraq, and that other issue, Iraq. But look what it is doing to the country. Look where it is holding up the resources; where it is taking up so much of our time, not only of the Congress, rightfully so, because our troops are in harm's way.

We have a President that is saying ''troops will be in Iraq,'' he said this in the past, ''troops will be in Iraq as long as I am President.'' ''We will be in Iraq,'' saying ''we.''

This is the first time he has not had a rubber stamp Congress since he has been President. I think it is important that our colleagues on the other side of the aisle, those that have to vote with their constituents and for their constituents, make sure we can work towards measures in getting our men and women out.

But to punt the ball down and say, well, let's try on the next series of downs, we have to actually try to run the ball on fourth down. Running the ball on fourth down is having not only American families that are affected by this war in Iraq, but those that are not, letting their Members of Congress know that enough is enough.

Now, let me share this with you. We are going to fight the policy battle and we are going to make sure that our men and women have what they need to have that are in harm's way. That is

a no-brainer. I have never run into an American or even received a letter that says ''I encourage you not to support the troops.'' Or ''I don't support the troops.'' You never hear that. You always hear people support the troops.

The policy is an entirely different issue, and I think it is very important to say time after time again that to move in a new direction, that is the what the American people wanted last November, is being able to have not only the guts, but the integrity to move in that direction.

It is beyond good government. It is making a commitment to those who have made a commitment to us. And they are counting on us to stand up. And when I say us, I am not talking just about good Democrats. I am not just talking about Republicans. I am talking about all Members of the House.

The reason why it is very difficult, Mr. LARSON, as you know, to move the kind of legislation that we would like to move through this process, is because in the Senate they need a number of votes to be able to do so, 60 votes, I think that is the number.

Here in the House, the majority is not all that big, even though we are in the majority. I know that the record speaks for itself, and before we leave here tonight, I am going to read what I read a week ago into the CONGRESSIONAL RECORD about the accomplishments of this Congress and what we have done as it relates to this issue of Iraq and where we have run into a roadblock with the President on not only vetoing legislation, with the help of our Republican colleagues on the other side of the aisle that have been standing with the President.

I would like, if I can, I don't know if my chart is on the floor, Mr. LARSON, I had this chart with the President on it and the Republican Congress, where they borrowed so much money. I want to have a prop so I can make the point even clearer to the Members.

Mr. LARSON of Connecticut. You have been resilient in making this point, but I want to amplify a point you made, if I might. Again, I think Frank Rich says it fairly well. I think he puts a great deal of responsibility on Senator WARNER.

Mr. MEEK of Florida. This is the article you referred to earlier.

Mr. LARSON of Connecticut. The article in the New York Times written by Frank Rich.

□ 1930

I think Mr. WARNER has been on record publicly for having stated what he has. You mentioned the fact that this House has accomplished a tremendous amount, including, and I know you are going to reiterate it with your charts, including a number of agenda items that were accomplished in the first 100 legislative hours.

Mr. MEEK of Florida. That's correct.

Mr. LARSON of Connecticut. But over in the Senate, and most of the general public isn't aware of this, they have a cloture rule. Cloture in the Senate means it takes 60 votes in order to pass something, which is why Mr. Rich in his article prevails upon Mr. WARNER, a senior Republican, to rein in Mr. MCCONNELL. Now MITCH MCCONNELL in the Senate has indicated that they continue to be obstructionists. Almost every single vote that has taken place over in the Senate, every single issue becomes a cloture vote which means that there are 60 votes needed in order to pass. Of course with only 50 Democrats in the United States Senate, that becomes impossible. So they become the obstructionist not only in the effort to strategically withdraw our troops and support the military and to revert back to a policy that makes sense, but also on every other issue that Democrats have been able to bring before and pass in this House of Representatives.

So, Mr. MEEK, I am pleased to join with you this evening and thank you for coming to the floor with this.

Mr. MEEK of Florida. Mr. Vice Chairman, I just want to thank you for your continued leadership, and point out one fact before I go to my chart over here.

This is not an issue as it relates to, but in the 30-something Working Group, and let me just back up. In the 30-something Working Group, we like to have third-party validators. We like to have information so Members know exactly what they are voting on. We all have to go back home and talk to our constituents about the things that we have accomplished, and the resources we brought back to our district, and where we stood up on behalf of those that needed us to stand up for them.

There have been 47 key measures that have passed, 79 percent bipartisan consensus. I think that is important because what you are talking about as it relates to the Senate and what I have experienced serving with you in the 108th Congress and 109th Congress, we knew where our place was in those Congresses. We knew it was hard to bring a consensus vote because the leadership on the Republican side would fix the deck so we wouldn't have consensus, we wouldn't have bipartisanship.

With Speaker PELOSI, who encouraged bipartisanship where we can come together on issues, and these are major issues, these are not post offices. There is nothing wrong with naming post offices. I think Americans should be recognized at the local post office, and it is a wonderful privilege that we have here in Congress to do it. But I think it is important that everyone understands that across the board 47 key measures, and you know I love charts, Mr. LARSON, we are going to review those 47 key measures so Members know the time we have come together on behalf of the American people.

I say all of this to say when I spoke of the rubber stamp Republican Congress, and I have my rubber stamp, and that is one thing I have protected. It is in my office and it is high up on the top of a cabinet. I keep my eye on it because I don't know, many of the charts I have had in the past that have been very, very effective in making the point to the Members, I call it a moment of clarity, fact versus fiction, someone, somehow these charts are leaving the floor. I don't know what is going on. I'm not saying anything, but I would love my charts back. Hopefully one of the Members will hear me.

President Bush, when you look at it, and this is by the U.S. Treasury, the foreign debt, when we talk about this war and we talk about the life of our men and women, many of them will never come home. A large number of our forces will never come home. And if they do come home, a number will come back with physical issues, emotional issues or mental issues that we have to deal with.

So what we did in an appropriations bill, over what the President calls for as it relates to mental health counseling, what the President has done in the past and what Members of Congress have done, the rubber-stamp Congress, the President, over 42 other Presidents, and this is my old chart. It is a new number, but this President has borrowed more from foreign countries than 42 other Presidents. So 42 Presidents over 224 years were only able to borrow $1.01 trillion. This President, $1.19 trillion at the end of the Republican control of the House. This is the Republican House here that allowed the President to rubber stamp.

Here is my point that I want to come back to that Mr. LARSON made earlier. We as Democrats and a few Republicans, sent a bill to the President that we consulted generals, we had hearings. The Appropriations Defense Committee had more hearings than the last Congress had combined on the whole issue of Iraq and this was just an emergency supplemental. I think it is important for the Members to understand that we sent that bill to the President and the President had a meeting. Members of the Republican Conference went down and had a lunch. They all came out and stood behind the President I think on the east steps, I saw it on television, and said we stand with the President and we have made a commitment to the President that we will not take part in overriding his veto as Members of the House.

Here is the Republican Congress, here is the $1.19 trillion that we have borrowed from foreign nations. It reminds me of the past Congress. So when Mr. LARSON started talking about those willing to stand in the schoolhouse door of good policy, Mr. Speaker, I am seeing that and saying, ''Okay, the American people have taken the majority from the Republicans.'' And I am speaking as a Republican, which is very highly unlikely here on this floor. Taken the majority from them and now giving it to the Democrats to move in a new direction. Just when we start carrying out the will of the

American people, Mr. Speaker and Mr. LARSON, how can we stop this from happening? What can we do?

So the Republican says, ''Well, we don't have the votes on the floor because the American people have taken that away from us. Well, maybe in the Senate, maybe we can drum up something. We need to have bipartisan support, but we are not going to get it because we are going to stand in the way as much as we can?''

And I think it is important that the American people understand and Members of the House understand, both Democrats and Republicans, we were sent here to do something. I enjoy those Members who take extra time to work on the art of doing something and moving us in a new direction. But I see Members trying to find some sort of creative way to stop things that the supermajority of the American people want.

The first thing that they threw out, ''Well, the Democrats will leave our troops without what they need.''

That didn't happen.

''Well, the Democrats are soft on homeland security.''

Then we pass a bill that has done more than the Republican Congress has done since Homeland Security has been created. As a matter of fact, it was a Democratic idea that started the Department of Homeland Security so we can have the consensus that we needed. And to have the Republicans come to the floor and say that, and the facts are not there to support their arguments.

But I wanted to have this illustration here of the Republican Congress with the President addressing the Republican Congress, the President is doing the State of the Union and the picture is taken this way to show the Republicans on that side, Mr. LARSON, to go back to your point, so we have a moment again of clarity, a moment to say that not only do we have illustrations to show how it happened in the past, and that is the beautiful thing about history, and it is good you can bring this history up, and it can be lifted off the CONGRESSIONAL RECORD, but to be able to let Members know that there are only so many times that you can stand in front of the will of the American people and be rewarded. Because the American people, one thing that I saw, last November, I have said here on this floor the American spirit will always rise. The American spirit will rise above partisanship.

My message to my colleagues on the other side of the aisle, and we always say on the floor ''my good friend.'' But you know what, they are good friends. We work with them every day. We live the same life. Many of them are away from their families. Some of them are living in this city. They miss their family members, so we go through some of the same things that our colleagues do. So we are all here in the Chamber and our card is the same shape, and we stick it in this machine and we vote on behalf of the American people. But I can tell you this, the American people will not reward when you go out of your way to stop their will. That is the point I wanted to make.

Mr. LARSON of Connecticut. Mr. MEEK, I think you have made your point extraordinarily well. I especially want to commend, especially for the viewers and listeners who regularly tune in when the 30-Something Group comes to the floor, first and foremost, call up and thank courageous people like WALTER JONES, Republican from North Carolina; WAYNE GILCHREST, Republican from Maryland; RON PAUL, Republican from Texas, who more often than not sit almost isolated, almost ostracized on the other side of the aisle. And it is not that they don't have the respect of their colleagues, because I believe sincerely they do. What they should know is that they have the respect of America because they are willing to stand up and speak truth to power.

There are many of our colleagues on the other side of the aisle who would stand with them. Loyalty is important in any process, and certainly one can respect loyalty. Loyalty and fidelity are important concepts and in fact can be virtues. But when there is blind allegiance, and especially when men and women's lives are at stake, where is your voice? Will you stand together to have this institution, the United States Congress, stand up together, collectively, put an end to the war, find a process by which we together can end the war and provide, as you point out, as the most recent veterans' bill that we passed does, the greatest increase in 77 years for veterans, so that we provide the assistance to these brave men and women who have given their all. And also to provide the compassion and the caring for their family members who wait at home wondering what kind of policy is going to unfold here for them to see Congress bogged down the way it is in the obstinacy of an administration that says it is just going to run out the clock on its policy is wrong.

As Mr. Rich points out, if not Mr. WARNER, then who? And certainly we have heard the WALTER JONESes and the WAYNE GILCHRESTs and the RON PAULs in the House, but we need other brave Members who have found their voice who are able when they go back home to listen to their fellow citizens and then come to this floor and join with those men of character and stand up for what they know is right.

We know that Mr. WARNER is thinking about it. We know he is talking about September. Twenty-three soldiers lost their lives this weekend. For people who are serving, tomorrow is today. The urgency is now. Find your voice prior to this July 4, strike a tone of independence from the administration that has got us here.

Historically this happened to a Democratic President during Vietnam. It is not about Democrats or Republicans. It is about America, and it is about standing up for our troops in the field. It is about standing up for fellow Americans. It is about Americans finding their voice. Our citizens have found theirs. We need the Members of Congress here to join together, both House and Senate, to end this insanity and come together on behalf of the American public, and especially the brave men and women who serve our country so valiantly who we owe such a debt of gratitude to, and ought to show it through the courage of our policy convictions here on the floor, and then in the funding that we provide them to make sure that they have the kind of life that they richly deserve when they come home, and that we honor the memory of their sacred sacrifice that so many have made on behalf of this Nation.

□ 1945

I thank the gentleman again from the 30-Somethings for having continued to bring this debate to the American public.

Mr. MEEK of Florida. Mr. LARSON, I just want to thank you for not only your passion but your leadership. Again, I go back to third-party validators. I go back to the will and the desire. Many times we stood here on this floor and talked about, Mr. Speaker, if you give us the opportunity, if we become the majority, what we would do. Six months hasn't really even clicked by yet. Let's just say 7 months hasn't. We haven't enjoyed 7 months of being in the majority of this House. It just happened in January, and we're talking late January, mid-January, where the power changed here in this House of Representatives.

And the bills, the 47 major bills, at least three actions that we have taken, on the action we have taken on Iraq alone, major. The hearings that we've had in the Foreign Affairs Committee, double-digit hearings. Armed Services Committee, double-digit hearings. In Government Oversight, double-digit hearings. You didn't hear about these hearings because they weren't called in the last Republican Congress.

Mr. LARSON, when you were talking, I couldn't help but pull out of my book of information here, because every day we open this book, Mr. Speaker, and we find things, we call the National Archives, we call committees, we want to know what's going on here in this House, we want to know the Members that are trying to push these issues, moving in a new direction.

There's a bill, H.R. 13, by SAM FARR. He has nine cosponsors on that bill which is a bill that he has been working on. Representative LYNN WOOLSEY has legislation to bring the troops home, Iraq Sovereignty Restoration Act. Mr. FARR's legislation is to repeal Authorization for the Use of Military Forces Against Iraq Resolution of 2002, Public Law 107–243, and require withdrawal of U.S. Armed Forces from Iraq. That's the title of his bill.

We move on to Representative DAVID PRICE, who has a Comprehensive Strategy for Iraq Act of '07 which would withdraw troops as quickly as possible from Iraq. He has a list of cosponsors that are moving down that line.

Mr. LARSON of Connecticut. Congressman RON PAUL, Congressman NEIL ABERCROMBIE, Congressman NANCY BOYDA.

Mr. MEEK of Florida. I just want to make sure we don't leave anyone out. We have House Resolution 15, also expresses the sense of Congress and also immediate repeal which is done by Congresswoman SHEILA JACKSON-LEE. We have also ours truly, Congressman LARSON, JOHN B. LARSON, repeal the Authorization for Use of Military Forces Against Iraq Resolution. You have Representative ELLEN TAUSCHER.

Mr. LARSON of Connecticut. ELLEN TAUSCHER has done a terrific job.

If the gentleman would yield just for a moment, when you're reading through these things, I can't help but think of the time, and I know that you hadn't arrived here on September 11. I served with your mom. I can remember a time when this entire Congress stood together on the steps of the Capitol after September 11 and spontaneously broke into God Bless America. It's a time that will be forever seared in my memory.

I remember a time in our caucus just this past year when the Speaker, the gentleman from New York, stood up, at a time when we knew that we only had and could only muster Democratic votes, stood up and gave a speech that I will always remember, that drew our caucus together and allowed us to go forward and place a bill on the President's desk. It was something that everyone said couldn't be done, the politics were too raw, people were too far apart, we couldn't possibly come together. But when people rise and find their voice as the Speaker from New York did, then great things can happen. A Nation can move. People find their voice because within their heart resides the great spirit of this country as you pointed out. Within every piece of legislation that you're chronicling here is a deep-seated belief on the part of its sponsors that this is the right thing to do. There are many on that side of the aisle who will disagree. I respect people's positions regardless of how they come to them. But I know the great reservoir that exists on that side of the aisle that understands what's going on, that events are unfolding daily around us and the need for us to act is now. That tomorrow has become today, that the urgency can't wait for September 15 for yet another report. The time is to act.

I plead for our colleagues on that side of the aisle, because, as Mr. Rich points out, it cannot happen without this Congress coming together. And so either we will stand together as a United States Congress and send a message and help this President find a way forward by demonstrating as a Congress did during Vietnam, no matter who the President is, that the right thing to do here is to bring our troops home safe, secure and strategically in a manner that will allow us to regroup and refocus and go after the enemy in Afghanistan where they continue to fester and grow and regroup, the people who actually knocked down the towers, the people who struck the Pentagon and but for those brave souls on Flight 93 would have surely hit this Capitol or the White House. It's time for us to come together in that spirit.

Mr. MEEK, if it weren't for you and DEBBIE WASSERMAN SCHULTZ and CHRIS MURPHY and TIM RYAN coming here and repeatedly talking about it, if you're at home, you're thinking, has Congress forgot about this urgency. Do they not pick up the papers every day as we do? When I go home, and you said it, people talk about Iraq, they talk about Iraq, and then they talk about Iraq. The facts are that without Republican support, we cannot override a veto. The facts are that without a Republican Senate that will stop the cloture rule and Mr. WARNER, or following the paths of a great American in CHUCK HAGEL, comes forward and speaks truth to power. There are people on both sides of the aisle that are great visionary Americans. We just need to come together at this time and find our voice in the same manner that Americans have already found theirs.

With that, Mr. Chairman, I thank you again.

Mr. MEEK of Florida. As we come to a close, Mr. LARSON, I just want to again thank you for joining not only Mr. RYAN and I tonight but you have been here before in the past. I would encourage, especially with you being in the top four of our leadership here in the House, our elected leadership as relates to the Democratic Caucus, I know that you give voice to many of us that are out here pushing every day. We have good people working, not only Chairman EMANUEL, but also Mr. JIM CLYBURN and also Mr. HOYER and Speaker PELOSI.

I think it's important that we continue to push this issue on, because we are going to need bipartisanship to be able to move this agenda of safety for our men and women that are in harm's way, move this agenda for those families that are waiting on their loved ones to come home, move this agenda, Mr. Speaker, that the American people want us to move in a new direction. If we can just put partisanship aside just for a moment to do that, it will be a place in history in this country that we stood up on behalf of those men and women that are in harm's way and we followed the will of the American people. I just want to thank you, Mr. LARSON, for being here.

Mr. Speaker, I can share this with you. A, we appreciate the Members who have worked with us on the 47 bipartisan measures. B, I think it's also important to know that as these issues move to the floor, many of these issues never would have made it to the floor if it wasn't for the leadership of the Speaker and our leadership team and the great Members here in the majority and even some of our Members in the minority. You know, we like to share here, some of the bills, on eight bills combined, they have 79 cosponsors, 76 of them are Democrats, 3 are Republicans. As Mr. LARSON identified, some of those members of the Republican Conference that have come forth, Mr. Speaker, and said, hey, I've heard my constituents, I see what the American people are talking about, those moderate voices that are there. They should be commended. We spend a great deal of time letting them know, and I know when I see them in the hall and even some of my friends that don't necessarily see the light on this issue, we still take the time to talk in a very sensible way on this because this is work on behalf of the country.

We have Members that are Reservists, that are National Guard men and women, that are in the Coast Guard and other branches of the military, they're all counting on us to have those conversations and continue to work through the issues. You want to look at good government, you look at good government.

As I close, Mr. Speaker, Mr. LARSON reminded me of something on 9/11. Everyone came together. Yes, my mother was a Member of Congress at that time. I remember she voted against giving the President authorization to go to war after that as it relates to Iraq. But I think it's important to be able to reflect on the past and find times when we have come together and try to find those times in the future and also work with the President. As much as I disagree with him on this issue of Iraq, I do respect the office of the presidency. I know every Member of Congress does. All we can do is continue to try to work together. But I do share with the Members that it is going to take bipartisanship because there are ways that they can block this from happening.

With that, Mr. Speaker, it was an honor addressing the House. I thank the gentleman from Connecticut and the gentleman from Ohio for joining me.

THE RIGHT TO LIFE, THE STEM CELL DEBATE, AND PEAK OIL

The SPEAKER pro tempore (Mr. HALL of New York). Under the Speaker's announced policy of January 18, 2007, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes as the designee of the minority leader.

Mr. BARTLETT of Maryland. Mr. Speaker, in the few moments that we have together this evening, I wanted to talk briefly about three different subjects. The first one is a very timely one. It refers to a Supreme Court decision that I think is a very momentous decision.

When our Founding Fathers wrote our Constitution, they thought that they had implicitly placed in that Constitution all of the great guarantees of freedom and individual rights that were needed for this new Nation. But the ink was hardly dry on the Constitution before they wondered if people would really understand that it was the people who are to be preeminent in this new country, that there was to be a very limited government, and it would truly be a government of the people, by the people and for the people. Because they felt that what was very implicit in the Constitution might need to be stated explicitly, they developed 10 amendments, actually I think a dozen started through the process and 10 of them made it through the process, and we call them the Bill of Rights. They were adopted, of course, in 1791. And I think that it's no accident that that first amendment addresses two of the huge concerns they had from their past that should never blemish their new country.

□ 2000

The first of those dealt with what was a common practice in the countries they came from, that is, it was a State religion that was empowered by the State and supported by the State with revenues, taxes from the people, and this church could and did persecute other churches, and they wanted to make very sure that in this new country that that wasn't going to be a problem. So they wrote the establishment clause of the first amendment, which seems to me very clear language. A lot of people have trouble reading this and understanding what it says. I think the words say what they say. ''Congress shall make no law respecting an establishment of religion.''

The government cannot establish a religion. ''Or prohibiting the free exercise thereof.'' No church religion and everybody free to practice their religion as they please. Somehow we are interpreting that as requiring that there not be any religion in the public place, which is clearly not what they were concerned about. They wanted freedom of religion, not freedom from religion, and, too often, we're interpreting as freedom from religion.

But then the second part of this is equally important, and it addresses a second major challenge that they saw in establishing this new country. Because most of them came from a country where there was a king or an emperor who claimed and was granted divine rights, and the people had very few rights, only what the king chose to give them. Hard for us to understand that. It is so foreign to us that the king or the emperor should have divine rights. By that it means that the rights came from God to the king or the emperor, and he would then give what rights he wished to his subjects.

Abraham Lincoln understood four score and seven years after the establishment of our country, that is after the establishment of the Declaration of Independence, our fathers brought forth on this continent a new Nation conceived in liberty and dedicated to the proposition that all men are created equal. That was very foreign to them. It's very commonplace to us, and we read those words and don't have any swell of pride or lump in our throat when we read them, as we should.

But then they wrote that second part of the first amendment, which, along with the second amendment, they believed would assure that never, ever could the government persecute the people. In this first amendment they said, ''or abridging the freedom of speech or the press or the right of the people peaceably to assemble and to petition the government for a redress of grievances.''

Now, the speech that they clearly were most interested in preserving was political speech, because that's the speech that made this country different from all the other countries that our Founding Fathers came from.

Tragically, it's just that political speech which was prohibited by the Campaign Finance Reform Act that we passed, and there was a court case, Right to Life, Wisconsin Group, broadcast ads before the 2004 race, in which they talked about issues. But they did mention the name of a candidate, I believe.

I am so proud of the Supreme Court decision. I am a little distressed that it was only 5–4. I would have thought that this would be such a clear-cut case that it would be 9–0, but let's be thankful for 5–4 rather than 4–5.

I really like the position of the majority. The portion of the law in question in this case states that labor unions and corporations, including nonprofits, cannot use money from their general treasuries to broadcast ads that run 30 days before a primary or 60 days before a general election.

On a nonpresidential year, my primary is in September, which means it is 60 days from November, so there can't be any ads during that time, and no ads before the 30 days before the primary. I would submit that very few people are thinking anything about an election 90 days before it occurs.

So what this legislation did was essentially prohibit any education before an election. The Supreme Court, in their ruling, created a constitutional safe harbor for genuine issue ads. It stated that only if the ad, and this is a direct quote, ''is susceptible of no reasonable interpretation other than as an appeal to vote for or against a specific candidate,'' can the ad be prohibited during the blackout period.

This is consistent with our philosophy in our country that we are innocent until proven guilty. The ad has to explicitly ask you to vote for or against a candidate. Mentioning his name, that's okay, if you don't indicate specific guidance to vote for or against the candidate.

I am very pleased with this legislation. You know, we are 1 person out of 22 in the world and we have a fourth of all the good things in the world. I don't know if you have ever asked yourself the question, how come we are so darn fortunate?

I think one of the reasons we have is the enormous respect we have for the rights of the individual. There is no other country, there is no other constitution that gives so many rights to the people, to the individual.

I think that this has established a milieu, a climate, in which creativity and entrepreneurship can flourish. I think that's one of the reasons why we are this world superpower, with only less than 5 percent of the people in the world. I think we put at risk who we are, and our preeminence as this golden city on a hill, if we put at risk these very precious individual rights and, prince among them, the right of speech. So I am very pleased. I am very pleased with the Supreme Court decision.

There is another thing which happened fairly recently last week, about less than 10 of us, I guess, were called to the White House from the Congress here, when the President gave his message on his veto of the embryonic stem cell bill that would have necessitated the destruction of embryos and the creation of embryonic stem cell lines.

What the President vetoed was S. 5, that's the Senate bill, and in the House we simply voted on S. 5. When you do that, then there is no question but what the two bills are the same, so you do not have to go to conference. So it went immediately from the House vote to the President's desk, where he vetoed it.

The Senate also passed S. 30, which is a very similar bill to our House bill 322. It was called the HOPE Act in the Senate, and it got 70 votes out of their 100 senators. We have 130 cosponsors of our bill in the House.

I hope that the House can do what the Senate did, and that is pass S. 30. If we pass S. 30, then it doesn't have to go to conference, and it can go directly to the President's desk, and S. 30 is sufficiently similar to our H.R. 322 that I can, with good conscience, support that bill.

I want to spend a moment, and have the first slide, I want to spend a few moments looking at embryonic stem cells so that when this comes to the news we have a familiarity with this so that we can understand the issues and what the President is talking about. We are talking about stem cells, and this slide here points to three primary stem cells in the body.

You see, we begin as two single cells, a single cell from the mother and a single cell from the father. Each of them having only half of the requisite number of chromosomes. They have a haploid number and the total number is a diploid number, so these two halves come together here in what we call the zygote, the two gametes come together to form a zygote, and then that begins to divide, and each us began our life as a single cell.

It divides, and we will have a chart a little later which will show a number of the other steps in this division process. But here we wanted to go very quickly to the gastro stage of the embryo where the three germ layers, and that's the first time we have a germ layer, where the three germ layers have developed, that's the ectoderm, the mesoderm and the endoderm. As these Greek terms imply, the ectoderm is outside; the meso, middle, is what's in the middle, and the endoderm is what lines the inside.

Here in this chart it shows the major tissues that develop from these three germ layers. It's very interesting that they retain their individuality throughout your life. I believe that a cancer metastasizes only to tissues of the same germ layer. So these characteristics that are established very early in the development of the embryo, a few hundred cells here by this time, this continues throughout the life of the person.

The ectoderm produces primarily your skin and your nervous system. The mesoderm produces most of your weight, it's the muscles and the bones, blood and so forth. Endoderm is the tissues which line the gut, lungs, in some our glands and so forth.

A unique, over there, a fourth category, the most unique germ cells, these are the germ cells themselves. These are the gametes, the sperm in the male and the ova in the female, from which the next generation will be produced. These are produced, these germ layers producing these things are resident in this very early embryo.

The next chart talks about several processes that you will hear a lot about in this discussion, but it might be worth looking at them, this is fertilization. In the fertilization process, the cells divide again and again in the body. The sperm divides many, many times and they end up as millions and millions of sperm. There are hundreds of the female sex cell and millions of sperm.

The last division, or the near the last division is what we call a miotic division, and the number of chromosomes are cut in half. After that miotic division, you then have the egg cell with only half of the needed chromosomes and the sperm with only half of the needed chromosomes. When they are combined, that's called fertilization, and that occurs, of course, to produce the zygote, which begin then to divide over and over again and ultimately to differentiate, that is to break down into these different kinds of cells, to differentiate into all of the cell types of our body.

There is a lot of talk since Dolly about cloning, and here's a little chart which looks at cloning. What you do in cloning is to take the nucleus out of an egg cell, and then you put another nucleus by one of two different routes, either by fusion or taking the nucleus out itself and putting it into the egg.

If you had done that right, and you have tricked this nucleus you put in there to believe that it is a zygote, and that requires a little doing, then it goes on to divide, and now you have a, I guess it's an asexual way of reproducing.

We now have done that with lots of animals and different kinds of organisms. I saw two clones from the world's best Holstein cow, Zeta was her name, request she had two clones which, interestingly enough, didn't look like her mother and that's because the black and white Holstein cows, only whether it is predominantly black or white is determined by the genes. The actual spread of the pigment is not genetically controlled, and so her two daughters, which were clones of her, didn't look like her. Kind of interesting it, isn't it.

Parthenogenesis. Parthenogenesis occurs when there is no male sex cell involved, and it occurs in some lower organisms. Parthenogenesis is common, and it can be produced in others, in the frog, for example. What happens is you stop the miotic division of the oocyte up here.

You stop that miotic division so there is a diploid number of cells here. Then under appropriate circumstances, and usually in higher organisms, it requires some artificial stimulation. It will go on to develop a normal, adult, ultimately.

□ 2015

The next chart shows this process as it occurs in the body. Now, what we're talking about, when you're talking about cloning and embryonic stem cells, this all happens in a Petri dish. But what we, that's in vitro or in glass, as contrasted to in vivo or in life. And this is what happens in the normal fertilization and development of an ovum. The ovary has maturing cells in it and ordinarily, just one of those ruptures every 30 days, every 28 days. Sometimes it will be more than one, in which case you can end up with fraternal twins. But usually, just one. They don't always, by the way, get picked up by, there's a little funnel shaped end of the Fallopian tube here called the infandibulum. They don't always get picked up by that, and sometimes they just float out into the pelvic cavity.

And the sperm which are released in the uterus, in the vagina really, and then they make it up through the cervix into the uterus, they make their way all the way up the Fallopian tube, and some of them get out into the body. And if the ovum has not made it into the Fallopian tube, they may be fertilized out in the body, and we call that an ectopic pregnancy, and that has to be interrupted because neither the fetus nor the mother will make it if we let that continue.

But ordinarily, the fertilization occurs well up in the Fallopian tube. Several days, you see the days here as it gross and divides into two and four and eight cells and then on down until it finally implants, what, 8, 9 days later before it implants. And some of the birth control that we use simply prevents the implantation. The intra-uterine devices that were common a number of years ago, that's what they did. They simply prohibited the fertilized and several hundred cell stage embryo from implanting in the uterus.

Now, what we're going to be talking about is this eight-cell stage. That's about day 4 in the development of the embryo, and at that eight-cell stage, that's the time when an in vitro fertilization, they choose to take a cell from that. This is in a Petri dish remember, take a cell from that. Sometimes they get two to do a pre-implantation genetic diagnosis to make sure the baby's not going to have a genetic defect. And then they implant the remaining cells. And several thousand times we've had a perfectly normal baby from that.

The next chart simply shows in schematic form the development of twins. And they can split, either at the two cell stage, or they can split at the inter cell mass stage and we can get some indication of when they split by how the babies present themselves, whether they present themselves in a common amnion or in two different amnions.

I wanted to put this slide up here because what it says is that in nature, you can take half the cells away from the early embryo, sometimes a very early embryo, and each half grows into a perfectly normal baby.

And back in 2000, when this was first being discussed, before the President came out with his executive order, knowing this, and having had a course in a former life in advanced embryology, I suggested that we could ethically create true embryonic stem cell lines by using cells from an early embryo which should not hurt the embryo, because half of all the cells can be taken a way to produce identical twins, and each half produces a perfectly normal identical twin.

The next chart simply shows a little more detail on this, and it shows how the babies can be presented in separate chorionic sac or in a common fused chorionic sac, depending upon the time in which they, and they may share an amnion or not share an amnion, depending on the time when they finally split.

The next chart shows us some of the techniques that are used to try to get the equivalent of an embryonic stem cell, since the President and a large number of citizens object to the destruction of one life, the frozen embryo, with the hope that it will help another. And these are the techniques that have been tried to produce the equivalent of an embryonic stem cell. Reprogramming using embryonic stem cells and using embryonic stem cell and donor cells, and you fuse them and the hybrid cells, hopefully, will act like they were embryonic stem cells.

Or you could use differentiation using cell proteins. What is not understood by many people is that all of the

genes are not in the nucleus. There are a number of control factors that are in the cytoplasm. Indeed, they are really very important because they determine when genes are turned on and when genes are turned off. And each cell in your body has all of the genes there. And a liver cell is very different than a kidney cell or a skin cell. And that difference is determined by the control proteins out in the—some of them are smaller than proteins, out in the cytoplasm called here cell soup, for instance, which then turns on or turns off these genes inside the nucleus.

Well, we can, hopefully, get this cell soup from embryonic stem cells or something that behaves like an embryonic stem cell, which will then make the donor cell believe that it is, in fact, an embryonic stem cell, so maybe it will behave like an embryonic stem cell.

Then there's de-differentiation, using chemicals, antibodies or specific proteins. You see, when it differentiates to produce the individual germ layers, we have to de-differentiate it, bring it back to its primordial state so that it will now behave more like an embryonic stem cell. You can de-differentiate by using a lot of chemicals and so forth. These may be harsh. You may end up killing the little embryo. But if you do it right, you can trick these cells into believing that there's something other than what they are, and they then will behave as if they were an embryonic stem cell.

You've heard a lot of talk about some really good places to get cells that have some of the characteristics of embryonic stem cells. There are now umbilical cord blood banks, because of the belief that if you freeze the cord blood, which is the blood from the infant, if you freeze that cord blood, it may have in it cells that you can use in the future to help in restorative medical processes or make body parts.

These are not true embryonic stem cells, but they're certainly better than cells you get from somebody else. At least they're from that person and they have, they're more closely aligned with embryonic stem cells than if you simply got an adult body cell.

Then there's the bone marrow cells. And more recently you may have heard a lot about amnionic fluid. The amnion is the fluid in which the baby develops. He's very tiny. The embryo starts there. And obviously some cells will be sloughed off of these embryos, and as those cells will show up in the amniotic fluid, and so there's good opportunities to get something that behaves something like embryonic stem cells there.

The next chart shows, I think, four of the processes that were included in the President's white paper from the President's Council on Bio ethics. And altered nuclear transfer is one of those. This is kind of a cloning where you've altered the nucleus, so that it can't be truly said to be cloning, which is prohibited by law.

Altered nuclear transfers, oocyte assisted reprogramming, it's simply using the oocyte and it's primarily the proteins, that factors out in the cytoplasm which are doing this.

Embryo biopsy, and I have a chart in just a moment on that because this is the process which I suggested in 2000.

And then a really, really interesting one, cells from dead. And boy, put that in quotes because what we're talking about here are embryos that are the equivalent of the brain dead person, from which we get very good body parts. And there are embryos that will not go on to divide. They will ultimately die, and that state can be ascertained, and if they are not going to go on and divide, they will die. But they still may have viable cells that could be used to establish embryonic stem cell lines.

Obviously, some problems with this, you know. Who's to say that it's really going to die? And then there's the question about, are you really going to get a good stem cell line from a cell taken from an about to die embryo. But this is one possibility, and there are some strong proponents to this.

The next chart simply shows a quote from the white paper of the President's Council on Bio Ethics. And it quotes me down here at the bottom an asterisk, a similar idea was proposed by Representative ROSCOE BARTLETT of Maryland as far back as 2001. They said here, ''It may be some time before stem cell lines can be reliably derived from single cells extracted from early embryos and in ways that do not harm the embryo. Thus biopsy.

But the initial success of the Verlinsky Group efforts at least raises the future possibility that pluripotent stem cells could be derived from single blastomeres removed from early human embryos without apparently harming them.

Now, this statement was made before the British, and they pioneered this, started doing the pre-implantation genetic diagnosis that I mentioned a few minutes ago. They now have, in several thousand cases, taken one, and sometimes they get a second cell, taken cells from the 8 cell stage embryo to do a pre-implantation genetic diagnosis. If there is no genetic defect, they implant the remaining cells. And as far as I know, they always had a perfectly normal baby.

Now, the big surprise would be that the baby wasn't perfectly normal. I've had people tell me, gee, it's eight cells, and you take two of them away so it's only three-fourths of a person.

No, when you take half the cells away to from an early embryo to produce identical twins, is each one of them only half a person? Ask one. There are a lot of identical twins around. They'll just laugh at the notion that they're half a person. Of course they are not.

So this, the medical profession now has run past us with this technology. So we could today establish embryonic stem cell lines from that second cell that they inadvertently take. And there have been hundreds of those that are just discarded because they have no use for them. Just one cell is all you need to do a pre-implantation genetic diagnosis. And Verlinksy and Lanza, Lanza with a somewhat questionable publication, but both of them have claimed that they can produce a stem cell line from a single cell line.

Well, I thought I would spend these few minutes talking about this because this is of current interest and the Senate will be shortly trying to override the President's veto. They almost certainly will not be able to do that. His veto will be sustained, and our hope is that S. 30 will then be brought up in the House so that we can sign that so it gets to the President's desk. And I join those tens of millions of people in our country who believe and hope that there ought to be some really important contributions made to health care from embryonic stem cell lines. And we don't need to harm or kill an embryo to get an embryonic stem cell line. So we hope that S. 30 will be brought up to the House and we pass that. And the President already indicated that he will happily sign it.

PEAK OIL

The next chart now begins a discussion I want to spend the rest of our time on. And we have a number of charts here and again, I think this is the 32nd or 33rd time I've come to the well to talk about this subject. It wasn't cool to talk about energy and peak oil when I started talking about this, what, nearly 2 years ago I guess. But now it's common fodder for many discussions.

And this is an interesting little cartoon, and the fellow with his humongous SUV. The demand is filling up at the pump. The supply, and he's saying, just why is gas so expensive?

□ 2030

One of my colleagues asked me what he should tell his constituents when they ask him what can be done to reduce the price of gas? I told him it is very simple. Just tell them to drive less. Not only will they spend less on gas, but if they aren't using it, the supply and demand will be more in sync and the prices will come down. I can assure you that the prices will come down.

The next chart, it is this observation that Hyman Rickover referred to 50 years ago, the 14th day of last month, when he gave a very interesting talk to a group of physicians in St. Paul, Minnesota. He noted the enormous transformation, and they were then but 100 years into the age of oil when he gave his talk. Now we are about 150 years into the age of oil. But he noted the enormous transformation that this energy had made in the development of civilization. And this is energy here on the ordinate. It could just as well be population, by the way, because as we were able to mobilize more energy, our

population went up. We were able to grow more food, and, therefore, we could support more people. And if you could support more people, there were kind of automatically more people to support.

Well, this is the little depiction here, only 400 years out of this 8,000 years of recorded history. And his observation was that in span of human history, 8,000 years, the age of oil will be but a blip, about 300 years out of 8,000 years.

The Industrial Revolution, of course, started here with wood and then coal. And it was already sputtering when we discovered gas and oil, and then it took off, and population followed it. There is an interesting quote from Hyman Rickover's article. I didn't bring it, but he thought there would be 4 billion people in the world by the turn of the century. There were, in fact, almost 7 billion people in the world by the turn of the century. So even he had underestimated the contribution that energy would make to the increase in population.

I want you to note something up here at the top of this curve. Notice that if that little perturbation had not occurred there in about 1970, the Arab oil embargo, and if that curve had kept going up, it would be over the top of the chart a couple of times, wouldn't it? That curve was rising very steeply.

As a matter of fact, if you look at that curve, in each decade during this sharp rise, in each decade, the world used as much oil as had been used in all of previous history. Now, think about that for a moment. Had that continued, what that meant was that when we had used half of all of the recoverable oil in the world, we would have how much more time at current use rates? Ten years. Well, very fortunately, that slowed down. There was a worldwide depression, recession, you may remember, and we really learned how to become very much more efficient. So we have slowed that growth rate down. But notice more recently how rapidly that has been increasing. Largely because of the third world, China and India, industrializing. I think the last year for which I saw data, China increased their demand for energy 13 percent.

The next chart is a very interesting chart, and this depicts what the world would look like if the size of the country was determined by how much oil it had. A really distorted picture of the world, isn't it?

Look at Saudi Arabia there. Front and center, and you probably can't read the small print over there, between a fifth and a fourth of all the oil in the world. Now, I say that with a little trepidation because we really don't know how much oil is there. We know what they tell us. But you need to remember that most of these countries are OPEC, Iraq, Kuwait, Qatar, Iran, Saudi Arabia, Venezuela. And for years the OPEC countries were permitted to pump a certain percentage of their reserves. So if you wanted to pump more oil, all you had to do was to have more reserves. And since there wasn't anybody looking over your shoulder, you could say you had whatever reserves you needed to have to pump as much oil as you would like to pump to support your economy. And that is true of most of these countries. Nobody looks inside, but this is the best guess as to how much oil these countries have.

A very important recent book was written by Matt Simmons called Twilight in the Desert. He questions that there is as much oil in Saudi Arabia as we believe, and he believes they may already be peaking in Saudi Arabia.

Talking about peaking, I just wanted to mention an article that appeared above the fold in the Wall Street Journal a few weeks ago, and it was about the second largest oil field in the world. The largest one, of course, is in Saudi Arabia. It is the giant Ghawar oil field that is still running down, still produces 5 million barrels of oil a day. The world produced 84 million, and it produces 5 million of that from that one field. The second largest field was the Cantarell oil field in Mexico. And it was named after a fisherman Cantarell, whose nets kept getting fouled, and if his nets were fouled, they knew who was at fault. There was only one oil field in Mexico, and that was Pemex. So he would take his nets to be replaced and they finally said, Where are you finding all that oil? And he said, Come, I will show you. And it was kind of bubbling up out of the ocean. And they drilled there, and for years it was the second-largest yielding field in the world, 2 million barrels a day. In the last 2 years, it has dropped down 10 percent a year. It is now 1.6 million barrels per day. So that field has peaked.

Just look at how anemic the United States is compared to Saudi Arabia. We would have fit in Saudi Arabia many times. We have 2 percent of the known oil reserves, and Saudi Arabia has 22 percent. So we would fit in there 11 times, and that is what it shows here.

Look at little Kuwait there that Saddam Hussein thought looked like a little corner province of Iraq when he went to take it. They are, I think, the fourth largest reserves. Iran is number two, Iraq is three, and Kuwait is four. There is some question about whether Iraq and Kuwait should reverse places.

Another interesting thing about this chart. Look at the pitifully small amount of oil that India and China have. A third of the world's population is over there in India and China, and they have a trifling amount, between them they have less oil than the United States.

The next chart shows how much oil we have. We have 2 percent of the known reserves in the world. We use 25 percent of the world's oil, and we import about two-thirds of what we use. Some people think, and they are right, this represents a huge national security risk.

Note that with only 2 percent of the world's oil, we pump 8 percent of the world's oil. So we are really good at pumping oil. We ought to be. We have more oil wells in our country than all the rest of the world put together. And we are pumping our oil fields four times faster than the rest of the world.

The next chart, and we could spend a long while on this chart and we have only a very short time to look at it, but the gist of this chart is available immediately when you look at it. The big bars here show you when we found the oil. And the ordinate here shows how much we found. And you will notice that we started finding it way back in the 1930s, a big slug of it in the 1940s and 1950s, and we really exploded in the 1960s, didn't we? But from 1980 on down, though, there has been less and less, and that is in spite of the fact that we have ever better techniques for finding the oil, 3D-size, computer modeling, and we have a pretty good idea of the geology of the world. And it is only in unique geologic formations that you can expect to find gas and oil.

The solid black line here represents our consumption. It also represents our production because there is no big puddle of oil anywhere. We have used all we have produced; so this is a curve. We can call it the consumption curve, but it is also the production curve because we have used all we have produced. Notice since about 1980 we have been consistently losing more than we found.

Again, this perturbation in the 1970s that you saw before. We have been borrowing all this oil we used here that we didn't find. We borrowed it from back here.

And what will the future look like? We can use enhanced oil recovery and get it more quickly. But if we do, you can't pump it twice. If you pump it now, you won't pump it later.

The next chart, and this was predicted by M. King Hubbert in 1956. That is about here. M. King Hubbert predicted that the United States would peak in oil production in 1970. That was a brash statement. We were then king of oil, I think producing more oil than any other country in the world, and I think we may have been the biggest exporter of oil in the world. And he says in 14 years we are going to peak in oil production.

Notice the little blip here on the down side of what is called Hubbert's Peak. The next chart looks at the details of this, and we can see why this perturbation.

What M. King Hubbert predicted, by the way, was the lower 48; that is, Texas and the rest of the United States.

By the way, West Texas Intermediate is still the grade of oil, although they aren't producing very much now. It is still the grade of oil which you will see in the paper, West Texas Intermediate.

There are two other oil wells in the world now that may take over as the benchmark. One of them is Brent, which is really an inferior oil. It is heavier and sour. By ''sour'' we mean it

has a lot of sulfur in it that is hard to get out, and it is polluting if you don't get it out. That used to be the North Sea oil that the British produced, but now there are other oils that are grouped with that. And then there is a third oil, which is the Asian oil benchmark. And there is some argument now about which of those benchmarks we should refer to as the price of oil. We have been referring to West Texas Intermediate, which is a slight sweet crude, but there is not very much of that now, and because of the demand, the Brent, which always used to be lower in price, is now several dollars to $5 or $6 higher. So there is some and it would be interesting to watch what happens if they sort this out.

But notice what caused this blip on the way down. It was the oil found in Alaska that used to be a fourth of our production. It has now dwindled down. And notice here the big finds in the Gulf of Mexico, and you can hardly see a perturbation as we run down that slope.

The next chart is a chart which is used by one of the primary organizations that believes that you don't need to worry about oil, that it is going to be there for a long time. This is CERA, the Cambridge Energy Research Associates, and they use this chart to try to convince you, and I don't find it very convincing but I just will ask you to look at it to see if you think it is convincing, that M. King Hubbert really didn't know what he was talking about. The little yellow symbols here are M. King Hubbert's predictions. The actual lower 48 are the green ones, and they are telling you that these two curves are so far apart that you should question the validity of M. King Hubbert's analyses. They look pretty close together to me. And they also show the total U.S. production, which is the Alaska production. And, of course, that produces this little perturbation, slipping down the other side of Hubbert's Peak.

This chart is a quote from one of four different agencies, groups that have done studies on peak oil. This is the first one, and this is the so-called Hirsch report and it was done by SAIC, Science Applications International Corporation, a very prestigious science organization paid for by the Department of Energy. And they produced a big report with very serious language:

World oil peaking is going to happen. World production of conventional oil will reach a maximum and decline thereafter. That maximum is called the peak. A number of confident forecasters project peaking within a decade. Others contend that it will occur later. Prediction of the peaking is extremely difficult because of geological complexities, measurement problems, pricing variations, demand elasticity, and political influences. Peaking will happen but the time is uncertain.

□ 2045

''Oil peaking presents a unique challenge.'' And then they make this statement, ''The world has never faced a problem like this. There is nothing in history that we can rely on to help us through this without massive mitigation, more than a decade before the fact. The problem will be pervasive and will not be temporary. Previous energy transitions, wood to coal and coal to oil, were gradual and evolutionary. Oil peaking will be abrupt and revolutionary,'' is his statement.

The next chart is from a second of these studies, and there are a couple of these that we will go through very quickly. The Army Corps of Engineers did a study for the Army. And you can take their report and put in U.S. or world wherever they put Army. And the Army is clearly a microcosm of the United States and the United States is a microcosm of the world. But they say essentially the same thing; peaking is either present or eminent, with potentially devastating consequences.

Oil is the most important form of energy in the world today. Historically, no other energy source equals oil's intrinsic qualities of extractability, transportability, versatility and cost. And you really need to emphasize each of those.

The next chart. I wanted to show you this one because this was written just a couple of years ago. ''The current price of oil is in the $45–$57 per barrel and it's expected to stay in that range for several years.'' I think it's, what, $69 a barrel today? And after this it went up to $78 a barrel, then fell back and is rising again. Oil prices may go significantly higher, and some have predicted prices ranging up to $180 a barrel in a few years. Were that to occur, by the way, it would have disastrous effects on our economy.

The next chart is a schematic. And you can make this peak look steep or flat. Here we've spread out the abscissa and compressed the ordinate. But it's still a 2 percent growth, which doubles in 35 years, four times bigger in 70 years, eight times bigger in 105 years. Albert Einstein said that compound interest was the most powerful force in the universe. Very few people understand the power of exponential growth. It doubles in 35 years. That's the yellow shaded area. If, in fact, we are here near the peak where the demand is a bit more than the supply, which is why gas is $3 a gallon at the pump rather than $1, which it was not all that long ago, in 35 years the demand will be double? And if, in fact, we're peaking, the supply will be not more and maybe less than the supply now.

The next chart is a very interesting one because it includes a couple of predictions by CERA. There are two major organizations that I think are kind of in denial, one of them is CERA and the other one is ExxonMobil. All the other oil companies, watch their ads, they're pretty much admitting that we're at peak oil. BP is Beyond Petroleum. And Chevron has ads. It's very clear they believe that we've probably reached or we're about to reach our maximum production of oil.

Here we are, common curve, you've seen this a number of times, a stuttering in the 1970s and rising again. And they are predicting, and we don't have time this evening to go over some very interesting statistics. They're predicting we're going to find as much more oil as all of the known reserves yet to be pumped. And if we found that much more, in other words, if we go from the roughly two trillion barrels, which most authorities believe was the amount of oil which was recoverable, and we've recovered about half of that. If we went to three, then that moves the peak out they say to 2016. I just want to emphasize that for a moment. Even if we find as much more oil as all the known reserves in the world today, we push the crisis point out only 2016.

This chart further points out that if we use really aggressive techniques to develop that oil, like pumping live steam down there and sequestering CO_2 down there, pumping seawater down there, all the things we do to recover, we might recover a more quickly, which would push the peak out, but then look what happens? You fall off a cliff after that. You can't pump it twice; if you pump it now, you won't pump it then.

The next chart is a really interesting one. This occurs in one of their publications where they are saying there won't be any such thing as peak oil. And look what they show. They say it will be an undulating plateau. I won't argue. It's up and down. The price of oil is up and down. The price of gas is up and down. But they say it will be an undulating plateau. But notice, the undulating plateau falls off. There clearly is a peak. If there is only roughly two trillion barrels, then the peak is here. If we find another trillion barrels, that pushes the peak out to here. And then they have some confidence, I don't know how well-founded it is, that we're going to get a huge amount of oil from unconventional sources. And when we have more time another evening, we'll talk about the potentially huge amounts of oil that we can get from things like our oil shales in the west and the Canadian tar sands.

This next quote is an interesting one from one of the giants in this area. This is a quote from Laherrere, who says that ''The USGS estimate implies a five-fold increase in discovery rate and reserve addition for which no evidence is presented. Such an improvement in performance is, in fact, utterly implausible given the great technological achievements of the industry over the past 20-years, the worldwide search, and the deliberate effort to find the largest remaining prospects.'' I think that he's right, that this is absolutely implausible.

The next chart is a quote from Hyman Rickover, as I mentioned earlier in that very famous speech he gave just a little over 50 years ago now. I suggest it's a good time to think soberly about our responsibility to our decendants, those who will ring out the

fossil fuel age. I led a delegation of nine members to China; we spent New Year's Eve in Shanghai. They began their discussion of energy by talking about post-oil. Post-oil. Mr. Speaker, I wish our guys got it as well as they.

We might give a break to these youngsters by cutting fuel and metal consumption so as to provide a safe margin for the necessary adjustments which eventually must be made in a world without fossil fuels. There will be a world without fossil fuels.

I have a few charts on conservation. California uses 65 as much electricity as we use; hard to argue they don't live as well as we. The next chart is a really interesting one. It shows the enormous potential for saving energy with lighting. And the incandescant bulb, we use that for brooding our chickens because 90 percent of all the energy is heat. Fluorescents are very much more efficient. Same amount of light from all of these, by the way. But look at the light emitting diodes, LEDs, over there; very little heat produced. Get an LED flashlight, you will forget when you put batteries in it, they just last and last.

The next chart is a really interesting one. I wish it were in living color so it's a little sexier to look at. This shows how satisfied one is with life compared to how much energy you use. Satisfaction with life here, how much energy you use there. Obviously we are way out there to the right. There we are, USA. But notice, there are 20-something countries that are as happy or happier with life than we are who use less energy than we. We don't need to use as much energy as we use to feel good about life.

The next chart is a really interesting one. It shows us the huge challenge that we have. And 85 percent of all of our energy comes from fossil fuels, only 15 percent of it from something else. And a bit more than half of that from nuclear. And 7 percent, and by the way, in 2000 our solar was 1 percent of 7 percent, which is .07 percent. It's been growing rapidly. It may now be .5 percent. But that's still a tiny, tiny percentage.

The next chart, I just want to look very quickly at something which has been in the press recently. And I have a couple of articles here I want to refer to very quickly. This is the energy that goes into producing corn. And if you see down here, almost half the energy that goes into producing corn comes from natural gas, and natural gas is a fossil fuel. There was a study done by the National Academy of Sciences, and then two of the authors there of that study wrote an article for the Washington Post, and it was March 25 of this year. And in both of these, in both the paper, and I have the paper here from the National Academy of Sciences and here is the article that was in the Washington Post. They point out that if we use all of our corn for ethanol, all of it, and discounted it for the fossil fuel input, it would displace 2.4 percent of our gasoline, only about one-fourth, less than one-fourth, one-fifth, they have 80 percent fossil fuel input. They noted that you can save that much gas by tuning up your car and putting air in the tires.

A lot of people today are focused on soybeans and diesel. They said, and this is National Academy of Sciences, if we use all of our soybeans for diesel, it would displace 6 percent of our diesel. And if you discounted it for the fossil fuel input, and it's much more efficient producing biodiesel from soybeans, that 6 percent shrinks to 2.9 percent. Well, both of these are trifling. And obviously we're not going to turn all of our corn into ethanol and all of our soybeans into diesel. But if we did, it would displace, what, 2.4 percent of our gasoline and 2.9 percent of our soybeans. We have huge challenges.

And the next chart is really interesting. When people tell you, don't worry about energy, we have all this coal, 250 years at current use rate. It's true. Grow only 2 percent, remember that compound growth? It shrinks to 75 years. Use some of it to convert it to gas of oil, you have now shrunk to 50 years. And remember, in today's world there is no way not to share your energy with the world because energy is bought and sold on a world market. So if we share our 50 years with the world, it's now 12½ years of coal energy, with only 2 percent growth in the use of coal. Think about it for a moment.

The next chart, and we will come here to the floor again and we will spend the whole time talking about this one, because we have a huge challenge. I'm really very enthusiastic about challenges. There is no exhilaration like the exileration of meeting and overcoming a big challenge, and boy have we got one in this energy. We are the most creative, innovative society in the world, and with proper motivation, I think we can do it. But we need to understand the challenge before us, and that's when I will come to the floor again. And we're going to talk about all of these, the finite sources, the nuclear sources and all of these renewables. What is realistic to expect to get from them? Is there a silver bullet out there? I'll tell you now, except for one, the only silver bullet out there is nuclear fusion. I don't see any other silver bullet. And the chances of them getting nuclear fusion I think are about the same as the chances of you solving your personal economic problems by winning the lottery; great if it happens, but don't mortgage the ranch, don't bet it on happening.

I would just like to end with a very interesting quote from Hyman Rickover. ''High energy consumption has always been a prerequisite of political power. The tendency is for political power to be concentrated in an ever smaller number of countries. Ultimately, the nation which controls the largest energy resources will become dominant. If we give thought to the problem of energy resources, if we act wisely and in time to conserve what we have and prepare well for the necessary future changes, we shall ensure this dominant position for our own country.''

This, Admiral Rickover says, is a huge challenge for us today, with only 2 percent of the known reserves, using 25 percent of the world's oil and importing about two-thirds of what we use.

Thank you, Mr. Speaker. I yield back with the promise that I will come to the floor again and spend the whole time talking about the enormous challenges we have and the satisfactions that we will achieve as a nation when we do it, in spite of the difficulty.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. JONES of Ohio (at the request of Mr. HOYER) for today.

Mr. ORTIZ (at the request of Mr. HOYER) for today and the balance of the week.

Ms. KILPATRICK (at the request of Mr. HOYER) for today, on account of official business in district.

Mr. CUELLAR (at the request of Mr. HOYER) for today, on account of inclement weather.

Mr. CARTER (at the request of Mr. BOEHNER) for today, on account of travel delays.

Mr. DAVIS of Kentucky (at the request of Mr. BOEHNER) for today and June 26 and 27, on account of illness in the family.

Mr. PAUL (at the request of Mr. BOEHNER) for today, on account of travel delays.

Mr. POE (at the request of Mr. BOEHNER) for today, on account of travel delays.

Mr. WESTMORELAND (at the request of Mr. BOEHNER) for today, on account of illness in the family.

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. MCNULTY) to revise and extend their remarks and include extraneous material:)

Mr. SPRATT, for 5 minutes, today.

Mr. KLEIN of Florida, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

(The following Members (at the request of Mr. JONES of North Carolina) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, today and June 26, 27, 28, and 29.

Mr. POE, for 5 minutes, on June 28.

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. 1099. An act to amend chapter 89 of title 5, United States Code, to make individuals employed by the Roosevelt Campobello International Park Commission eligible to obtain Federal health insurance; to the Committee on Government Reform.

ADJOURNMENT

Mr. BARTLETT of Maryland. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 26, 2007, at 9 a.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2295. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Wood Packaging Material; Treatment Modification [Docket No. APHIS-2006-0129] (RIN: 0579-AC32) received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2296. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Emerald Ash Border; Quarantined Areas; Maryland [Docket No. APHIS-2007-0028] received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2297. A letter from the Assistant Secretary for Reserve Affairs, Department of Defense, transmitting the Department's STARBASE Program 2006 Annual Report, pursuant to 10 U.S.C. 2193b(g); to the Committee on Armed Services.

2298. A letter from the Acting Assistant Secretary, Department of Education, transmitting the Department's report on the amount of the acquisitions made from entities that manufacture the articles, materials, or supplies outside of the United States in fiscal year 2006, pursuant to Public Law 109-115, section 837; to the Committee on Education and Labor.

2299. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Acquisition Regulation: Implementation of DOE's Cooperative Audit Strategy for Its Management and Operating Contracts (RIN: 1991-AB67) received May 25, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2300. 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. 07-31, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Turkey for defense articles and services, pursuant to 22 U.S.C. 2776(a); to the Committee on Foreign Affairs.

2301. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting pursuant to the Taiwan Relations Act, agreements concluded by the American Institute in Taiwan on April 16 and April 17, 2007, pursuant to 22 U.S.C. 3311(a); to the Committee on Foreign Affairs.

2302. A letter from the Chairman of the Board, Pension Benefit Guaranty Corporation, transmitting the semiannual report on activities of the Inspector General of the Pension Benefit Guaranty Corporation for the period October 1, 2006 through March 31, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Oversight and Government Reform.

2303. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, ''Letter Report: Auditor's Preliminary Findings From Examination of Contract Between the Office of Contracting and Procurement and Venable, Baetjer and Howard, LLP,'' pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

2304. A letter from the Federal Co-Chair, Appalachian Regional Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2006, through March 31, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Oversight and Government Reform.

2305. A letter from the Secretary, Department of the Treasury, transmitting two Semiannual Reports which were prepared separately by Treasury's Office of Inspector General (OIG) and the Treasury Inspector General for Tax Administration (TIGTA) for the period ended March 31, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

2306. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's final rule — NARA Reproduction Fees [FDMS Docket NARA-07-0002] (RIN: 3095-AB49) received May 31, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2307. A letter from the Director, Peace Corps, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2006 through March 31, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

2308. A letter from the Assistant Secretary for Water and Science, Department of the Interior, transmitting the Department's final rule — Public Conduct on Bureau of Reclamation Facilities, Lands, and Waterbodies; Inclusion of Hoover Dam (RIN: 1006-AA52) received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2309. A letter from the Regulatory Analyst, Department of the Interior, transmitting the Department's final rule — Protection of Eagles; Definition of ''Disturb'' (RIN: 1018-AT94) received June 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2310. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's final rule — Fastener Quality Act [Docket No: 070404076-7077-01] (RIN: 0693-AB57) received June 14, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science and Technology.

2311. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Change of address for submission of CREBs applications [Notice 2007-56] received June 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2312. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Tier 1 Issue: Government Settlements Directive #1 [LMSB Control No.: LMSB-04-0507-042 Impacted IRM 4.51.2] received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2313. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Section 72.—Annuities: Certain Proceeds of Endowment and Life Insurance Contracts (Rev. Rul. 2007-38) received June 4, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2314. A letter from the Chairman, Farm Credit System Insurance Corporation, transmitting the Corporation's annual report for calendar year 2006, pursuant to 12 U.S.C. 2277a-13; jointly to the Committees on Oversight and Government Reform and Agriculture.

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. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 2011. A bill 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'' (Rept. 110–209). Referred to the House Calendar.

Mr. GEORGE MILLER of California: Committee on Education and Labor. H.R. 2669. A bill to provide for reconciliation pursuant to section 601 of the concurrent solution on the budget for fiscal year 2008; with an amendment (Rept. 110–210). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Florida: Committee on Rules. House Resolution 514. Resolution providing for consideration of the bill (H.R. 2643) making appropriations for the Department of the Interior, environment,. and related agencies for fiscal year ending September 30, 2008, and for other purposes. (Rept. 110–211). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. LANTOS:

H.R. 2844. A bill to promote United States emergency and non-emergency food and other assistance programs, to promote United States agricultural export programs, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MCCARTHY of New York:

H.R. 2845. A bill to amend the State Department Basic Authorities Act of 1956 and the Foreign Service Act of 1980 to enable the Secretary of State to respond to a critical shortage of passport processing personnel; to the Committee on Foreign Affairs.

By Mr. YARMUTH:

H.R. 2846. A bill to improve the quality of classroom learning by empowering States to develop performance-based assessments that measure higher order thinking skills; to the Committee on Education and Labor.

By Ms. SOLIS (for herself, Mr. TIERNEY, and Mr. MCNERNEY):

H.R. 2847. A bill to amend the Workforce Investment Act of 1998 to establish an energy efficiency and renewable energy worker

training program; to the Committee on Education and Labor.

By Mr. CARDOZA (for himself and Mr. FERGUSON):

H.R. 2848. A bill to amend the Public Utility Regulatory Policies Act of 1978 to promote energy independence and self-sufficiency by providing for the use of net metering by certain small electric energy generation systems, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Government Reform, Financial Services, and Science and Technology, 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. COLE of Oklahoma (for himself, Mr. BOREN, Ms. FALLIN, Mr. LUCAS, Mrs. MUSGRAVE, and Mr. THORNBERRY):

H.R. 2849. A bill to amend the National Trails System Act to designate the Chisholm Trail and Great Western Trail historic cattle-drive trails for study and for potential addition to the National Trails System, and for other purposes; to the Committee on Natural Resources.

By Mr. GINGREY (for himself, Mr. WU, Mr. EHLERS, Mr. MARIO DIAZ-BALART of Florida, and Mr. WELCH of Vermont):

H.R. 2850. A bill to provide for the implementation of a Green Chemistry Research and Development Program, and for other purposes; to the Committee on Science and Technology.

By Mr. HODES (for himself, Mr. CASTLE, Ms. SHEA-PORTER, Mr. NADLER, Mrs. MCCARTHY of New York, Mr. DAVIS of Illinois, Ms. SUTTON, Mrs. BOYDA of Kansas, Mr. MCGOVERN, Mr. STARK, Ms. CASTOR, Ms. CLARKE, Mr. COHEN, Mr. JOHNSON of Georgia, Mrs. LOWEY, Mr. EDWARDS, Mr. EMANUEL, Ms. SOLIS, Ms. ZOE LOFGREN of California, Mr. LANTOS, Mr. SHERMAN, Mr. WU, Mr. LINCOLN DAVIS of Tennessee, Mr. KAGEN, Mr. LARSON of Connecticut, Mr. BERRY, Mr. MCDERMOTT, Mrs. TAUSCHER, Ms. HARMAN, Mr. GUTIERREZ, Mr. SCOTT of Virginia, Ms. SCHAKOWSKY, Mr. MITCHELL, Mr. SARBANES, Ms. KAPTUR, Mr. GILCHREST, Mr. BARROW, Mr. MCNULTY, Mr. WELCH of Vermont, Ms. SCHWARTZ, Mr. BRALEY of Iowa, Mr. ELLISON, Mr. REGULA, and Mr. BISHOP of New York):

H.R. 2851. A bill to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOYER (for himself and Mr. SAM JOHNSON of Texas):

H.R. 2852. A bill to grant a Federal charter to Korean War Veterans Association, Incorporated; to the Committee on the Judiciary.

By Mr. PATRICK MURPHY of Pennsylvania:

H.R. 2853. A bill to require the Environmental Protection Agency to promptly notify State and local authorities and the public of certain enforcement actions under environmental laws; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE:

H.R. 2854. A bill to restore, protect, and preserve the natural, chemical, physical, and biological integrity, and the economic potentialities, of the New York/New Jersey Bight through designation and establishment of the New Jersey/New York Clean Ocean Zone and the regulation of various activities therein, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RODRIGUEZ:

H.R. 2855. A bill to provide for transitional emergency assistance to certain members of the Armed Forces and veterans who are severely injured while serving on active duty, to expand and improve programs for caregiver services for those members and veterans, to require improved screening and care for traumatic brain injury for returning servicemembers and veterans, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Ways and Means, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHWARTZ (for herself and Mr. SAM JOHNSON of Texas):

H. Res. 513. A resolution supporting the goals and ideals of National Save for Retirement Week; to the Committee on Ways and Means. considered and agreed to.

By Ms. HOOLEY:

H. Res. 515. A resolution congratulating the Oregon State University Beavers baseball team for winning the 2007 National Collegiate Athletic Association Division I College World Series; to the Committee on Education and Labor.

By Mr. PALLONE (for himself and Mr. WELLER):

H. Res. 516. A resolution expressing the serious concern of the House of Representatives regarding the worsening situation in Sri Lanka; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. DICKS introduced A bill (H.R. 2856) for the relief of Alfredo B. de Perio, Myrna L. de Perio, Allan Rey L. de Perio, and Marc de Perio; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. SCOTT of Georgia.
H.R. 45: Mr. HARE.
H.R. 89: Ms. FALLIN.
H.R. 303: Mr. EVERETT.
H.R. 367: Mrs. BIGGERT, Mr. BOUSTANY, Mr. CASTLE, Mr. DAVIS of Kentucky, Mr. DENT, Mr. ENGLISH of Pennsylvania, Mr. GERLACH, Mr. GILCHREST, Ms. GRANGER, Mr. ISSA, Mr. JORDAN, Mr. KINGSTON, Mr. LAMBORN, Mrs. MUSGRAVE, Mr. PORTER, Mr. PRICE of Georgia, Mr. RENZI, Mr. REYNOLDS, Mrs. SCHMIDT, Mr. SHAYS, Mr. SHIMKUS, Mr. SMITH of New Jersey, Mr. TIAHRT, Mr. UPTON, Mrs. WILSON of New Mexico, and Mr. WOLF.
H.R. 462: Mrs. MYRICK and Mr. BARROW.
H.R. 551: Mr. RADANOVICH.
H.R. 579: Mr. HALL of New York, Mr. EVERETT and Mr. WILSON of Ohio.
H.R. 697: Mr. SALI and Mr. TOM DAVIS of Virginia.
H.R. 734: Mr. LATOURETTE and Mr. TIAHRT.
H.R. 741: Mr. HARE and Mr. INGLIS of South Carolina.
H.R. 773: Mr. COHEN.
H.R. 820: Mr. ABERCROMBIE, Mr. SOUDER, and Ms. HERSETH SANDLIN.
H.R. 864: Ms. SOLIS and Ms. NORTON.
H.R. 895: Mrs. BACHMANN.
H.R. 901: Mr. BOSWELL and Mr. CUMMINGS.
H.R. 906: Mr. EHLERS and Mr. MILLER of North Carolina.
H.R. 926: Mr. ADERHOLT.
H.R. 977: Ms. SHEA-PORTER.
H.R. 1065: Mr. DENT, Mr. ROSKAM, Mr. SESSIONS, Mr. DAVIS of Illinois, and Mr. HINOJOSA.
H.R. 1098: Ms. BERKLEY and Mr. NUNES.
H.R. 1125: Mrs. BOYDA of Kansas, Mr. BACHUS, Mrs. MALONEY of New York, Mr. CARDOZA, Mr. GUTIERREZ, Ms. NORTON, Mrs. CAPPS, Mr. JORDAN, Mr. SKELTON, and Mr. MCDERMOTT.
H.R. 1147: Mr. NUNES.
H.R. 1176: Mr. WEINER.
H.R. 1223: Mr. BARROW.
H.R. 1225: Mr. PRICE of North Carolina.
H.R. 1230: Mr. CLAY.
H.R. 1239: Mr. MILLER of North Carolina.
H.R. 1371: Mr. HARE.
H.R. 1400: Mr. BRADY of Pennsylvania, Mr. THOMPSON of California, Mr. HALL of New York, Mr. TIM MURPHY of Pennsylvania, Mrs. CAPITO, Ms. WOOLSEY, Mrs. EMERSON, Mr. TURNER, Mr. MCCARTHY of California, Mr. HILL, Mr. INSLEE, Mr. DAVIS of Illinois, Mr. SHULER, Mrs. WILSON of New Mexico, Mr. TOM DAVIS of Virginia, Mr. ADERHOLT, and Mr. FORTENBERRY.
H.R. 1422: Mr. EMANUEL and Mr. WAXMAN.
H.R. 1428: Mr. GRAVES.
H.R. 1457: Mr. BOOZMAN.
H.R. 1551: Mr. COHEN.
H.R. 1567: Mr. DAVIS of Illinois.
H.R. 1632: Mr. BOOZMAN.
H.R. 1649: Mr. GOHMERT and Mr. EDWARDS.
H.R. 1653: Mr. MILLER of North Carolina.
H.R. 1665: Ms. ZOE LOFGREN of California, Mr. WOLF, Mr. BARTLETT of Maryland, Mr. HOLT, and Mr. DOYLE.
H.R. 1718: Mr. HARE.
H.R. 1732: Mrs. MYRICK.
H.R. 1738: Mr. PRICE of North Carolina.
H.R. 1755: Ms. WOOLSEY.
H.R. 1772: Mr. BOREN.
H.R. 1813: Mr. GORDON.
H.R. 1838: Mr. CALVERT and Mr. DAVIS of Kentucky.
H.R. 1846: Mr. PETERSON of Pennsylvania.
H.R. 1903: Mr. CARNAHAN.
H.R. 1929: Mr. BISHOP of Georgia.
H.R. 1956: Mr. MELANCON.
H.R. 1969: Mr. HARE.
H.R. 1992: Mr. COSTELLO.
H.R. 2004: Mr. HARE.
H.R. 2032: Mr. BOREN.
H.R. 2035: Mr. TIAHRT and Mr. BACA.
H.R. 2045: Mr. SNYDER, Mr. KIND, Mr. SOUDER, Mr. DELAHUNT, and Mr. ETHERIDGE.
H.R. 2049: Mr. MCGOVERN, Mr. COHEN, and Mrs. DAVIS of California.
H.R. 2060: Mr. MITCHELL and Mr. CONAWAY.
H.R. 2066: Mr. COHEN.
H.R. 2091: Mr. BRADY of Pennsylvania, Mr. GERLACH, and Mr. ALTMIRE.
H.R. 2126: Mr. COHEN.
H.R. 2129: Mr. FALEOMAVAEGA.
H.R. 2131: Mr. NEAL of Massachusetts, Mr. MORAN of Virginia, Mr. ALTMIRE, Mr. BRADY of Pennsylvania, and Mr. BOREN.

H.R. 2138: Mr. MEEK of Florida, Mr. COURTNEY, Mrs. CAPPS, Mrs. BIGGERT, Mr. ALTMIRE, Mr. MOORE of Kansas, Mr. GILLMOR, Mrs. TAUSCHER, Mr. SHIMKUS, and Mr. GOODLATTE.

H.R. 2159: Mr. WILSON of Ohio.

H.R. 2164: Mr. RAHALL.

H.R. 2169: Mr. JOHNSON of Georgia and Mr. KIRK.

H.R. 2185: Mr. UDALL of New Mexico.

H.R. 2192: Mr. MCINTYRE and Mr. CUELLAR.

H.R. 2204: Mrs. CAPPS and Mr. OLVER.

H.R. 2238: Mr. RANGEL.

H.R. 2255: Mr. HIGGINS.

H.R. 2265: Mr. WEXLER.

H.R. 2266: Mr. PRICE of North Carolina and Mr. HIGGINS.

H.R. 2295: Mr. SARBANES, Mr. FORTENBERRY, Mr. CARTER, and Mr. GARY G. MILLER of California.

H.R. 2327: Mr. PRICE of North Carolina and Ms. LORETTA SANCHEZ of California.

H.R. 2360: Mr. FRELINGHUYSEN.

H.R. 2371: Ms. SCHAKOWSKY.

H.R. 2394: Mr. RANGEL.

H.R. 2434: Mr. POE.

H.R. 2443: Mr. ROSS and Mr. PAUL.

H.R. 2468: Mrs. CHRISTENSEN.

H.R. 2469: Mr. REGULA.

H.R. 2488: Mr. LINDER and Mr. GERLACH.

H.R. 2508: Mr. BAKER.

H.R. 2537: Mrs. LOWEY and Mr. HIGGINS.

H.R. 2552: Mr. RAMSTAD and Mr. KENNEDY.

H.R. 2566: Mr. WYNN and Mr. HALL of New York.

H.R. 2567: Mr. ALLEN and Mrs. MCCARTHY of New York.

H.R. 2583: Mr. BOREN, Mr. KIND, Ms. JACKSON-LEE of Texas, and Mr. PEARCE.

H.R. 2585: Mr. CONAWAY and Mr. TERRY.

H.R. 2588: Mr. POE.

H.R. 2593: Mr. GENE GREEN of Texas and Mr. STARK.

H.R. 2630: Mr. FORBES.

H.R. 2669: Mr. ELLISON, Ms. CARSON, Mr. KILDEE, Mr. ENGEL, Mr. VAN HOLLEN, Ms. DELAURO, Mr. KUCINICH, Ms. MCCOLLUM of Minnesota, Mr. LEWIS of Georgia, Ms. SCHAKOWSKY, Mr. STARK, Ms. MATSUI, Mrs. MALONEY of New York, Mr. PRICE of North Carolina, Ms. ESHOO, and Ms. KILPATRICK.

H.R. 2702: Mr. COHEN, Mrs. MCCARTHY of New York, and Mr. CLEAVER.

H.R. 2706: Mr. HENSARLING.

H.R. 2712: Mr. GINGREY.

H.R. 2715: Ms. LEE.

H.R. 2725: Mr. WYNN.

H.R. 2729: Mr. SALAZAR.

H.R. 2765: Mr. BRADY of Pennsylvania, Mr. SESTAK, Mr. PLATTS, Mr. ENGLISH of Pennsylvania, Ms. SCHWARTZ, Mr. PITTS, Mr. KANJORSKI, Mr. SHUSTER, Mr. DOYLE, Mr. TIM MURPHY of Pennsylvania, and Mr. PATRICK MURPHY of Pennsylvania.

H.R. 2778: Mr. WEINER, Mr. HINCHEY, Mr. MEEKS of New York, and Mr. ARCURI.

H.R. 2813: Ms. WASSERMAN SCHULTZ, Mr. BURTON of Indiana, and Mr. ELLISON.

H.R. 2818: Mrs. CHRISTENSEN.

H.R. 2821: Mr. BOOZMAN.

H.R. 2831: Mr. CLYBURN, Mr. CONYERS, Mr. SCOTT of Virginia, Mr. HOLT, and Mr. ALLEN.

H.J. Res. 12: Mr. LATHAM, Mrs. MUSGRAVE, and Mr. TOM DAVIS of Virginia.

H. Con. Res. 75: Mr. HIGGINS.

H. Con. Res. 83: Mr. MILLER of Florida.

H. Con. Res. 127: Mr. ELLISON.

H. Con. Res. 136: Ms. ROS-LEHTINEN, Mr. GONZALEZ, Mr. BILIRAKIS, Mr. CULBERSON, Mr. SOUDER, Mr. FORTUÑO, Mr. BUTTERFIELD, Mr. ENGEL, Mr. COLE of Oklahoma, Ms. JACKSON-LEE of Texas, Mr. BAKER, Mr. FEENEY, Mr. MARIO DIAZ-BALART of Florida, and Mr. LANTOS.

H. Con. Res. 137: Mr. LAMBORN and Mr. BAKER.

H. Con. Res. 139: Ms. JACKSON-LEE of Texas, Mr. LANTOS, and Mr. PENCE.

H. Con. Res. 160: Mr. DAVID DAVIS of Tennessee and Mr. JONES of North Carolina.

H. Con. Res. 162: Mr. ORTIZ.

H. Con. Res. 163: Mr. DENT.

H. Con. Res. 169: Mr. GRIJALVA, Mr. RUSH, Mr. JEFFERSON, Mr. BRADY of Pennsylvania, Mr. AL GREEN of Texas, Mr. CUMMINGS, Ms. BORDALLO, and Mr. HONDA.

H. Res. 121: Mrs. MUSGRAVE.

H. Res. 145: Mr. HENSARLING, Mr. ALLEN, Mr. CLAY, Mr. COSTA, Mr. MOORE of Kansas, Mr. NEAL of Massachusetts, Mr. PASCRELL, Mr. RUSH, Mr. TAYLOR, Mr. KILDEE, and Mr. DOYLE.

H. Res. 186: Mr. BERMAN, Mr. MARKEY, and Mr. TOWNS.

H. Res. 194: Mr. GILCHREST.

H. Res. 208: Mr. ROYCE, Mr. CONAWAY, Mr. GARRETT of New Jersey, Mr. ROGERS of Michigan, Ms. PRYCE of Ohio, Mr. WILSON of South Carolina, Mr. SAXTON, Mr. CARTER, Mr. BILIRAKIS, Mr. BOOZMAN, Mr. SMITH of New Jersey, Mr. PENCE, Mr. MCHENRY, Mr. CHABOT, Mr. MACK, Mrs. BONO, and Mr. PAYNE.

H. Res. 231: Mr. CONAWAY.

H. Res. 283: Mr. MCCOTTER.

H. Res. 287: Mr. TANNER, Ms. CARSON, Mr. PORTER, Mr. FARR, and Mr. VAN HOLLEN.

H. Res. 416: Mr. ENGEL.

H. Res. 426: Mr. COSTA, Mr. DOGGETT, and Mr. LANGEVIN.

H. Res. 427: Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mr. FALEOMAVAEGA, Mr. WEXLER, Mr. PAYNE, Mr. ACKERMAN, Mr. ENGEL, Ms. ZOE LOFGREN of California, Ms. LEE, Mr. DELAHUNT, Mr. HIGGINS, and Ms. ROS-LEHTINEN.

H. Res. 457: Ms. ZOE LOFGREN of California, Mr. BURTON of Indiana, and Mr. PRICE of North Carolina.

H. Res. 467: Mr. HOLT, Mr. SMITH of New Jersey, Mr. LOBIONDO, Ms. SCHWARTZ, and Mrs. LOWEY.

H. Res. 477: Mr. HASTINGS of Florida, Mr. DONNELLY, and Mr. CALVERT.

H. Res. 482: Mr. ROHRABACHER, Mr. ROYCE, Mr. BURTON of Indiana, Mr. HIGGINS, Mr. FORTUÑO, Mr. INGLIS of South Carolina, Mrs. MALONEY of New York, Mr. HINOJOSA, Mr. PENCE, Mr. MANZULLO, Ms. WATSON, and Ms. MCCOLLUM of Minnesota.

H. Res. 489: Ms. MCCOLLUM of Minnesota, Mr. SHAYS, and Mr. MCDERMOTT.

H. Res. 497: Mr. ENGEL, Mr. SHERMAN, Ms. WATSON, Mrs. MALONEY of New York, Ms. KILPATRICK, Mr. MCNULTY, Mr. ISSA, Mr. FALEOMAVAEGA, Mr. DELAHUNT, Mr. ACKERMAN, Ms. SCHAKOWSKY, and Ms. WOOLSEY.

H. Res. 499: Mr. BURGESS, Mr. SAM JOHNSON of Texas, Mr. FRANKS of Arizona, Mr. ROYCE, Mr. BAKER, Mr. FEENEY, Mrs. CAPITO, Mr. GARY G. MILLER of California, Mr. GOODE, Mr. CHABOT, Mr. MCCAUL of Texas, Mr. ADERHOLT, Mr. DAVID DAVIS of Tennessee, Mr. BILBRAY, Mr. GALLEGLY, Mr. GOODLATTE, Mr. GINGREY, Mrs. MYRICK, Mr. POE, Mr. DEAL of Georgia, Mrs. CUBIN, Mr. MCHENRY, Mr. MARCHANT, Mr. BUCHANAN, Mr. TANCREDO, Mr. NEUGEBAUER, Mr. COBLE, Mr. MCCARTHY of California, Mr. MCCOTTER, Mr. HUNTER, Mr. DOOLITTLE, Mrs. DRAKE, Mr. BARTON of Texas, Mrs. MUSGRAVE, Mr. ROSKAM, Mr. CARTER, Mr. DUNCAN, Mr. AKIN, Mr. CAMPBELL of California, Mr. BARTLETT of Maryland, Mr. MILLER of Florida, Mr. FORBES, and Mr. GILCHREST.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2643

OFFERED BY: MS. GINNY BROWN-WAITE OF FLORIDA

AMENDMENT NO. 8: Page 96, line 14, strike ''$160,000,000'' and insert ''$128,000,000''.

H.R. 2643

OFFERED BY: MR. CONAWAY

AMENDMENT NO. 9: Page 58, line 3, after the dollar amount, insert the following: ''(reduced by $2)'' .

Page 58, line 3, after the dollar amount insert the following: ''(increased by $1)''.

Page 60, line 24, after the dollar amount, insert the following: ''(increased by $1)''.

Page 61, line 13, after the dollar amount, insert the following: ''(increased by $1)''.

H.R. 2643

OFFERED BY: MR. TOM DAVIS OF VIRGINIA

AMENDMENT NO. 10: Strike section 104 (page 49, beginning at line 21).

H.R. 2643

OFFERED BY: MR. TOM DAVIS OF VIRGINIA

AMENDMENT NO. 11: Strike section 105 (page 50, beginning at line 4).

H.R. 2643

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 12: At the end of the bill (before the short title), add the following new title:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. In implementing the amendments made by section 5401(c) of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28), a resource advisory committee established under section 205 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106–393), in addition to the duties assigned to the committee by subsection (b) of such section, shall—

(1) monitor projects submitted by that committee that have been approved by the Secretary of the Interior or the Secretary of Agriculture;

(2) advise the designated Federal official on the progress of monitoring efforts under paragraph (1); and

(3) make recommendations to the Secretary of the Interior or the Secretary of Agriculture regarding any changes or adjustments to the projects being monitored by the committee.

H.R. 2643

OFFERED BY: MR. DENT

AMENDMENT NO. 13: Page 111, after line 17, insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds made available in this Act may be used to implement, administer, or enforce section 20(b)(1) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)(1)).

H.R. 2643

OFFERED BY: MR. DICKS

AMENDMENT NO. 14: Page 39, line 17, after each dollar amount, insert ''(reduced by $5,000,000)''.

Page 55, line 22, after the second dollar amount, insert ''(reduced by $5,000,000)''.

Page 58, line 3, after the dollar amount, insert ''(reduced by $5,000,000)''.

Page 60, line 24, after the dollar amount, insert ''(increased by $15,000,000)''.

Page 61, line 16, after the dollar amount, insert ''(increased by $15,000,000)''.

H.R. 2643

OFFERED BY: MR. ELLSWORTH

AMENDMENT NO. 15: Page 93, line 11, insert after the dollar amount the following: ''(reduced by $2,630,000)''.

H.R. 2643

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT NO. 16: Page 18, line 23, after the first dollar amount, insert ''(reduced by $1,000,000)(increased by $1,000,000)''.

H.R. 2643

OFFERED BY: MR. INSLEE

AMENDMENT NO. 17: At the end of the bill (before the short title), insert the following:

TITLE ___—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds made available in this Act may be used to issue any permit for, or otherwise approve or allow, importation of any polar bear or polar bear part under section 104(c)(5)(A) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1374(c)(5)(A)).

H.R. 2643

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 18: Page 20, line 9, after the dollar amount, insert ''(increased by $1,000,000) (reduced by $1,000,000)''.

H.R. 2643

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 19: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

Sec.___. None of the funds made available in this Act may be used to limit outreach programs administered by the Smithsonian Institution.

H.R. 2643

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 20: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

Sec.___. None of the funds made available in this Act may be used to eliminate or restrict programs that are for the reforestation of urban areas.

H.R. 2643

OFFERED BY: MR. JINDAL

AMENDMENT NO. 21: Page 58, line 3, insert ''(reduced by $2,500,000) (increased by $2,500,000)'' after the dollar amount.

H.R. 2643

OFFERED BY: MR. JORDAN OF OHIO

AMENDMENT NO. 22: Page 111, after line 17, insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is reduced by 4.3 percent.

H.R. 2643

OFFERED BY: MR. KINGSTON

AMENDMENT NO. 23: At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available in this Act may be used to enter into a contract with an entity that does not participate in the basic pilot program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

H.R. 2643

OFFERED BY: MR. LOBIONDO

AMENDMENT NO. 24: Page 89, line 13, after the first dollar amount, insert ''(increased by $1,000,000) (reduced by $1,000,000)''.

H.R. 2643

OFFERED BY: MR. MCHUGH

AMENDMENT NO. 25: Page 55, line 22, after the second dollar amount insert ''(reduced by $1,000,000) (increased by $1,000,000)''.

H.R. 2643

OFFERED BY: MR. MICA

AMENDMENT NO. 26: Page 21, line 5, insert ''(decreased by $4,000,000) (increased by $4,000,000)'' after the dollar amount.

H.R. 2643

OFFERED BY: MRS. MUSGRAVE

AMENDMENT NO. 27: Page 110, after line 18, insert the following new section:

SEC. 417. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 0.5 percent.

H.R. 2643

OFFERED BY: MR. NUNES

AMENDMENT NO. 28: Page 67, line 21, insert after the dollar amount the following: ''(reduced by $3,700,000)''.

Page 67, line 22, insert after the dollar amount the following: ''(reduced by $3,700,000)''.

Page 68, line 5, insert after the dollar amount the following: ''(increased by $2,000,000)''.

H.R. 2643

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 29: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. Appropriations made in this Act are hereby reduced in the amount of $276,330,000.

H.R. 2643

OFFERED BY: MR. SHAYS

AMENDMENT NO. 30: Page 31, line 11, after the dollar amount, insert ''(decreased by $1,000,000)(increased by $1,000,000)''.

H.R. 2643

OFFERED BY: MR. UPTON

AMENDMENT NO. 31: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISION

SEC. 601. None of the funds made available in this Act may be used to purchase light bulbs unless the light bulbs have the ''ENERGY STAR'' or ''Federal Energy Management Program'' designation.

H.R. 2643

OFFERED BY: MR. WEINER

AMENDMENT NO. 32: Page 18, line 23, insert ''(increased by $1,000,000)'' after the first dollar amount.

Page 39, line 17, insert ''(reduced by $1,000,000)'' after the first dollar amount.

H.R. 2643

OFFERED BY: MR. WEINER

AMENDMENT NO. 33: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. Not later than 6 months after the date of the enactment of this Act, the Secretary of Interior shall provide public access to the Statue of Liberty that is substantially the same as that access granted before September 11, 2001.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 34: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Clover Bend Historic Site.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 35: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Kymulga Grist Mill.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 36: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the George Washington Carver High School.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 37: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the San Juan Capistrano Historic Adobe Preservation.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 38: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Oroville Historic State Theater.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 39: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for Casa Grande, Santa Clara, County, California.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 40: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Maritime History Center for Working Families.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 41: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for Fort DeSoto.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 42: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Wesleyan College Historic District.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 43: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Scottish Rite Temple, Bloomington, Illinois.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 44: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the St. Joseph's College Theatre.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 45: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Brown Mansion, Coffeyville, Kansas.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 46: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Butler County Courthouse, Kansas.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 47: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Perryville Battlefield Merchants Row.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 48: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the William Cullen Bryant Home Homestead.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 49: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Rackliffe Plantation House.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 50: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Poplar Hill, Clinton, Maryland.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 51: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Wetzel County Courthouse, New Martinsville, West Virginia.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 52: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Curlee House.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 53: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Daniel Webster Farmhouse.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 54: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Zuni Pueblo Mission.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 55: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Santa Maria El Mirador.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 56: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Maverick Concert Hall.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 57: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the DeSeversky Center Building.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 58: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the 1883 Lighthouse, Sleepy Hollow, New York.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 59: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Mount Hope Cemetery, Rochester, New York.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 60: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for Fire Fighters Hall, Columbus, Ohio.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 61: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Spring Hill Historic Home.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 62: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Moravain College.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 63: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Philadelphia Art Museum.

H.R. 2643

OFFERED BY MR. HENSARLING

AMENDMENT NO. 64: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the W.A. Young & Sons Foundry.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 65: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Embassy Theatre.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 66: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Pompion Hill Chapel.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 67: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for Goodwill School.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 68: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for Carnegie Library, Darlington, South Carolina.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 69: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Agricultural Reform Movement Building.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 70: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Granbury Historic Opera House Theater.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 71: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Henry County Courthouse, Virginia.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 72: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Gadby's Historic Site.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 73: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Lee-Fendall House.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 74: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Bremerton Public Library.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 75: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for Wetzel County Courthouse, New Martinsville, West Virginia.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 76: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Ivy Green Birthplace of Helen Keller.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 77: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the city of Detroit, Michigan, Charter County of Wayne for the Rouge River National Wet Weather Demonstration.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 78: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the city of Killeen, Tennessee, for Water and Sewer Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 79: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may used for the city of Hayti, Missouri, Pemiscot Consolidated Public Water Supply District 1 for Water System Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 80: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for thecity of Independence, Mississippi, Tate County School District for Water System Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 81: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the city of Conrad, Montana, for Conrad Wastewater Treatment Facility Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 82: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the city of Mount Airy, North Carolina, Surry County for Water and Wastewater Infrastructure along the I–77 and I–74 Interstates Corridor.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 83: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the town of Troy, North Carolina, Montgomery County for the Pump Station Improvement Project.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 84: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the city of Durham, North Carolina, for Water and Wastewater Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 85: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the borough of Sussex, North Carolina, for the Hamburg Avenue Water Line.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 86: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Murphy, North Carolina, Cherokee County for the U.S. Highway 74 19/129 Sewer Project.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 87: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Newark, New Jersey, Passaic Valley Sewer Commission for Wastewater Treatment and Storm Water Renovation.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 88: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Aztec, New Mexico, for Municipal Wastewater Treatment.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 89: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the township of Waterford, Michigan, Oakland County Drain Commission for the Evergreen-Farmington Sanitary Sewer Overflow Control Demonstration Project.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 90: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Seattle, Washington, Seattle Public Utilities for South Park Drainage Project.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 91: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the City of Brooksville, Southwest Florida Water Management District for Peace and Myakka River Watershed Restoration.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 92: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the City of Weston, FL, for Bonaventure Storm Water Pumps.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 93: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the City of Lock Haven, Pennsylvania, Clinton County Municipal Authority for the Sewer Pump Station Construction in Woodward Township.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 94: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the City of East Providence, RI, for Nutrient Removal.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 95: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Town of Andrews, SC, for Water and Wastewater Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 96: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the City of Gaffney, SC, for the Water Treatment Plant Upgrade.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 97: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the City of Rapid City, SD, for the Source Water Protection Initiative.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 98: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Town of Collierville, TN for the Public Works Department for Wastewater Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 99: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Killeen, Tennessee, for Water and Sewer Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 100: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Eureka, California, for Wastewater Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 101: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Eckley, Colorado, for Water Treatment Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 102: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Colchester, Connecticut, for the Flatbrook Road Booster Station.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 103: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Prospect, Connecticut, for the College Farms Subdivision.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 104: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Wolcott, Connecticut, for Storm Drainage and Other Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 105: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Stamford, Connecticut, for Stormwater and Wastewater Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 106: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Tallahassee, Florida, for the Advanced Water Treatment Facility.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 107: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Sarasota, Florida, Sarasota County, for the Phillippi Creek Septic System Replacement.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 108: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Callahan, Florida, for the Wastewater Treatment Plant.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 109: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Lauderdale-by-the-Sea, Florida, for North Beach Neighborhood Improvements, Phase II.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 110: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Jupiter, Florida, for Water Treatment Plant Enhancement.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 111: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Brighton, Michigan, for the Mill Pond Lane Bypass Sanitary Sewer Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 112: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Grand Rapids, Minnesota, Grand Rapids Public Utilities Commission for a Wastewater Treatment Facility.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 113: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Joplin, Missouri, for the Wildwood Ranch Sewer.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 114: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Muscle Shoals, Alabama, for Wastewater Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 115: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Rogers, Arkansas, Northwest Arkansas Conservation Authority for Water and Wastewater Infrastructure and Watershed Management.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 116: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Pine Bluff, Arkansas, for Sewer Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 117: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Walthall County Courthouse, Mississippi.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 118: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of San Clemente, California, for Expansion of the Water Reclamation Facility.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 119: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Arcadia, California, for the Arcadia/Sierra Madre Joint Water Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 120: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Seaside, California, for Monterey Bay Outfall Dry Weather Diversion.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 121: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Big Bear Lake, California, Department of Water and Power To Upgrade the Pipeline Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 122: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Yucca Valley, California, Hi-Desert Water Agency for a Wastewater Treatment System.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 123: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Sacramento, California, Sacramento Department of Utilities for Downtown Sacramento Combined Sewer Improvement.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 124: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Barstow, California, county of San Bernardino for the Sewer Master Plan Implementation, Phase II.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 125: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Manteca, California, for Water Treatment Infrastructure Upgrades.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 126: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Vallejo, California, for Mare Island Sanitary Sewer and Storm Drain.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 127: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of San Francisco, California, Public Utilities Commission for the Lower Mission District.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 128: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Huntington Park, California, for the Slauson Avenue Water Line and Yard Rehabilitation.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 129: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Temple City, California, for the Sanitation Sewer Rehabilitation Project.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 130: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Louisville, Kentucky, for the Louisville and Jefferson County Municipal Sewer District for the Shively Area Pump Stations Eliminations Project.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 131: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Williamsport, Pennsylvania, Lycoming Department of Planning and Community Development for a Water System for Muncy Industrial Park.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 132: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the New Castle, Pennsylvania, Lawrence County Planning Office for the Neshannock Township.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 133: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Coburg, Oregon, for a Wastewater System.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 134: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Zanesville, Ohio, Muskingum County Commission for the West Pike Sanitary Sewer.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 135: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Warren, Ohio, the Office of the Trumbull County Commissioners for the Scott Street Sanitary Sewer in Newton Falls.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 136: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Columbus, Ohio, Columbus Downtown Development Cooperation for the Scioto Mile River Level Park Project.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 137: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Port Clinton, Ohio, Ottawa Country for the Watermain and Sanitary Sewer Program.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 138: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the village of Rushville, Ohio, for Sewage Infrastructure Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 139: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Marcellus, New York, for Drinking Water Infrastructure Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 140: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the village of Lyndonville, New York, for the Wastewater Treatment Plant.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 141: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of New York, New York, for the Twin Lakes Restoration Project.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 142: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Grambling, Louisiana, for the East Martin Luther King Tarbutton Road Sewer Extension.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 143: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the cities of Fall River and New Bedford, Massachusetts, and the town of Acushnet for Bristol County Sewer Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 144: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Winthrop, Massachusetts, for Storm Drain Remediation.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 145: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of West Springfield, Massachusetts, Pioneer Valley Planning Commission for the Connecticut River Combined Sewer Overflow Clean-up.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 146: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Elyria, Ohio, for the Water Treatment Intake Plant.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 147: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of College Park, Maryland, for the Paint Branch Watershed Storm Management Plan.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 148: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may used for the city of Glencoe, Alabama, for Storm Drainage and Sewer Repairs.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 149: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Clanton, Alabama, for the Water Plant Upgrade Project.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 150: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Harlan, Kentucky, for the Baxter-Rosspoint Sewer Line Expansion.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 151: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the borough of Slatington, Pennsylvania, for Wastewater Infrastructure Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 152: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Santa Fe, New Mexico, for Water Distribution Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 153: At the end of the bill (before the short title), insert the following:

None of the funds in this act may be used for the city of Santa Fe, New Mexico, for Water Distribution Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 154: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be use for the pueblo of San Felipe, New Mexico, for Water and Wastewater Infrastructure Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 155: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Bernalillo, New Mexico, for Arsenic and Water System Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 156: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Fallon, Nevada, for the Wastewater System Improvement.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 157: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Overton, Nevada, for the Collection System Infiltration Study.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 158: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Geneva, New York, Water District 12 for Water Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 159: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Halfmoon, New York, for the Halfmoon Water Line.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 160: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Goshen, New York, for the Hambletonian Park Water Main Replacement.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 161: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the town of Bethel, New York, for Sewer Extension.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 162: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Middletown, New York, for Water and Wastewater Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 163: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Rochester, New York, Monroe County Water Authority for the Southeast Service Area Reliability Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 164: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Rye, New York, for Sewer Pump Station Repairs.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 165: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the village of Mamaroneck, New York, for Sewer System Upgrades.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 166: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the village of Briarcliff Manor, New York, for Sewer Upgrades.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 167: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Buffalo, New York, Erie County Water Authority for the Ball Pump Station Emergency Power Generation.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 168: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Palatka, FL, St. Johns River Water Management District for Expansion of the Taylor Creek Reservoir.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 169: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Clearwater, FL, for Wastewater and Reclaimed Water Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 170: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Vienna, GA, for Sewer Treatment Facility.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 171: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Valdosta, GA, for the Valdosta Scott Water Tank Construction.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 172: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Mason City, IA, for Wastewater Treatment Facility Facility Expansion.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 173: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Twin Falls, ID, for the Auger Falls Wastewater Treatment Project.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 174: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the village of Johnsburg, IL, for Wasterwater Conveyance and Treatment Works.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 175: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the village of Steward, IL, for Wastewater Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 176: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the village of Hazel Crest, IL, for Water Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 177: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Village of South Chicago Heights, IL, for Wastewater Treatment Facility.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 178: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Northeastern Illinois Sewer Improvement Consortium, IL, for Sewer Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 179: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the City of Virginia, IL, for a Water Treatment Facility.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 180: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the City of Oregon, IL, Public Works Department for Wastewater Treatment Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 181: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Village of Farina, IL, for Water System Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 182: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Carmel, IN for Sanitary Sewer Rehabilitation.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 183: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the town of Linden, IN, for Water and Sewage for the Sewer Treatment Plant Expansion.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 184: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the city of South Bend, IN for the Sewer Overflow Sensory Control Network.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 185: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the city of Evansville, IN, for the Mt. Auburn Neighborhood Sanitary Sewer System.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 186: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the city of Charlestown, IN, for the Water Treatment Facility.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 187: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the City of Fort Wayne, IN, for the Fort Wayne Storm Sewer Separation Project.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 188: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Town of Merrillville, IN, for Water Infrastructure Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 189: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the City of Iola, KS, for Water and Wastewater Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 190: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the City of Larned, KS, for the Waste Water Treatment Plant.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 191: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the City of Sedan, KS, for the Rural Water District Number 4 Chautauqua County for Water and Wastewater Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 192: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the City of Lexington, Kentucky, Lexington-Fayette Urban County Government for South Elkhorn Pump Station and Force Main Project.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 193: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the City of La Grange, Oldham County, KY, Sewer District for the Ohio River Wastewater Treatment Plant in Goshen.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 194: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the City of Peshtigo, WI, for Water System Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 195: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the City of Holcombe, WI, the Lake Holcombe Sanitary District for Wastewater Treatment and Sewer System Upgrades.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 196: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the City of Weson, WV, for the Jackson's Mill Waterline.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 197: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the City of Pennsboro, WV, for Wastewater Infrastructure Improvement.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 198: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the City of Westover, WV, for Sanitary Sewer Service Upgrade.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 199: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the City of Milton, WV, for Milton Water System Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 200: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the city of Grandview, Texas, for an Elevated Water Storage Tank.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 201: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the city of Hillsboro, Texas, for Water and Wastewater System Improvement.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 202: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the City of Cressona, PA, Cressona Borough Authority for the Cressona Belt Filter Press.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 203: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the Fort Bend County, Texas, for a Water and Wastewater Project.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 204: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the city of Sabinal, Texas, for a Wastewater Treatment Facility Project.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 205: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the city of San Antonio, Texas, San Antonio Water System for the Central Watershed Sewer Relief Line C–02.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 206: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the city of Riverton, Utah, for the Water Pump Station.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 207: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the City of Hershey, Pennsylvania, Derry Township Municipal Authority for Wastewater Treatment Facility.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 208: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for Henry County, Virginia, Henry County Public Service Authority for Water Infrastructure Improvements.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 209: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the city of Alexandria, Virginia, and Arlington County, Virginia, for Four Mile Run.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 210: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the City of Yardley, Pennsylvania, Yardley Borough Sewer Authority for Wastewater Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 211: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for Fairfax County, Virginia, Stormwater Planning Division for Stormwater Management Planning.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 212: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for the city of Longview, Washington, for a water treatment facility.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 213: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for Fairfax County, Virginia, Stormwater Planning Division for Stormwater Management Planning.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 214: At the end of the bill (before the short title), insert the following:
None of the funds in this Act may be used for Skokomish, Washington, Skokomish Indian Tribal National for Wastewater Treatment.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 215: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Township of Cecil, Pennsylvania, Cecil Township Municipal Authority for the Miller's Run Sewer System.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 216: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Belfair, Mason County, Washington, for Wastewater Treatment.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 217: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Mountlake Terrace, Washington, for Water Main System Replacement.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 218: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Mercer Island, Washington, for the Mercer Island Sewer Lake Line Replacement.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 219: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the Borough of Stoystown, Pennsylvania, Somerset Township Municipal Authority for Stoystown Water Project.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 220: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Puyallup for Water and Wastewater Infrastructure.

H.R. 2643

OFFERED BY: MR. HENSARLING

AMENDMENT NO. 221: At the end of the bill (before the short title), insert the following:

None of the funds in this Act may be used for the city of Flint, Michigan, Office of the Genessee County Drain Commissioner for the North-East Relief Sewer.

H.R. 2829

OFFERED BY: MR. GARRETT OF NEW JERSEY

AMENDMENT NO. 1: At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available under this Act may be used by the Securities and Exchange Commission to enforce the requirements of section 404 of the Sarbanes-Oxley Act with respect to non-accelerated filers under section 210.2–02T of title 17, Code of Federal Regulations.

H.R. 2829

OFFERED BY: MS. UPTON

AMENDMENT NO. 2: At the end of the bill (before the short title), insert the following:

TITLE IX—ADDITIONAL GENERAL PROVISION

SEC. 901. None of the funds made available in this Act (including funds made available in titles IV and VIII) may be used to purchase light bulbs unless the light bulbs have the ''ENERGY STAR'' or ''Federal Energy Management Program'' designation.

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PROCEEDINGS AND DEBATES OF THE *110th* CONGRESS, FIRST SESSION

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Senate

The Senate met at 1 p.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father, author of life and giver of life everlasting, we raise our hearts to You. Lift us, today, into Your light, love, purity, and blessedness as we seek to honor Your great Name. Keep us from hasty shortcuts that lead to failure. Rather, help us to pursue integrity, righteousness, and honor.

Strengthen our lawmakers for this week's labors. Fill them with Your presence, guide them with Your comfort, and energize them by Your spirit. May they never shut their ears to the cries of the least in our Nation and world. Rather, may they join You in bringing true freedom to the marginalized.

Lord, we ask your special blessing on Dr. JOHN BARRASSO as he is welcomed to the Senate today. We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 25, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CARDIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any time used by the leaders, the Senate will be in a period of morning business until 7 p.m. tonight. The time is equally divided and controlled between Senators KENNEDY and ENZI or their designees. During this time I expect there will be speeches on H.R. 800, the Employee Free Choice Act, and S. 1639, the Immigration bill.

At 7 p.m. Senator SESSIONS will be recognized to speak for up to 1 hour. There are no rollcall votes. At 3:15 the newest Member of the Senate will be sworn in, JOHN BARRASSO, who is an orthopedic surgeon from Wyoming. We welcome him here but with some degree of sadness, because you are forced to comprehend and think about Craig Thomas whom I had such great admiration for. As I have said before, Craig Thomas and I did not vote very much alike, but we shared a great belief in the sovereignty of our two States, two sparsely populated States, Wyoming and Nevada, and of course this great country of ours that we both have such affection for.

We welcome Dr. BARRASSO. More will be said about this later.

ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that if any quorum calls occur during the debate until 7 p.m., they be equally divided between the sides controlling time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LAKE TAHOE FIRE

Mr. REID. Mr. President, in the State of Nevada, one of the things we so appreciate is this great treasure we share with the State of California, Lake Tahoe, which Mark Twain called the fairest place in all the Earth. Some have said he said: The fairest picture the whole Earth affords. But the picture we get from Mark Twain is it was a beautiful place, and it is. There is only one other lake like it in the world, and that is in Russia. It is a wonderful alpine glacial lake about a mile deep.

It is a wonderful resource we share with California. But as we speak, there is a fire raging on the eastern side of the lake. It has, at last count, burned 2,500 acres, four square miles. It has engulfed and destroyed 250 homes; 500 more are in danger of being lost. Only 10 percent of the blaze has been contained.

One bright spot in this tragedy is that as of now, no injuries have been reported, and we hope these residents and emergency teams remain safe.

Many of these firefighters live in the area. They are battling this fire while their own homes are in danger. If we think about that for a moment, their own homes are at risk, their own families are in harm's way, and they are working to protect the homes and families of others. That is real bravery, and that is what a firefighter is all about. We owe a great deal to these men and women. We will surely owe them much more when this fire is brought under control. There is no way

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to protect a firefighter, other than to quote Fire Chief Edward Croker, who was with the New York Fire Department almost 100 years ago. Here is what he said:

I have no ambition in this world but one, and that is to be a fireman . . . Our proudest moment is to save lives. Under the impulse of such thoughts, the nobility of the occupation thrills us and stimulates us to deeds of daring, even of supreme sacrifice.

This is as we learned from South Carolina last week upon the death of those nine firefighters. We will keep an eye on this blaze and give the States of California and Nevada—the blaze is burning on the California side at this time—give the States of California and Nevada all the resources we can help them with.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

EMPLOYEE FREE CHOICE ACT OF 2007—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed on H.R. 800, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to H.R. 800, an act to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 7 p.m. shall be equally divided between the Senator from Massachusetts, Mr. KENNEDY, and the Senator from Wyoming, Mr. ENZI, or their designees.

Who yields time?

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I yield myself such time as I might use.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, over the period of these last few days, we have had a number of our colleagues on this side who have spoken, and spoken very well, about the Employee Free Choice Act. We have had Senator DURBIN, Senator BROWN, Senator CLINTON, Senator SCHUMER, Senator MURRAY, Senator LAUTENBERG, Senator MENENDEZ, Senator KLOBUCHAR, Senator WEBB, Senator CASEY. I have spoken myself. We have a number of additional Senators. I see my friend from Maryland, Senator CARDIN, will be addressing the issue this afternoon.

I think we have had some excellent presentations about this issue and about the importance of this issue, about the fact that there are about 60 million men and women across this country who wish to be able to participate in the trade union movement, but because of the realities of the current election process are denied the opportunity to do so.

There are millions of people across this Nation who are enormously concerned about the growing disparity which has taken place in this country between the explosion of wealth in terms of the top one-tenth of 1 percent of our population and the fact that those at the lower end of the economic ladder most recently had to wait 10 years to get an increase in the minimum wage.

I can remember going back to a period of time when the increase in the minimum wage was a bipartisan event. People understood at that time they were trying to make the minimum wage about half of what the overall national wage was going to be, to say to American workers: If you worked at the lower end of the economic ladder in our economic system, we still appreciated your work and you would not have to live in poverty here in the United States of America.

We have in recent years seen where millions of our fellow citizens have had to live in poverty because we have failed to get the increases in the minimum wage. It has become a more partisan issue here in the Senate and also in the House of Representatives, regretfully. I am basically suggesting that we are seeing America growing apart. That is a matter of enormous concern to Americans everywhere. It does not have to be this way. It was not this way when I think America was at its best. It was not this way.

What we are seeing now is the increasing factor that those who have the resources and have the wealth and have the superwealth are accumulating it more and more; those who are at the lowest end are falling farther and farther behind, and the great middle class that is represented by workers and used to be the trade union movement is being constantly challenged.

For many in that middle class, they feel they are slipping farther and farther behind, and they are slipping farther and farther behind. They were not slipping farther and farther behind when we had a strong trade union movement. They weren't. They were moving ahead with the rest of the country. But now, they are falling farther and farther and farther behind. They know that. The option before the Senate now is to at least give American workers an opportunity, if they so desire, to be able to participate in a union so that their economic interests, their health insurance interests, a decent retirement, can be addressed, because as we have seen, working families, increasing numbers of those working families, are losing health insurance, are finding their deductibles and copays are on the rise, and it is getting more and more difficult for them to continue to afford this. An increasing number of retirees, who thought they had commitments to health insurance, are being dropped. We are finding an increasing number of those Americans who rely on a defined benefit system losing out on their pensions.

We are finding out that the costs across the spectrum for working families are going up through the roof—the price of gasoline, the price of health care, the price of prescription drugs, the price of tuition, the price of any kind of retirement income.

Books have been written about this great shift from the kind of common responsibilities and common involvement Americans had with each other, commitments we had with each other, to a different perspective and a different paradigm where everyone is sort of effectively on their own.

That means you are on your own with regard to retirement, health insurance, and education in the workplace. That is happening increasingly. You are on your own when the employer won't give you a raise. You are on your own when you are put in working conditions which may very well jeopardize your health.

I wish to review exactly where we have come as a country on the issue of growing apart and growing together. Most of us remember clearly the Mayflower compact that was signed a few miles off Provincetown, MA, when extraordinary men and women had sailed the seas to escape religious persecution and, after 6 long weeks and the loss of a number of those who had set sail on the ships, before they got off the ship, they gathered on the deck and made a compact between each other about the importance of working together for the common good as a community and as a society. The Federal Constitution talks about the general welfare and about moving ahead together as a country and a society. We have seen that when America has been at its best.

Here we have a chart that shows the years 1947 to 1973. It is titled ''A Rising Tide Lifts All Boats.'' What this chart shows is income for five different sectors of our economy—this is from the Economic Policy Institute—the lowest 20 percent, the second 20 percent, the middle, fourth, and top 20 percent. This chart shows clearly from these colors that from 1947 to 1973, America's income moved along together. Those in the lowest sector of our economic society moved along. As a matter of fact, they moved along a little higher than those at the very top. But America was moving along together.

It is interesting that this is a period of time when we had the trade union

movement at its peak. One of their strong themes during that time was economic fairness, economic justice. If we were going to see an increase in productivity as a result of their own enterprise and working with the employer, the benefits were going to be shared. It was going to be shared between those at the top and those who were working. That was the concept we had seen reflected in this growth from 1947 to 1973.

Look at what is beginning to happen from 1973 to 2000. We begin to see now the lowest is growing the least and the top 20 percent is growing at a rate of three or four times higher than the lowest. This was the beginning of significant tax cuts that benefited the wealthiest individuals. We see the economic indicators reflected here in the income for those individuals across the board.

Now look at what has happened in the most recent time. We see that those in the lowest economic income have been falling further and further behind, and those in the top 1 percent have been going further and further ahead. All of this is going on at a time when we have seen the weakening of the trade union movement.

How is this reflected in what has happened with corporate profits? Here we see at the same time corporate profits were going up some 84 percent at the time from 2001 to 2007, where wages and salaries have been virtually stagnant. They haven't moved. They have gone up a total of 4 percent over this 6-year period. The profits have been growing; wages and salaries have not been growing. Benefits are going up in terms of corporate profits, but the workers' are not. We have seen what has happened.

This chart is interesting. It tells the story of what I have just mentioned in a different way. For the first time, young men make less than their fathers did. We have grown up in this country believing that the future generation was going to have a better opportunity and a more hopeful future than the current generation. Those certainly were the hopes and dreams of those who came to this Nation. It has been certainly generally true, right? Wrong. We saw that was true from 1964 to 1994, the purple colors reflecting the son; the green, the father. We talk about income. You see that the son's income exceeded the father's. Now look from 1974 to 2004. There has been a 12-percent decline of the son over the father—again, the decline in the voice to speak for workers, the strong voice that is going to speak for workers.

Now look at what happened again, if we can go back. Remember the first chart where I talked about 1947 to 1962 when all of the different economic groups went along and went up together. This is the time of peak union membership. What this chart shows is that wages and productivity rise together. What does this chart show? It shows right along here increasing productivity. That means the workplace is becoming more productive. They are producing more. What happened when we had the height of the trade union movement during this time, we found out wages were keeping up with productivity; therefore, workers were working harder, but they were getting more in terms of wages. They were keeping pace with their increasing productivity. Now we see the unions begin to decline, and the workers are falling further behind. Productivity is still going up, but real wages are in decline and productivity grew more than 200 percent more than wages, reflected in that earlier chart which showed the profits going up.

All this is at an interesting time where the workers' voice in the workplace is being constantly diminished. On the far left, we find peak union membership; wages and productivity rise together.

Now you can ask: What happened after 1966? Why this sudden disparity? How could it be doing so well with union membership during this period and then suddenly we find a decline? Well, we had decisions made by the National Labor Relations Board and the Supreme Court that decided businesses can veto majority signups as a result of elections. I will go through that in more detail. But they have it as an art at the present time where an election can be held, let the workers make a judgment, a majority can say: We want to join a union, and next you know that those individuals who are involved in that activity are being fired, lose their jobs, are out of jobs—not just for 1 month or 2 months, not just for 6 months, not even for 1 year, sometimes 3, 4, 5 years. It is the cost of doing business. A whole industry has grown up to help employers defeat the voices of workers in the workplace. That is what happened during this period of time in the 1960s and 1970s. We had our Republican friends appointing members to the National Labor Relations Board during this period of time—also the Supreme Court—who made these judgments to disadvantage workers. We have seen the abuses skyrocket.

This chart is from a Peter Hart Research Associates poll from a year ago. It shows that 58 percent of nonmanagement workers would vote for union representation. This represents 60 million workers who want to join. We can ask ourselves: If they want to join, why don't they join? Let me point out, before we get there, what else has been happening in the workplace.

We find there have also been assaults on unemployment insurance. This is the fund for when we have extended unemployment periods. This is an unemployment insurance fund which is paid into by workers so they will be able to receive it when they are unemployed. It has been generally used historically in times when we have had a downturn in the economy. But we have had administrations which have refused to extend the unemployment insurance, even though the fund itself is in surplus, to look out for the workers. We have seen 6 million individuals who qualified for overtime who were workers 3 years ago lose their overtime pay. We saw the results of administration action in Hurricane Katrina where they refused to extend the Davis-Bacon provisions. We have the undermining of family and medical leave. We have had Supreme Court judgments and decisions which have also compromised the worker.

One of the most notorious was the Supreme Court decision that was made probably 4 weeks ago where a woman who had been working in a plant for a number of years and had been working alongside a number of men for all these years found out she was being paid significantly less than the men. That is unfair under legislation we have passed in the Civil Rights Act. When the case finally went up to the Supreme Court, the Supreme Court said: Well, it is too bad that has been her case because under the legislation, she should have complained in the first 180 days. Since she didn't complain in that time, she lost all her rights.

That is the most cockamamie decision I have heard of the Supreme Court making in recent years. I can give you another one, the Grove City case on civil rights, but imagine this individual didn't even know she wasn't being paid fairly. She had no notice of it. The payroll was being kept by the employer. This is what is happening in real America.

We all know what happened with carpal tunnel syndrome. We had rules and regulations under the previous administration. More than a million people, most of them women, are doing the kind of repetitive work which endangers their health. We had the National Academy of Science make determinations that these individuals, by and large women, are being harmed by this kind of activity. We had the previous Democratic administration issue rules and regulations to provide protections and, and bam, under this administration, under the current administration, the Bush administration, they have been eliminated, all of them.

So we see the series: elimination of overtime pay, elimination of protecting people in terms of pay on the job, eliminating rules and regulations to protect people from carpal tunnel syndrome—all of these going on at the same time. They are the kinds of situations the trade union movement speaks about and fights about. They fight for an individual member who is being abused like the woman being abused in the workforce. They have been a principal spokes-group for the protection of people doing repetitive work and being affected by carpal tunnel syndrome. But they have been weakened, their voice has been weakened. As a result, we see the great economic disparities, and we see the great threat to the workers.

Now, you can say: Well, that is very interesting, Senator, but what are

these kinds of barriers to workers, if they have an election and they are successful? Well, here are some of the roadblocks. Workers who lead the union efforts are fired. We have 30,000 a year who get backpay. Mr. President, 30,000 a year get backpay from employers for violations of their rights. What kind of message do you think that sends to other workers who have to provide for their children and their family, seeing the individuals dismissed or their rights violated?

The employer challenges the election results. No matter what the disparity, they still challenge it and delay it. Then the employer appeals the NLRB ruling in the courts. I might, later on this afternoon, go over some of the court decisions as to the National Labor Relations Board and how they have changed from protecting the worker to protecting the employer and how the DC court—because the DC court is the special court of jurisdiction—how they have altered and changed in terms of protecting the workers. But the workers, effectively, are not getting protection either from the National Labor Relations Board, which was set up to protect them, or in the courts, which are supposed to be protecting their interests.

The employer stalls or refuses to bargain for a first contract. They are able to kick this over for a year. The employer can seek to stop recognizing the union. Then the workers start all over again.

This is what we have: The employees are fired in one-quarter of all private sector union-organizing campaigns—one-quarter of the campaigns. Talk about discouraging those who want to speak up. One in five workers who openly advocate for a union during an election campaign is fired. This has not varied or changed. You would have thought the Department of Labor or the National Labor Relations Board or the courts would try to protect these workers. Oh no, they have not, and we have the current situation we have.

In 2005, over 30,000 workers received backpay after employers had violated their rights. This gives you an idea of the warfare that is going on in the workplace—absolute warfare. Can we do something about it? Yes. That is what the legislation which is before us is trying to do. That is exactly the issue this legislation is trying to face. We will explain that. But that is exactly the point.

We see why some 60 million workers want to join unions. This chart demonstrates the percentage of wages for union members over nonunion members. This next chart is very interesting because it draws the distinction, the effect of union organizing for women. It makes a very significant difference in protecting women and women's rights, for African Americans, and Latino Americans. It is a very major force and factor in terms of making sure we are going to protect the rights and the civil rights of our fellow citizens.

This chart gives you a pretty clear idea. This is what we are talking about: people with wages that are $22,000, $23,000, $17,000, or $18,000. These are the people we are talking about. We are talking about, as demonstrated on this chart, that the cashier, if they do not belong to a union, is making $15,000; if they do, they are making $24,000. For childcare workers, if they are nonunion, they are making probably $16,000; if they are a union member, they are probably making $21,000. And we have demonstrated on the chart the wages for a cook, a housekeeper, across the board.

Look at the Federal poverty line on the chart. Those who are not a part of the union movement are below the poverty line, and those who are members of a union are slightly above it.

So let me point out what we are attempting to do. We are saying we want to give individuals the opportunity to be able to join unions through a card check, effectively. If a majority of those in a union are going to check the card, they are going to be a majority, and they have the opportunity to do so. But we do not eliminate the secret ballot. We are saying the secret ballot is still available.

Today, the secret ballot is decided, effectively, by the employers. Since the employees are the ones whose interests are at stake, we give them the option to go either through the secret ballot or to be able to do it through a card checkoff.

We have heard a lot on the floor about how the secret ballot in the workplace is comparable to the great American tradition of elections in the United States. But, of course, that is completely untrue. For example, if you take what we call the NLRB—that would be the elections in the workplace—versus a Federal election, in regard to equal access to the media, do we think the workers have equal access with the employer? No, of course not. It is the employer who has all of the access. Now, in a Presidential or a congressional campaign, there is relatively equal access. Maybe one candidate is able to get additional kinds of resources and able to get more of the media, but at least there is some degree of fairness and some degree of comparability. But here it is all one-sided, all with the employer. The freedom of speech is with the employer.

Access to the voters: No union members can come onto a grounds and say: Look, we would like to talk to these individuals who are trying to make up their mind. But the employer has access to these individuals all day long.

Campaign finance regulations: The employer spends whatever they wish on these issues.

The timely implementation of the voters' will: The federal elections all have them but not here. As we have just pointed out, employers contest the elections.

The way these elections are conducted now in the workplace, the odds are all stacked against the workers. So the workers have been discouraged from doing so, from being able to express themselves. As a result, they have not been able to move ahead. As a result, they have fallen further and further behind.

Now, we also hear on the floor: Well, we can't have this kind of a checkoff because we will have intimidation of these workers in a certain way, we will have intimidation for those in the workplace. Well, the fact remains there are very strong laws against any kind of intimidation or coercion of workers. We can go through that in greater detail, which I am glad to do.

I know some opponents on the other side have cited a study by the Human Resource Policy Association that identified 113 NLRB cases that involved union deception or coercion. Over the last 60 years, one expert—who testified at the House hearing of the employee free choice legislation—who examined the cases found they contained only 42 such instances. We should not have any, but they had 42. In any event, those 113 claimed examples of coercing or intimidating workers over the past 60 years are next to nothing compared to the NLRB statistics that show acts of coercion alleged in a single year, which, in 2005, equaled about 30,000 workers getting backpay for firings or violations of their rights who were involved in union activity—firing them, throwing them out of their jobs or otherwise violating their rights.

So experience has shown, too, that when the majority signup replaces the battlefield mentality of the National Labor Relations Board election process, conflict is minimized and the workplace becomes more cooperative and productive—a win for both sides.

I might mention that this chart shows Cingular Wireless, and this one shows Kaiser Permanente. They provide for what is permitted under this bill. Of course, if the company wants to do it, it can do it now. It can do it today. But this will institutionalize it to encourage companies all over the country to do it.

Here is Kaiser Permanente, a well-known company. Mr. President, 800 nurses were able to choose a union based on the model of the Employee Free Choice Act. Kaiser Permanente proves that respecting workers' desire to have a voice on the job, rather than fighting the unions, is not only the right thing to do, but it makes good business sense. Says the president of Kaiser Permanente:

> We not only believe it's the fair thing to do, but we also believe it's the right thing to do for our employees, our health plan members, and also our business. It has been their experience.

This is Cingular Wireless. A majority signed up. This is what one of the workers, Larry Barrett, said:

> Management didn't pressure us or try to interfere. . . . We didn't attack the company and they didn't attack us. We were focused on improving our jobs and making Cingular a better place to work.

This is what the executive vice president of Cingular said:

We believe that the employees should have a choice. . . . Making that choice available to them results . . . in employees who are engaged in the business and who will have a passion for their customers.

We can either do it right or we can do it wrong. That is what this is really all about. It is permitting, on a voluntary basis, the opportunity to be able to permit workers to make a judgment and a decision as to who can be their voice and representative in terms of their economic conditions, their work conditions, their retirement conditions, their health conditions, and the rest. If they want to so do it, let's let them do it. If they do not want to do it, let them make that judgment and choice. But today, the system is effectively broken. It is unworkable. The workers know it. The employers know it. Too many of the employers want to keep it that way.

We have an opportunity to provide some real democratization in the workplace. When we do that and we have workers who can have a voice in determining their economic future, their future in terms of other issues, we are going to have a stronger economy. It is going to be stronger in dealing with our competition around the world, and we are going to have increasing productivity.

I know there are those who say: Well, if we have a weaker trade union movement, we are going to have a stronger economy. I will just show the example of Ireland. Ireland has one of the strongest economies in all of Western Europe at the present time, and 35 percent of their workers are union members, as compared to 12 percent in the United States. Look at the economic growth of Ireland, which is at 6 percent; the United States is at 3.3 percent.

So I am hopeful the Senate will at least give us a chance to move ahead on this legislation. The time to act is now. This legislation will make a major difference in terms of our ability to deal with the challenges of a stronger economy, a fairer economy, an economy where workers have a voice as well as a vote. It is the right thing to do, and now is the time to do it.

Mr. President, I withhold the remainder of my time.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. MCCONNELL are printed in today's RECORD under ''Morning Business.'')

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

Mr. MCCONNELL. Mr. President, more than three centuries ago, settlers in the New World began to put into practice the political ideals that brought them here and for which many of their descendants would later fight and die.

One of the most important of these was the ideal of political freedom, and one the most concrete expressions of it was the right to vote in secret, without harassment and without coercion. Rejecting the English Parliamentary tradition, several colonies, including all the New England colonies, established secret elections as the norm.

The secret ballot has been standard everywhere else in this country for more than a century. It simply hasn't been questioned. Americans have come to assume that in everything from electing their high school yearbook editor to their President, their vote is sacred and it is secret.

That is, until now. The so-called ''Employee Free Choice Act'' is an assault on the centuries-old practice of secret voting, and the fact that we are here in this Chamber discussing it at all is a scandal.

The Employee Free Choice Act was not written to help employees. It was written to help union bosses, who are angry because their membership has been plunging for decades.

This bill aims to reverse that trend by stripping workers of the right to vote privately for or against a union. They'd be forced to publicly sign a card instead, exposing them to coercion and intimidation by employers and union bosses alike.

When union bosses convince more than half the employees at a work site to sign a card authorizing a union, they will be free to organize.

Meanwhile, employers would be free to check whether their workers favor labor or management.

Look, Congress settled this issue 60 years ago when it amended the National Labor Relations Act to provide secret ballots at the workplace. Congress changed the existing law then precisely because of widespread intimidation and coercion at the workplace.

Now our Democratic friends want to strip that right away from 140 million American workers, rolling back the clock 60 years on employee rights and potentially eroding the broader voting rights that generations of Americans have fought to secure for themselves and their children.

This is really a disturbing development. For years, American voters have been able to depend on Democrats to be loud persuasive supporters of voting rights. Their sudden conversion is shocking, but its cause isn't a secret.

Speaking to a union rally on Capitol Hill last week, the distinguished majority leader gave us a clue into the origins of this anti-Democratic bill. Here's what he told the unions that showed up: Democrats are in control of Congress now because of you. You made all the difference—and let me start with two words: thank you.

Well, are we to expect that blowing these folks a kiss at a pep rally was all they wanted? I think not.

The unions haven't been coy about their legislative wish list. And according to the Las Vegas Review Journal: ''The Employee Free Choice Act is at the top of their wish list.''

The Review Journal is calling this a textbook case of payback. Well, for all you civics students out there, you are about to see a textbook example of something else: how this kind of thing backfires when it threatens to undermine something that Americans hold dear, and that is the right to vote without somebody looking over your shoulder.

Historians tell us that once secret ballots gained near-universal acceptance a little over a century ago, the only Western country that didn't continue to observe the practice religiously was the Soviet Union.

Yet even there, communist leaders were careful to maintain at least the formal appearance of secret ballots. An ad that recently appeared in a number of national newspapers illustrates my point. I think I have it here behind me. At least I thought I was going to. I guess I don't.

Leading with the quote; ''There's no reason to subject the workers to an election,'' it asks: ''Who said this?''

We are given three choices: Mahmoud Ahmadinejad, Idi Amin, and American union leader Bruce Raynor. It was Raynor in fact who said that in defense of the Employee Free Choice Act.

No wonder the Communist Party USA endorsed the bill at its national convention in 2005.

It's understandable why my good friends on the other side hoped they could introduce this bill quietly—just slip it in, watch it fail with a whimper, then crow about their support for Big Labor at political rallies.

They knew as well as I do that if voters knew they were looking to roll back a basic protection like the right to vote in secret, they would be in trouble.

The polling data is overwhelmingly on this one: Nine out of ten Americans—including 91 percent of Democrats—favor the right to a federally supervised secret ballot election when deciding whether or not to form a union. The main provision in this bill is about as popular as poison ivy, which is why this was supposed to all be quiet.

Incredibly, my good friend the majority leader has even indicated that he doesn't expect the bill to pass. Last week he was worried that some Republicans who are opposed to the immigration bill would vote for this bill just to delay debate on that one.

He said such a move would be made out of pure spite, which could only mean that he doesn't expect—or want—this bill to go anywhere.

So what are we doing here?

I'll tell you what: we are being told to squeeze in a vote on this anti-Democratic bill between two of the most important pieces of legislation in this Congress, in the hope that it will fail.

Well, it will fail. But not quietly.

Democrats can't put voting rights on the table and expect to get away with it.

So first, Republicans will indeed block this bill.

But we won't be quiet about it. We're not going to forget about it. We will make sure Americans don't forget about it either.

We'll remind our constituents that our friends on the other side didn't mind promoting a bill that would lead to voter intimidation by employers and union bosses.

All but two Democrats in the House passed their version of the bill in March. Apparently they have no problem with union bosses following employees to their cars after work and telling them to vote union.

Apparently they have no problem with these guys following workers home at night and knocking on their doors for a chat.

I am not making this stuff up.

We have read about a case in Louisiana where a worker was forced to seek an arrest warrant for a union boss who showed up at his home eight times trying to get him to sign a unionization petition.

Under this bill, the threat of employer intimidation is just as worrisome. Imagine having to announce in front of the person who writes your review, who sets your bonuses, approves your raises, and controls future promotions that you prefer labor to management.

This is no different than the days when landowners sent their agents into the fields to tell their tenant farmers how to vote in local elections. It was because of practices like these that the first colonists fled to America in the first place.

Another reason Democrats wanted to keep this bill quiet is that so many of them are on record opposing any abridgement to the right to secret ballots.

On the first day of this session, the Senate's Democratic leadership introduced a bill outlining the purpose of U.S. Democracy-building efforts abroad. This Congress' Democratic leadership introduced this bill. Here's what it said:

> It should be the policy of the United States to use instruments of United States influence to support, promote, and strengthen democratic principles, practices, and values, including the right to free, fair, and open elections, secret balloting, and universal suffrage.

Apparently, our good friends on the other side believe the right to a secret ballot is essential for everyone—except the American worker.

Time and again, Democrats have expressed their belief that the right to a secret ballot is sacred in a democracy.

Six years ago, 16 Democrats in the House sent a letter to a group of government officials in Mexico chastising them for even considering a switch away from secret ballots.

They wrote:

> We feel that the secret ballot is absolutely necessary to ensure that workers are not intimidated into voting for a union they might not otherwise choose.

Support for the secret ballot in the Senate has been just as passionate. My good friend the senior Senator from Vermont has called it ''one of the great hallmarks of this Democracy. ''

The senior Senator from Connecticut has referred to ''the sanctity'' of a private ballot.

The junior Senator from Iowa went even farther, saying in 2005 that:

> Perhaps what we need is a Constitutional Amendment guaranteeing the right of every citizen of the United States a secret ballot and to have that ballot counted.

Nine out of 10 Americans agree with these Democratic Senators, which is why their party's effort to roll back this right for workers is so alarming, and why it promises to be so alarming to voters next year.

Unions have every reason to be worried about their membership, which has been in steady decline for decades. In 2005, only 12.5 percent of workers nationwide belonged to unions. In the private sector, the figure was even more anemic. It is now less than 8 percent.

But the price of reversing this trend shouldn't be one of the fundamental tenets of a free society, nor should elected officials be complicit in the effort.

According to the Associated Press, organized labor spent some $100 million on get-out-the-vote efforts last year, reaching tens of millions of voters by phone and other means on behalf of labor-backed candidates. Labor PACs contributed $60 million for federal candidates, including $40 million from the AFL–CIO.

According to news reports, Big Labor explicitly traded their endorsements of prospective freshman Democrats last year for the promise that the candidates would later vote in support for the Employee Free Choice Act.

After the election, AFL–CIO's chief John Sweeney told a reporter it was money well spent. Big Labor had a plan when it poured money into the election last year.

Look, you don't need to be John Locke to figure out what's going on here. The unions are losing the game, so they have decided to change the rules.

But the rule they want to change isn't some little provision in the labor code it is a fundamental right that the citizens of this country have enjoyed without interruption for more than a century.

This was bold, it was desperate, and it was stupid.

Republicans will proudly block this bill from becoming law, and we will just as proudly remind people who forced a vote on it in the first place.

Today happens to be the birthday of George Orwell, a great enemy of tyranny who had some harsh things to say about political speech.

Orwell saw how rhetoric was used in his own day to excuse the inexcusable.

We now call it doublespeak—or speech that is meant to conceal the actual thought of the person speaking.

I can think of no better example of this than the Employee Free Choice Act.

This bill isn't meant to help employees; it is meant to help unions. It is not about increasing employee choice, but limiting it.

I will vote against it. And I strongly urge—and fully expect—my Republican colleagues to join me.

I yield the floor.

The PRESIDING OFFICER (Mr. PRYOR). Who yields time?

The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, I yield myself such time as may be necessary.

I have been looking at a lot of the charts the other side of the aisle has presented. We are going to have a vote on cloture to proceed to H.R. 800, which is the so-called Employee Free Choice Act. It would be better named the ''lose your secret ballot by intimidation act.''

This legislation attempts the most radical, unacceptable, and unwarranted change in our system of labor-management relations in over 60 years, since Congress passed the Taft-Hartley Act. We have watched the other side of the aisle grasping for ways that this might be justified. We heard about the minimum wage, health insurance, pensions, costs going up, gas, food, and that it is all related to people having a secret ballot. The secret ballot is causing that? That is a stretch—saying that unions cannot organize because they are required to have secret ballot elections. I grant you it is going to be much easier for them if they don't have to have secret ballot elections, and can rely on intimidation.

I was fascinated by the chart on voting that was shown earlier, and the things that are supposedly not available in a union election as opposed to the things that are available to the American public in federal elections. Most of them just are not accurate.

One was ''equal access to media.'' If one side is buying ads, the other can do it, too. You cannot tell me unions don't have money or don't know how to run ads because I have seen them run ads against politicians. They are both free to run ads under current law. Another was ''Freedom of speech.'' I don't know where they allege the National Labor Relations Act takes that away. We have freedom of speech under current law. My favorite category on the chart is ''equal access to voters.'' Under current law, the union gets a list of the home addresses of every single person who works in that business. Now, the employer cannot go to their home, but the union can go to their home, and we've heard some examples of how that works. That is why I call it ''lose your secret ballot by intimidation act.'' If you have half a dozen people show up at your door, some of whom you know and some of whom you

don't know, and they are going to try to persuade you to sign a check card, is that equal access to voters? If you don't let them have a secret ballot afterwards to see if they meant to sign that check card or if they only did so because the intimidators were there, it is simply not fair to the employee.

You have to agree this card checking system is kind of a joke and that it isn't a real election where rights are protected. The National Labor Relations Board watches those very carefully. In fact, they run the election and guarantee a secret ballot to every potential union person who votes.

Despite its cynical and deceptive title, this legislation is not about employees, nor is it about enhancing employee rights. This legislation certainly has nothing to do with free choice either. It is plain and simple; this bill is about unfairly and artificially boosting organized labor's steadily declining membership at the expense of essential employee democratic rights. We need to begin by understanding just how radical a departure this objective is from our longstanding national labor-management policy.

Under our system, the Government's role has never been to guarantee a level of membership for unions, or to change the rules in order to boost a union's membership numbers. The role of Government has been—and should be—to remain neutral with respect to the positions of both organized labor and management. Its most important rule is to guarantee that employees have the maximum freedom possible to make their own choice as to whether they do or do not wish to be represented by a union in their workplace. In short, our system of labor-management relations is based on employee rights, not organized labor rights, and not employer rights, and certainly not on some supposed right to a certain level of membership among private sector employees.

This legislation would turn that national labor policy on its head. It would sacrifice the fundamental democratic rights of working men and women in order to artificially boost union membership levels, increase union bank accounts with employees' dues, and enhance the political leverage of organized labor. That is what such money buys. We saw the results of that last week at some of the rallies put on by this bill's supporters. The speeches given at those rallies offer a real appreciation for that kind of political leverage. They implied that now is the time to pay up. This is a totally unacceptable perversion of our longstanding national labor policy. More important, it is outrageous to even suggest we should sacrifice the democratic rights and freedoms of working men and women to further such an effort.

Despite the radical nature of what is proposed in this legislation, and despite the fact that it would constitute the largest attempt to change basic Federal labor law in more than 60 years, it is telling how the proponents of this legislation have sought to move this bill. In the House, those who opposed this legislation were effectively cut out of the process. Leadership in the House brought this bill to the floor and allowed little opportunity for amendment or debate. Indeed, it was on the floor in that Chamber for only a few hours. Here in the Senate, the proponents now seek to move this legislation outside the regular order. It hasn't been to committee. Even though this bill falls squarely in the jurisdiction of the HELP Committee—Health, Education, Labor, and Pensions—of which I am the ranking member, the proponents of this legislation bypassed the normal committee process and brought this measure directly to the floor. With the committee process comes increased scrutiny and a decreased prospect that legislation would ever move based on rhetoric rather than sound facts and reasoned policy.

There may be those who believe that by short circuiting the committee process, it would be less likely that the public would see the legislation for what it is—that the true dimensions of this devil's bargain would be hidden behind a wall of rhetoric. We cannot and will not let that happen.

Let's briefly look at what the legislation does. For nearly seven decades, millions of employees have decided for themselves, and for their individual workplaces, whether they want a union to become their exclusive legal representative. In the vast majority of instances, this critical decision has been made through the use of the most fundamental institution of our democracy, the private ballot. In a democratic society, nothing is more sacred than the right to vote, and nothing ensures truly free choice more than the use of a private ballot.

The current system provides that the question of union representation in the workplace is determined by a Government-supervised secret ballot process overseen by the NLRB. For over 60 years, the NLRB has conducted tens of thousands of elections involving millions of workers, and has developed and refined complex rules and procedures designed to guarantee that the entire process is fair and regular and free from threats, intimidation, and coercion. It carefully monitors the conduct of all parties to the election process and acts quickly and effectively to remedy any misconduct that interferes with the free choice of employees. Those who understand the National Labor Relations Board's processes know that it conducts union elections in a free and fair manner, as evidenced by the fact that only around 1 percent of all elections are rerun due to misconduct on either side. More recently, in 2005, over 2,300 certification elections were conducted by the National Labor Relations Board. Yet the National Labor Relations Board conducted rerun elections because of misconduct by either the employer or the union in only 19 cases. Yes, that is what they do, they force rerun elections because of misconduct by either the employer or the union. So in 2,300 certification elections in 2005, misconduct by either the employer or union, there were only 19 cases.

The current private ballot election system is not only fair, it actually favors unionization. The win rate by unions in the National Labor Relations Board elections has increased for the last 10 years in a row. This is an unmatched run of electoral success. The win rate for unions in 2005 and 2006 was over 61 percent, again an unmatched record. Contrast this with the fact that during the entire 1980s, the average win rate was below 50 percent. For example, in 1982, unions won less than 45 percent of the time. The same is true for the decade of the 1970s, where unions again averaged losing more than they won. But they didn't ask the heavily Democratic Congress at that time to change the laws. In light of unions' increasing electoral success, and the fact that the legal rules have not changed in 60 years, there is absolutely no basis to claim that a change is warranted, particularly where that change is to strip workers of their rights.

Unions want to now change this carefully developed democratic system into one that is totally one sided, unsupervised, and an invitation to undue pressure, coercion, and even outright intimidation.

Imagine you are a worker at a nonunion facility and you are approached at work by people with whom you must interact day after day, or visited at home by union organizers. Remember, they have all the addresses. Imagine you are repeatedly asked to ''sign up'' for the union and that you are given a sales pitch that may or may not be true. Do you think you might sign just to avoid the hassle, just to get people off your back, just so you don't offend a coworker, or just because you haven't heard both sides? Do you think you might sign up even though your truly free choice would be not to have a union? Think about it: visitors to your own house. Most people would sign for any one of those reasons, and that is exactly why we have private ballot elections.

Beyond assaulting free choice and the right to vote, this bill would gravely damage the freedom of contract that has been a hallmark of our private sector labor-management relations. Our system recognizes the reality that in the workplace, as in other contractual situations, the parties who must live by the contract are the parties who must make the contract. Instead, under this bill, if an agreement was not reached within a mere 90 days, the contract would be placed in the hands of a Government arbitrator who would have the power to determine every detail of the employee-employer relationship. They could determine hours, pay, conditions, benefits, insurance, pensions,

everything. Neither the employees nor the employer could contest this contract, and both would be bound to the terms for 2 years. There would not even be a right for the union members to even vote to approve or disapprove the contract agreement, none at all. That right, which they have under current law, would be taken away, too.

Can you imagine either buying or selling a house and being told that someone from the Government would decide the terms of the sale? And even if you didn't agree, you would be forced to go through with the deal? Whether it is buying a house or negotiating a labor contract, this notion is simply untenable.

Lastly, the bill would substitute a tort-like remedy system for the make-whole remedy system that has served so well since the inception of the National Labor Relations Act. The vast majority of labor-management disputes are voluntarily resolved. A tort-type system, while it would certainly keep the trial lawyers busy, will clog the system with litigation and simply delay the resolution of claims.

The bill seriously infringes on due process and the right to manage a private business through its mandatory injunction provision. This is how that works. If an individual claimed he was terminated because of his union sentiments, the Government would require that he return to work before the merits of his claim are determined. The law already provides that this extraordinary step can be taken in appropriate cases, but it doesn't require it in every case. We should not require that the Government take action based on the presumption that a party is guilty unless proven innocent, except in the rarest of circumstances. We certainly should never make that practice the norm. In a host of other statutes, we quite rightly outlaw all types of employment discrimination. However, in none of those statutes do we presume guilt and require the individuals who merely claim to have been discharged be returned to work before the merits of their claims are determined, and we shouldn't do so here. The law provides for them to be reinstated, but it doesn't require it in every instance.

I am not alone in the view that this legislation is fundamentally flawed, unnecessary, and destructive to employee rights. That view is widely shared with others, as shown by some of the poll numbers that were mentioned earlier. Even union members oppose this bill by a wide majority—80 percent. I suspect that doesn't include union bosses, but it includes union members.

These views were, at one point, shared by my colleagues across the aisle. In 2001, the lead sponsor of this misguided legislation in the House, along with the current House and Senate Members, wrote a letter to the Mexican Government regarding its labor laws in which they noted:

> The secret ballot election is absolutely necessary in order to ensure that workers are not intimidated into voting for a union they might not otherwise choose.

Incidentally, that was the chairman of the Labor Committee on the House side. It is simply incomprehensible that my colleagues would lecture foreign governments about the importance of industrial democracy while simultaneously advocating we strip American workers of the same rights.

The signatories of this letter are not the only Members supporting this bill who, previously, consistently upheld the importance of the secret ballot. My colleagues have rightly noted:

> One of the most fundamental of all rights that make us uniquely American [is] the right of the secret ballot.

Yes, that was Senator HARKIN. Another colleague said:

> The sanctity of a private ballot is so fundamental to our system of elections.

That was Senator DODD.

Second, not only have my Democratic colleagues previously insisted on the necessity of a Government-supervised private ballot, so, too, has organized labor when it has suited their purpose.

In 1998, two of the AFL–CIO's most prominent unions argued to the National Labor Relations Board that the National Labor Relations Board supervised election process ''is a solemn . . . occasion, conducted under safeguards to voluntary choice . . . '' Other means of decisionmaking are ''not comparable to the privacy and independence of the voting booth,'' and the secret ballot election system provides the surest means of avoiding decisions which are ''the result of group pressures and not individual decision.''

I remind both my colleagues and organized labor that such statements are ones of principle that are not to be twisted or abandoned for political expediency. Advocating these positions and supporting this legislation are so inconsistent as to be the height of hypocrisy.

At least some labor organizations are willing to stand for the true preservation of employee rights by directly opposing this legislation. Last Thursday, the Fraternal Order of Police, an organization of over 300,000 law enforcement professionals, sent an open letter to Senator REID advising of its strong opposition to H.R. 800. In its letter, the Fraternal Order of Police noted:

> The National Labor Relations Board provides detailed procedures that ensure a fair election, free of fraud, where employees may cast their vote confidentially, without peer pressure or coercion from unions, employers or fellow employees.

The letter concludes by noting:

> The only way to guarantee worker protection from coercion and intimidation is through the continued use of a federally supervised private ballot election so that personal decisions about whether or not to join a union remain private.

Third, not only do my colleagues and labor unions agree that the private ballot is the most fair, the most accurate, and the most democratic way to determine employee free choice, and that all other methods are seriously flawed, so, too, do the Federal courts.

I have a chart from the U.S. Supreme Court which, along with every Federal circuit court of appeals, has uniformly and over the course of decades held that the private ballot is the best, most reliable, and most democratic means of determining employees' free choice in the matter of unionization, and that all other methods, most particularly card signing, are inherently flawed and unreliable.

With respect to signed cards, the Supreme Court noted that cards are not only unreliable because of the possibility of threats surrounding their signing, but because they are inherently untrustworthy since they are signed ''in the absence of secrecy and in the natural inclination of most people to avoid stands that appear to be nonconformist and antagonistic to friends and fellow employees.''

With respect to the importance of the private ballot, one Federal court of appeals put it best when it observed that its preservation mattered ''simply because the integrity and confidentiality of secret voting is at the heart of a democratic society, and this includes industrial democracy as well.''

The long line of those who oppose this legislation and its outrageous assault on the democratic rights of American workers does not end here. I received a letter from a half dozen former members of the National Labor Relations Board regarding this legislation. The National Labor Relations Board is the Federal agency that overseas private sector labor-management relations, and enforces this very statute that this legislation would alter so radically. It supervises the entire secret ballot process under which workers currently make their free choice for or against union representation.

These are the experts in this area of the law who were nominated by both Democratic and Republican Presidents. Here is what they have to say about this grossly misnamed legislation:

> We, the undersigned are all former Members of the National Labor Relations Board, and were nominated to serve by both Republican and Democrat Presidents and confirmed by the Senate. In addition, each of us has devoted our respective professional careers to work in the field of labor/management relations. Each of us has carefully reviewed H.R. 800, legislation entitled ''The Employee Free Choice Act''; and, based on that review believe that the legislation is fundamentally flawed and should be rejected by the Senate. We fully agree with the position consistently expressed by the Federal courts and by virtually all experienced practitioners that authorization cards are inherently unreliable indicators of true employee choice. There simply is no more fair, accurate or democratic way to determine an individual's free choice on any matter than through the use of secret ballot election. We are also deeply disturbed by the legislation's binding arbitration provision. This provision would radically change the process of private sector collective-bargaining in the United States and such change is neither required nor beneficial. The success of private sector

collective-bargaining in the United States has long been premised on the traditional precept of contract law that the parties that must live up to a contract are the ones that must make the contract. The legislation would, in our view, do grave damage to the process of collective bargaining in the United States.

Again, I mention that these are both Republican- and Democratic-nominated people to the National Labor Relations Board who were approved by the Senate.

They go on to say:

Lastly, we believe that the remedial provisions contained in the legislation are unnecessary and counter-productive. Since its inception the National Labor Relations Act has provided that individuals who have suffered a loss because of violation of the act be made whole. The act has never made a provision for punitive sanctions. Because of this, the vast majority of claims before the National Labor Relations Board are voluntarily adjusted and fully resolved in a very short amount of time. Were the remedial provisions of H.R. 800 enacted, board litigation would increase dramatically, and the voluntary adjustment of claims that has been a hallmark of the board process would inevitably become a thing of the past. While this might be a boon to trial lawyers, it would result to no benefit to employees whose rights have been violated. Indeed, the sole effect on such employees would be to substantially delay the receipt of compensation to which they may be entitled.

For the reason noted, we would respectfully urge the Senate to reject H.R. 800 or, any other legislation, containing like or similar provisions.

That is signed by Marshall B. Babson, J. Robert Brame, Charles I. Cohen, Dennis M. Devaney, Peter J. Hurtgen, and John N. Raudabaugh.

Let's listen to what our Democratic colleagues have said in their more candid moments, which I quoted earlier. Let's listen to what the Federal courts have consistently told us. Let's listen to what the labor unions honestly believe, and to labor law experts who enforce the NLRA and were nominated by both Democratic and Republican Presidents and confirmed by a bipartisan Senate. Let's hear what they say. Let's listen to what they say. Most of all, let's listen to common sense. Only in a totalitarian country or a society imagined by George Orwell could anyone assert that the Government was going to afford free choice by stripping them of the right to vote by secret ballot.

It is plain to anyone who takes a moment to look that this legislation is not about employee rights, it is not about enhancing free choice, it is a transparent payback to organized labor at the expense of employee rights and employee choice.

I urge my colleagues to flatly reject the notion that we should even further consider this unwarranted and destructive legislation. The Senate, quite frankly, has too many matters of genuine substance and importance to be spending time on legislation that is plainly designed to profit the special interests at the cost of fundamental employee rights. Help me to be sure we do not take away the right to a secret ballot.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Mr. President, I yield such time as the Senator from Maryland may consume.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. KENNEDY. First, Mr. President, I ask unanimous consent that at 3:15 p.m. the Senate suspend its deliberation of the motion to proceed for the swearing in of the Wyoming Senator, and that any time consumed by that and speeches thereon not be counted against either side in the debate, with Senator SESSION's time delayed accordingly.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maryland.

Mr. CARDIN. Mr. President, first, let me thank my colleague from Massachusetts, Senator KENNEDY, for yielding me this time and for his leadership on behalf of working families and among the poor American workers.

I listened with great interest to the Republican leader talk about the concerns of protecting workers' rights to a secret ballot. He had one complaint. It seems this legislation is lopsided in taking away the right of a secret ballot. The Republican leader then said, well, we are going to not be quiet about this. We are going to talk about this and make sure people understand exactly what this bill does.

What I don't understand, and I think people listening to the debate will not understand and be somewhat confused about, is if you read H.R. 800, you will see the protection for a secret ballot is preserved. It is an option the workers have to be able to have a supervised election. It is still in this law. I think they are going to be more confused because we have a vote tomorrow where we are going to have a chance to bring this bill before this body where we can have a full debate and consider amendments.

Quite frankly, I have heard from a lot of my constituents about this legislation—some for, some against. Workers are concerned about the tactics being used by some employers to prevent unions from being able to collectively bargain. There are worker intimidations, where workers are fired; there are threats made that plants are going to be relocated if they dare choose to be represented by a union; there is propaganda put out by employers that is downright intimidating. Those things do happen and they deny workers the real freedom of choice.

Some employers have expressed concerns about the arbitration provisions in this legislation and about making sure they do preserve an equal opportunity to be able to talk to their employees. These are matters we can debate, if the Republican leader will allow us to bring this issue to the floor. After all, he said he wanted an open debate on this subject. Let us have an open debate. There are troubling concerns in this country. Nothing is more American than an honest day's pay for an honest day's work. America's great economic strength has been created because of fairness in the workplace, because of collective bargaining, because of the importance of workers in our economy, and effective collective bargaining. But as Senator KENNEDY pointed out a few minutes ago, we have some very troubling economic trends in this country—very troubling.

Real wages for U.S. workers are lower today than they were in 1973, even though productivity has increased by 80 percent. We do pride ourselves that each generation of Americans will live a more prosperous life than in previous generations. That will not be true for a large number of Americans. Today, wages are not keeping up with productivity. There is a problem in the workforce, and it affects all of us in this country. We need to do something about it.

Real median household income in my own State of Maryland has declined by 2.1 percent from 2000 to 2005. We find a widening of the income gap in America, a widening of the wealth gap in America. We should be moving to narrow that gap, not to see it continue to increase. We have a problem we need to deal with, and this legislation, H.R. 800, gives us an opportunity to debate these issues and determine whether the decline of unionization is one of the factors in contributing to these difficult economic trends.

CEOs are now paid 411 times what workers are paid in America—411 times. In 1990, it was bad enough at 107 times—once again, a widening of the gap. I remember when I was in college talking about the strength of America. The strength of America was that in all the western economic powers we had the narrowest gap between wealth and income. Now we have the widest. We need to do something about it. Unionization helps bridge that gap.

What has happened to unionization? In 1973, 24 percent of Maryland workers worked in a company that offered union representation. In 2006, that number dropped to 13 percent.

The United States has exercised international leadership. I listened as my colleagues talked about the letters we have written to other governments. We have been the leader in saying that workers rights is an international human rights issue. It is. America should be exercising leadership internationally on these issues. Some of us have argued on trade legislation that we should be doing a better job in protecting international workers' rights. But it also starts with what we do here at home, and we should be troubled that nationwide only 12 percent of U.S. workers have a union in the workplace. Surveys show that 53 percent want to have unions in the workplace.

I listened again to what the Republican leader said about secret ballots, and I know there is a disconnect here, because, again, this legislation doesn't

get rid of that. What this legislation tries to say is we want workers rights to be adhered to. If the majority wants to have a union, they should be able to have a union without intimidation from the employer. And if the majority does not want to have a union, they should be able to do that without intimidation from the union. Both are true. But in today's workplace, it is not balanced. H.R. 800 gives us the opportunity to debate this issue and, hopefully, act on this matter.

Why do we need this? As I have pointed out, we already have documented examples. Senator KENNEDY pointed out how many back wages have had to be paid because of wrongful firings. We can go through the list, but it is clear it is not effective today—not effectively giving workers a real freedom of choice.

This bill increases the penalties for illegal activities; allows the majority will of employees in joining a union; gives the framework for achieving negotiated contracts. It is a comprehensive bill. It is a bill that deals with more than just one subject, as the Republican leader keeps mentioning. It is a bill that tries to say, let us do a better job so that workers rights are protected in our economy and that workers who want to join a union are able to join that union and those who do not are equally protected.

We will never be able to get into that debate unless 60 Senators join us tomorrow to vote to bring up this issue. As the Republican leader said, this is an issue that shouldn't be kept quiet. Everybody should know where people stand on it. Tomorrow, Senators will have a right to do that by voting to bring this issue forward so we can have this debate in this body and in this Nation.

We should take every opportunity we can to act on behalf of protecting the rights of workers and working families here in this Nation. The statistics tell us we are not doing what is necessary for the growth of our economy. We need to make sure everyone prospers by our economy and we are not doing everything we need to do in that regard. That is why this Senator will vote to allow us to move forward to consider H.R. 800 when this issue is before us tomorrow.

I thank Senator KENNEDY for his leadership over so many years on these issues. He has been truly our leader in trying to speak up for what this Nation should be standing for. We are proud of the economic growth of America. Let us make sure all families can prosper in that growth. Senator KENNEDY has been our champion on those matters.

I urge my colleagues to support the effort to consider this legislation.

Mr. KENNEDY. Mr. President, if the Senator will yield for a question.

Mr. CARDIN. I will be glad to yield.

Mr. KENNEDY. And, Mr. President, I yield myself such time as we might use.

I listened to the very eloquent and persuasive speech of my friend from Maryland, and one of the points he made which I think deserves mentioning is the underlying disparity between the wealth of the Nation, between the very rich and basic workers in the country; and his pointing out that in the 1960s that difference was the narrowest in the greatest economy in the world—which is the United States of America—and now it is the largest between the very wealthy and the neediest people in our society.

I am sure the Senator remembers Henry Ford, who we all understand was the creator, the early entrepreneur of automobiles, and Henry Ford's concept at that time was to have a million people who had $10,000 a year to be able to support selling those cars and begin building the American economy. American workers brought us out of the Depression, fought in World War II, took a nation of close to 16 million men and women who had served in the military, came back, and transitioned again to being the most important economy in the world. Henry Ford understood it was important that there be a million people in America with $10,000.

I am sure he would be perplexed today that we have 10,000 people with more than $1 million. It is an extraordinary kind of irony that we have seen a small number with enormous kinds of wealth at that time in America, which had the strongest economy, as compared to now.

I share the concern the Senator from Maryland has, the direction we are going in, the indicators of where we are going and what is going to happen to that middle class, as the Senator pointed out; what is going to happen as tuitions go up and gasoline goes up, prescription drugs go up, and the pensions and security retirement are threatened, and the laws regarding what happens to workers.

As in Maryland, the same will happen to the workers in Massachusetts. These were always issues that workers and working families felt were important not only to their own families but to their neighborhood's family, their community family, and to the Nation's family. I am wondering if the Senator is not perplexed somewhat about his sense of the individual kind of activity, that we can let every individual sort of take care of themselves. They do not need health insurance; they can survive. They do not need much retirement to somehow be able to survive. They do not need much assurance about the cost of their house because they are going to survive. They are on their own, versus the coming together of a worker who is concerned about the common community and the common good.

I wonder if the Senator would talk a minute or two about how he sees which type of America he thinks is more in tune with our traditions and values.

Mr. CARDIN. Mr. President, I thank Senator KENNEDY for those comments and those questions.

As I said, I was in college during the 1960s, and I did listen to my professors when they talked about the strength of this country, and it was unions that brought us the sensitivity in the workplace to provide health care benefits for people who never had health care insurance, who brought retirement plans for people who didn't have economic security when they retired. We made tremendous progress during the 1960s, the 1970s, and the 1980s as more people got health insurance and as retirement plans were readily available to workers.

When we look at the record today, we find 46 million people without health insurance and we know there has actually been a reduction of employer-provided health benefits in this country. Every year more and more of the cost of health care is being put on the backs of the employees. There has been an erosion of middle-income families being able to afford health care, so many are now forced into bankruptcy because they can't pay for health care bills.

For two-thirds of Americans, when they retire, Social Security is their largest source of income. It was never intended to be that way.

We always thought private retirement would be a major security for people when they retired. We have not met those goals. So we have a shrinking middle class in America, and the middle class is critically important, as Henry Ford said, for the manufacturers and producers and farmers to be able to sell their wares here in America. To have economic strength, you need to have the middle class. You need to have the sharing of wealth among the people of this country, and we do not have that in America today. We are moving in the wrong direction. I think that is what troubles me the most. I know how important a growing middle class is to an economy, to the economic strength of our entire country, so everyone can benefit from this great economy. I agree, we have a great economy. We are the strongest economy in the world. But we have to tend to it, we have to deal with it. Protecting the growth of worker rights will help everyone in our economy, including the owners of our large companies. That is what is so troublesome about this debate. It is not employers versus employees. We want a level playing field. We want companies to grow in America because we want more good jobs in America and we want employees to be able to get fair compensation for their work. That is what this debate should be about.

I thank the Senator from Massachusetts for bringing this issue forward because it really does talk about what type of country we want for our children and our grandchildren.

Mr. KENNEDY. The Senator understands—as we listened to this debate—who brings support for this legislation. The Senator suggested broadly, during his comments, we have civil rights groups supporting the Employee Free Choice Act. Civil rights groups, community, religious, and poverty groups

all support it. Whether it is ACORN, Sierra Club, the Presbyterian Church, public health associations, the Churchwomen United, the Methodists, the Alliance for Retired Americans, the Mexican-American Legal Defense—this is a group, not only of workers, it is a representation of civil rights groups, of women's groups, church groups that talk about the morality and the fairness. They talk about the morality of this issue as well, the fairness of this issue. I think that is what I find so persuasive.

I wonder, if the Senator just had a minute, if he would not agree with me, in the outline of this legislation, that he finds this is an effective summary of the legislation? It requires the employer to recognize the union if a majority of employees sign valid authorization cards. So a majority has to find it. We have heard a lot of talk about expressing the minority and majority views.

It preserves, as the Senator has said, the elections if employees choose to ask for one. The employees, after all, are the ones who are going to be affected by this choice. We hear a lot about free elections. Here, this legislation preserves free elections if the workers want that. It then instructs the NLRB to make clear and fair rules for a majority to sign up to protect workers' rights. Not if you listen to some of the comments and statements on the floor about how radical this proposal is. Does the Senator not agree with me that this is a fairly straightforward proposal to give those workers who are working in a setting the opportunity to express their will as to whether they choose to join a union?

Mr. CARDIN. The Senator is absolutely right. To bring home the reason this is needed today, 53 percent of workers would like to have a union in their employment. Only 12 percent today have union opportunities. The will of the worker today is not being adhered to because of the tactics used by some employers to prevent a fair and open process for employees to choose a union.

Just to underscore one more time, this is allowing the employees to have the freedom of choice. We will never be able to get to a full debate unless we get the opportunity to proceed with this legislation, and that is what this vote is about. I think the point of the Senator is very well taken. This is not taking away private, secret ballots. That is still an option which is available to the employees. But it allows the employees to have a level playing field, which in many cases today is not true.

Mr. KENNEDY. I thank the Senator for an excellent presentation.

I see my colleagues desiring to address the Senate. I withhold.

Mr. CARDIN. Mr. President, I yield the floor.

Mr. ENZI. I yield such time as he desires to the Senator from Arizona.

Mr. KYL. Mr. President, I rise today in opposition to H.R. 800, the Employee Free Choice Act. While the bill's title suggests it would protect an employee's right to join a union, my belief is it would actually jeopardize that right. Actually, I would like to vote for cloture to allow this bill to be debated because I, frankly, think it would be defeated were that to be the case, and I would strongly oppose it. However, I will oppose cloture, not because I wouldn't like to have a debate on the bill but because I want to get to the next item of business before us, which is the immigration bill, which I hope we can complete before July 4.

As to the Employee Free Choice Act, as I think it is rather deceptively titled, it would remove the requirement that elections of union representation and leadership be conducted by secret ballot. The secret ballot, of course, is the ultimate protection for workers because it guarantees anonymity for every worker and protects workers from being submitted to coercion. Opposition to the bill even comes from the hometown newspaper of the bill's author, which notes in an editorial:

> [B]asing representation on whether a majority of signatures has been collected is a bad idea. . . . A worker who refuses to sign, or changes his or her mind and wants to revoke the signature, immediately becomes a target for pressure or retaliation by the union.

That is from an editorial, ''Want a Union? Vote One In,'' the Boston Herald, February 11 of this year.

Currently, if a union has signed cards representing 30 percent of the workers, it can inform the employer, and the employer can either accept unionization or request a secret ballot. The secret ballot must pass a 50-percent threshold among employees for unionization to take effect. What is more fair? That is democracy. That is what this country has been built on. It is how we have operated in this country ever since our inception. The so-called Employee Free Choice Act would remove the option of a secret ballot and allow a majority vote of the signed cards to justify the certification instead.

As someone who was elected to my office by secret ballot, I am hesitant to uproot a process that is a cornerstone of American democracy, as I mentioned, and has proven to work very well. If American voters were forced to choose their Representatives and Senators by being presented with a card and then told to choose in front of the candidate's own staffer, let's say, I think we would dismiss this as nothing more than political thuggery. Why should union representation be anything different? In some cases, union representation affects a person's health care and wages more directly than Congressmen do, so the integrity of these elections is important, and it must be upheld.

Speaking of the American voters, it is interesting to note that, according to recent surveys, 79 percent of voters oppose this so-called Employee Free Choice Act. Further, 89 percent of voters believe a worker's vote on union organization should remain private.

My friend, the Senator from Massachusetts, spoke of fairness and morality and mentioned various organizations. The one I remember was the church of which I am a member, the Presbyterian Church. I am a Presbyterian, and I don't think it is fair to remove the secret ballot, so I am not exactly sure what point that makes. It is best to stick with what has been the cornerstone of American democracy from our inception—the secret ballot; majority rule. It has been common practice for unions and employers for the better part of the 20th century and into this century, and it doesn't seem to me it needs to be changed now, especially with an extreme lack of compelling evidence to indicate that the current process has failed and in view of strong public and union opposition to doing away with the secret ballot. The Employee Free Choice Act crushes employee democracy, eliminates free choice for workers to unionize, and could expose workers to coercion; therefore, it should be defeated.

As I said I will join my colleagues in voting against cloture, not because I fear the debate—I think that would be healthy—but because clearly it is not going to pass. We might as well move on to our next item of business, which is the immigration bill.

I thank the ranking member.

Mr. ENZI. I yield myself such time as I might consume.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I listened to the Senator from Maryland, and I need to clear up some misunderstandings. I hope they are just misunderstandings. He said we should vote for cloture and let us debate. That really was not the intention of the other side of the aisle. If they really wanted us to have a debate, it would have gone through the regular process. This would have gone through the committee on which I am the ranking member, and we would have had a debate in committee. We would have had an opportunity for some amendments, maybe amendments that make the bill actually do what that side of the aisle is saying this bill would do.

I am most upset that they keep saying that under this bill, employees can still get a vote. This bill does not say the employees can get a vote if they want a vote. It simply does not. That is not just me saying it. We had the Congressional Research Service take a look at the bill and see if it requires the National Labor Relations Board to certify a union without any vote—and it does. Not vote. Only if the union sends in cards for only 30 percent of the employees will a vote occur as it does under current law. But the union organizers don't bother trying when they only have 30 percent of the people signed up. It is my understanding they seldom go for a vote unless they have

75 percent of the people signed up, and with 75 percent of the people signed up, in a secret ballot election they still lose 39 percent of the time.

This bill does not guarantee a vote. An employee who prefers to make his choice in a secret ballot election is not entitled to one under this bill. It does not guarantee a vote. That is not just my opinion. The Congressional Research Service, the Library of Congress folks who are dedicated to being impartial when they review bills, agree with me that there is no guarantee for a vote—unless there is only 30 percent of the people who sign up. That has been the rule for a long time.

I wish to point out one more inconsistency—maybe more than one. I really am kind of floored at the list of civil rights groups the other side presented—that those people put their name down as wanting to do away with a secret ballot. I would be no more surprised if they suddenly were for a poll tax.

Here is another little inconsistency in the debate here. There was a comment that there were 30,000 backpay orders for terminations during organizing drives. That is a misstatement. There were 30,000 backpay orders, but the vast majority of these claims have nothing to do with employee terminations during organizing drives. The vast majority of them have to do with bargaining claims and they are with members of already-established unions. For example, in 200, two thirds of the recipients of backpay orders were involved in a single contract interpretation dispute.

Union studies we've heard cited claim that half the employees who are offered reinstatement were illegally terminated during an organizing drive. There is not any basis for that estimate, but even assuming it is true, the number of discharges is very low. For example, in 2000, using the unions' own estimate, there were 600 unlawful terminations. In that same year, over a quarter of a million employees were involved in National Labor Relations secret ballot elections—hardly the 1 in 5 they are claiming; 600 out of a quarter of a million. That is about 1 discharge for every 416 employees. And that figure includes a huge percentage of settled cases in which there was never any finding that the termination was unlawful to begin with.

I have been fascinated by the charts we have seen, many of which—I am not sure what the sources were. We will be checking those and questioning them. But they really didn't have anything to do with taking the right to a secret ballot away from employees.

We have forgotten to mention that I have passed the Workforce Investment Act through this body unanimously on two occasions and then been blocked from having a conference committee with the other end of the building. The Workforce Investment Act would have provided training for 900,000 jobs in this country—900,000 people who could have had a higher wage. How come we are not watching out for those folks? A lot of them would have gone through union apprenticeships. But, no, we are not going to do the Workforce Investment Act. Instead, let's concentrate on taking away the secret ballot.

I have a lot more people coming over to speak on our side, people who really do think there needs to be debate on this issue. I am told that if we want to debate, we ought to vote for the cloture motion. That is interesting because we have already agreed to a unanimous consent request that will keep us from debating that after we vote for it—yes, there is an agreement that we will go to immigration after this vote no matter what the outcome. So there is no intention to debate this bill.

It is very unusual. To me it is a realization by the other side that this bill to take away an employee's right to a secret ballot is not going anywhere.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY Mr. President, I wanted to mention at this time, I know my friend from Iowa, Senator HARKIN, is on his way, so I will speak for just a few moments until he comes about who is affected by this legislation.

We hear these words used around here: ''free and open elections,'' ''nonintimidation,'' ''under the existing program.'' Let me give you a few examples of what is happening in the real world.

Here is Ivo Camilo, a vend pack operator at Blue Diamond Growers. This is from the hearing we had on February 8, 2007. These are his quotes.

> In group captive audience meetings and one-on-one talks, company officials and supervisors threatened we could lose our pensions and the other benefits if the union came in. We told them we knew our rights. Less than a week later I was fired.

This is free and open election that we are talking about. This is the real world where the employer has the power, the power of intimidation.

Then he continues: After they were found guilty and had to rehire me and a coworker, they fired another union supporter. Getting a union shouldn't be so hard.

Here is another person: I thought the laws protected workers. I was wrong.

Jose Guardado, a former meatpacker, Omaha, NE:

> My coworkers and I wanted a union at work to fight back against the dangerous working conditions, the lack of respect, and abusive treatment.

Working conditions are one of the principal concerns that many of these workers have, not only the economic rights but the dangerous working conditions. He continues:

> The company terrified workers for standing up for their rights. They threatened to fire union supporters, threatened to close the plant, brought in a bunch of strange workers on the day of the election, just to get them to vote against the union.
>
> Then they began firing workers who had supported the union. This company took away my livelihood, hurt my family, just to keep us from organizing unions.

This is what was happening in Nebraska.

Here is a nurse who was pulled away—this is important because it is not just working conditions or the economic conditions, but it is the patients, what happens to the patients. Here is Linda Merfeld, Dubuque, IA:

> Fewer and fewer nurses have been taking care of more and more patients. These staffing patterns jeopardize the quality of care of our patients. In 2003, I joined with other nurses to gain a voice on the job. Managers started holding meetings one on one and in small groups with nurses to spread myths and half-truths about forming a union. Not only were these meetings mandatory—mandatory—the employer mandates that these workers show up at the meeting, but the nurses were pulled away from patient care to attend them.

Nurses were pulled away from patient care to attend them. These are these free and open elections that we just heard referenced on the floor of the Senate.

A nurse with 30 years of experience was fired for speaking out about patient care issues. No one should be fired for trying to have a voice in the decisions that affect their jobs and patient care.

I see my friend from Iowa is here. I was just talking about Linda Merfeld from Dubuque, IA, Finley Hospital out there, and how she was dismissed out there. I see the Senator from Iowa here on the Senate floor.

I yield him 10 minutes. I believe at a quarter after 3 there is a previous order. Am I correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY. So I yield the time until quarter after 3.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. I thank Senator KENNEDY for his great leadership on this issue and so many other issues that pertain to the rights of working families in America.

There is a need for organized labor in our country. When workers join together and act collectively, they can achieve economic gains and worker safety that they would not be able to get if they negotiated individually.

History tells us this: Union members were on the front lines fighting for the 40-hour workweek, paid vacations, minimum wage, employer-provided health insurance and pensions. Organized labor led the way in passing legislation to ensure fair and safe workplaces, and in championing many other safety nets we have such as Social Security, Medicare, and the Family and Medical Leave Act.

But, unfortunately, continued forward progress is not inevitable. We have seen in recent years, as union membership has declined, wages have stagnated, the numbers of uninsured have risen, and private companies have been allowed to default on their pensions threatening the retirement security of millions of Americans.

It is clear to me that in order to rebuild economic security for the middle class in America, we must first rebuild strong and vibrant unions; and to rebuild strong unions, we must first reduce the unfair barriers to union organizing. A recent study by the Institute for America's Future confirms this by comparing organizing campaigns in the United States and Canada. The study found that more worker-friendly certification rules resulted in increased union participation.

But, of course, this is all just common sense. If you reduce the barriers to workers joining unions, more workers will join. What does that mean? Well, as the study made clear, by passing this Employee Free Choice Act, by making it easier for workers to band together, more than 3½ million Americans would be able to secure health coverage, more than 3 million Americans would have access to employer-based pensions.

Middle-class families in this country have an increasingly difficult time making ends meet. More than 47 million lack health insurance, that is including 251,000 Iowans, and even those who get it find it covers less and less. This should not be happening in America. When productivity rises, everyone should see a fair share of the gain. But in the past several years, increasing productivity has gone hand in hand with a growing wage gap.

According to the nonpartisan Congressional Research Service: Adjusted for inflation, average worker pay rose 8 percent from 1995 to 2005; but median CEO pay at the 350 largest firms rose 150 percent over the same period.

In my home State of Iowa, real median household income fell by 3.4 percent between 1995 and 2005, at the same time productivity increased. So workers are working and becoming more productive, but they are not getting any of their fair share.

By passing the Employee Free Choice Act, by giving workers a seat at the table, we can start to reverse this negative trend. Union participation in the workplace means everybody wins. When employees have a voice, not just to ask for better wages and benefits but to make suggestions on how to do things better, employers benefit also.

Union employees take pride in their work and they work to get more training. They are happy to help find other efficiencies in the operation because they know if they do they get a share of the savings.

Unfortunately, the scaremongers out there are trying to tell us that the Employee Free Choice Act takes away employee rights to a secret ballot. Nothing can be further from the truth. This bill does not establish a new election process. It merely requires employers to honor the employee choice.

Right now a company gets to decide whether it will recognize a majority signup vote. Well, why should just the company get to decide that? Why should employees not get to decide that? That is what this bill does. It levels the playing field. It says the employees get to decide as well as the company.

If the employees want to use the National Labor Relations Board process, they can do that also. But we know from hard experience—the best teacher, hard experience—that process can be threatening and intimidating to many employees.

So in addition to making it easier to form a union in the first place, the Employee Free Choice Act provides for arbitration for the first contract. I know from personal experience how a company can bust a union and cause major hardships for their employees.

My brother, Frank, was a member of the UAW for 23 years. He worked at a plant called Delavan in West Des Moines, IA, for 23 years, a proud union member. He had a good job as a machinist, operating machines, made parts for the military, had good pay, good benefits, a good pension.

In 23 years he had only missed 5 days of work. In 23 years the union never went on strike, never had a work stoppage. But then Mr. Delavan, the owner, decided to sell the plant. And he sold it to a group of investors. One of those investors bragged openly—it was in the Des Moines Register—if you want to see how to bust a union, come to Delavan, we will show you how. He openly bragged about it.

What happened? Well, the investors took over. When the union contract came up, the company put forward conditions with which no union could ever agree. So what was the union forced to do? To go out on strike. For the first time ever in 23 years they went out on strike.

Well, then what did the company do? They brought in replacement workers. Then what happened? There was a long bitter strike. I remember it well. After 1 year, as allowed by labor law, they had a decertification vote. Who votes to decertify? Well, the replacement workers. So they voted them out. They did not want to lose their jobs. So they voted to decertify.

So after 23 years, my brother Frank was out of a job. He lost his union job with excellent pay, vacation, pension. Now, I ask you, what does a 54-year-old deaf man—and my brother was deaf. He is disabled. What does a 54-year-old deaf man do when he loses that kind of a job? I will tell you what he did. The only job he could get was as a janitor working in a store at night in a shopping mall—minimum wage, no union, no pension, no benefits, nothing.

This is a real-life story, folks. That happened to my family. Not only did it just destroy my brother's livelihood, it broke his spirit. That is what happens when unions are weakened and destroyed, jeopardizing our middle-class way of life. That is what is happening today, my friends, to tens of millions of workers all over this country.

I will close with this, from a December 2005 letter by 11 Nobel Peace Prize winners:

Even the wealthiest nation in the world, the United States of America, fails to adequately protect workers' rights to form unions and bargain collectively. Millions of U.S. workers lack any legal protection to form unions, and thousands are discriminated against every year for trying to exercise these rights.

It is time to level the playing field and to give them a truly fair process.

CERTIFICATE OF APPOINTMENT AND CREDENTIALS

The VICE PRESIDENT. The Chair lays before the Senate the certificate of appointment of Senator JOHN BARRASSO of the State of Wyoming. Without objection, it will be placed on file and the certificate of appointment will be deemed to have been read.

The certificate of appointment is as follows:

OFFICE OF THE GOVERNOR,
The State of Wyoming.

CERTIFICATE OF APPOINTMENT

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES: This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Wyoming, I, Dave Freudenthal, the Governor of said State, do hereby appoint John Barrasso a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by the death of Senator Craig Thomas, is filled by election as provided by law.

Witness: His Excellency our Governor Dave Freudenthal, and our Seal hereto affixed at Cheyenne, Wyoming, this 22nd day of June, in the year of our Lord 2007.

By the Governor:

DAVE FREUDENTHAL,
Governor.

MAX MAXFIELD,
Secretary of State.

ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. The Senator will present himself at the desk. The Chair will administer the oath of office as required by the Constitution and prescribed by law.

The Senator, escorted by Mr. ENZI and Mr. Wallop, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Vice President; and he subscribed to the oath in the official oath book.

The VICE PRESIDENT. Congratulations.

[Applause, Senators rising.]

The VICE PRESIDENT. The minority leader is recognized.

Mr. MCCONNELL. Mr. President, let me say briefly a warm welcome to the new Senator from Wyoming, Senator BARRASSO. He has big shoes to fill with our departed colleague Craig Thomas. I am sure he is up to it. Given the average age of this institution, it is certainly good to have another physician in the Senate. An orthopedic surgeon may be particularly useful. I had a chance to meet with the new Senator this morning. He is a bright, capable

person. I commend the Governor of Wyoming for an outstanding choice and look forward to serving with the Senator for many years.

I yield the floor.

The PRESIDING OFFICER (Mr. PRYOR). The majority leader is recognized.

Mr. REID. Mr. President, the last physician we had, Senator Bill Frist, was a great public servant. I worked very closely with him over the years I was Democratic leader. The one thing I learned from Bill Frist is that a physician is always a physician. Everything Bill Frist did was through the eyes of someone trying to heal people. I am confident our new Senator, the esteemed Dr. BARRASSO from Wyoming, will be the same. As everyone knows, my personal relationship with Bill Frist was a very warm, close one. I believe like most of us who served with Bill Frist, whenever there was a medical problem in their life, whether it was family or a friend, Bill Frist was the first person they went to. I am confident we will now have another physician to go to. I was in a little trouble after Bill Frist left because all I had was my veterinary friend JOHN ENSIGN to go to. Now we are better off. I wish him the very best, and we are happy to have him with us.

EMPLOYEE FREE CHOICE ACT OF 2007—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Who yields time?

Mr. ENZI. I yield the Senator from Texas such time as he may require.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. I thank the distinguished Senator from Wyoming and offer my congratulations, together with the entire Senate family, to our new Senator from Wyoming. He has big shoes to fill, but I know he is ready to work hard, and he certainly couldn't have come to this body at a more propitious and challenging time.

IMMIGRATION REFORM

Mr. CORNYN. Mr. President, as we continue to debate proposed solutions to our Nation's immigration crisis, we have heard a lot of strong language about how important it is that we find a solution. I couldn't agree more. At the same time we have been treated to some incredible claims, if not downright myths. That is not to say this bill is all bad, because it isn't. But neither is it true that it is all good and can't be improved by a little time to offer amendments and debate them. Instead of a reasonable approach, however, we have been told, for example, that this bill is better than the status quo which some have defined as de facto amnesty. I disagree. What we have now is lawlessness and disorder, not a de facto amnesty.

It has been suggested this bill is better than rounding up 12 million undocumented immigrants, so the only option is to confer upon them the greatest gift America can give a human being, which is American citizenship. The American people can see through that argument in a heartbeat. There are plainly other options available, somewhere in the middle between those two extremes.

Then we have been told unless we agree to what some have rightly identified as indistinguishable from the 1986 amnesty, we can't get border security or a secure means of identifying legal workers on the job. I ask: Why should security be made a hostage to those demands? Employers have been told the only way they can get legal workers to fill in labor shortages is the present bill. That clearly is not the case.

I believe we can do better than this bill. I sincerely want to fix this problem in all of its manifestations. What I do not want to be a party to is trying to fool the American people. I value the trust my constituents have placed in me too highly to overpromise, which this bill does, when the American people have good cause and good reason to know we cannot deliver as advertised.

The fallacious arguments I have referred to and the process by which this bill has been produced, which further inflame the skepticism of the American people, seem only to confirm for many Americans that the Senate is not serious about fixing our broken immigration system. If we are going to insult the intelligence of the American people with such specious justifications for this bill, how can they trust us? Moreover, how can they have any confidence that the various assurances on border security, worksite enforcement, security checks, and implementation of the provisions of this bill will actually work as advertised?

We all know our broken immigration system is a serious threat to national security. Border security, after all, is about national security. So the question we have to ask ourselves is: Does this bill make us safer? The more we have debated the bill, the more I have become convinced this legislation is not only dysfunctional, but unless corrected, some provisions of this bill present an actual danger to our Nation. This bill puts such onerous burdens on our law enforcement officials and ties the Government's hands in so much redtape that it will make us less, not more, safe. Some of the individuals involved in the recently foiled terrorist plots at JFK Airport and Fort Dix were in our country illegally. Some of those involved had even been granted citizenship by our current flawed immigration system. Thankfully, these plots were uncovered before they could be carried out. But knowing that there are likely terrorist cells already present in the United States, how can we in good conscience grant same-day legal status to more than 12 million foreign nationals?

Naturally, this bill does purport to require a background check. But instead of providing a reasonable timeframe for these reviews, an impossible burden is placed on our already overworked citizenship and immigration services to provide these checks in 24 hours. It simply cannot be done. Under our current immigration system, this office already does more of these screenings than it can handle. The Government Accountability Office reported last year this agency was stretched to the breaking point already. This has resulted in an unofficial 6-minute rule, the most amount of time that can be spent adjudicating any one application. Adding an average of 48,000 applications a day more will further backlog an already overtaxed system, meaning less in-depth reviews and more haphazardly granted visas. Again, more cases and less time for review of these applications can do nothing but increase the likelihood of mistakes.

An article in the June 17 edition of the Washington Post explained that a large part of the backlog involved in our current system was due to FBI name checks. Delays in FBI name checks already force long waiting times for citizenship applications. The Post reports that of about 329,000 cases pending as of May, 64 percent were stalled for more than 90 days, 32 percent for more than 1 year, and 17 percent for more than 2 years. They added that the backlog appears to get worse because of a fee increase slated to take place in July which has prompted a 50-percent rise in new naturalization applications so far this year. If a new immigration bill is enacted, millions of foreign nationals would also apply for legalization.

This problem is even more apparent considering the difficulties the State Department and the Department of Homeland Security have had this summer in implementing the new western hemisphere travel initiative. Of course, this legislation requires American citizens to have a passport for travel to Canada or Mexico, where that requirement did not exist before. Although the Federal Government had 3 years to get ready for this new stricter visa requirement and passport requirement, the Federal Government failed to adequately prepare, causing disruptions in the lives of tens of thousands of American citizens. If the Federal Government can't get it right with 3 years' notice to process passport applications for American citizens, how will it deal with the increased complexities and burden of processing up to 12 million foreign nationals? I wonder what the Government's response will be to the even larger backlog this bill will create? Will we simply give up on background checks altogether, when the citizenship and immigration service realizes what an impossible burden has been placed upon it?

As we overload our already fragile system and background checks are either too cursory to be safe or too delayed to meet unrealistic deadlines, we will be undoubtedly granting legal status to some individuals who should not

get it. The potential danger is actually worse than it might appear at first blush. Not only do we need to be concerned about terrorist cells and other criminals in our country, we should also be concerned about the privileges these individuals will receive with same-day legal status.

Most notably, the ability to travel in and out of the United States presents a great threat to us and to others. Those already in our country with the knowledge and ability to train others could travel to foreign nations, teaching terrorist cells everything from combat tactics to explosives construction. At the same time, terrorists in our Nation who do not possess the knowledge and training to participate in such attacks could use their new travel visas to visit training sites in other countries, bringing their newfound knowledge back home to America.

For example, a May 28 article from the New York Times describes the problems created by free travel in and out of nations surrounding Iraq. That article says:

> The Iraq war, which for years has drawn militants from around the world, is beginning to export fighters and tactics they have honed in the insurgency to neighboring countries and beyond.

The Times has reported:

> Some of the fighters appear to be leaving as part of the waves of Iraqi refugees crossing borders. . . . But others are dispatched from Iraq for specific missions.

Granting same-day legal status and the privileges that accompany it to poorly screened foreign nationals has the risk of making us less safe and, indeed, potentially helping spread this threat not just to America but to other places around the world.

The impossible goals of this bill do not stop there. The bill calls for the Department of Homeland Security to define, procure, develop, and implement a worker verification system to check 200 million Americans in less than 2 years. How can the American people have any faith in the enforcement provisions of this bill when these provisions include unattainable goals and untenable standards?

For this reason, it is important we not pass any immigration legislation that makes these mistakes and repeats so many from the 1986 predecessor. I continue to hope we can pass meaningful, safe immigration reform. Everyone knows our current immigration system is broken, and I wish to see it fixed. But this bill will not do it.

Finally, one of the biggest problems we have had with this legislation centers around the way it came to the floor of the Senate. Written behind closed doors, this bill did not even see the light of a committee room. Instead, it promptly proceeded to the floor of the Senate. The short-term result was predictable. Senators wanted to offer amendments, many of them including important improvements which might have been appropriately dealt with in the committee process.

The majority leader's frustration with the number of amendments being offered led to that bill being pulled after almost 2 weeks on the Senate floor. Now a new bill is back. Instead of learning from our mistakes, the bill has once again been secretly negotiated, and will once again forgo the committee process.

What is worse, we have been told it will be presented to us with bipartisan amendments already chosen by a select few Senators, unrepresentative of the wide variety of strongly held views in the Senate.

There is a list of amendments which I believe ought to be included in this bill, amendments that I think might find support among my colleagues if given an opportunity to offer them—provisions such as one that would prevent criminal aliens from delaying and even avoiding their deportation by filing frivolous applications for a Z visa, and then appealing against those denied applications.

Another amendment I would offer, if given an opportunity, would prohibit criminal aliens, including gang members and absconders, from tying up our courts with frivolous appeals from the denial of a request for a waiver of grounds for removal. The bottleneck sure to ensue without these two provisions will cause extensive delays that will only increase the costs involved with this bill and allow abuse of the system.

A third amendment I would offer, if given an opportunity, would require judges to consider national security implications before issuing nationwide injunctions against immigration enforcement, an essential provision to protecting our border, something this bill claims to do.

I wish to add an amendment preventing those who have committed terrorist acts or aided terrorists from asserting they are meeting the ''good moral character'' requirement—something that seems so inherently obvious that I am shocked this bill, as currently written, would allow it.

Last year, Mohammed El Shorbagi pleaded guilty to providing material support to the terrorist organization known as Hamas. His conviction, however, did not specifically bar him from seeking American citizenship because under the law aiding an organization that routinely fires rockets on innocent civilians, families, and neighborhoods, abducts and kidnaps individuals, and has most recently staged a violent coup of an established unity government does not in any way affect your ''good moral character,'' as currently written. It is a dangerous shortcoming of our laws which will not be addressed because of the closed and secretive manner in which this bill is being considered.

I wish also to limit the timeframe for an appeal to 2 years so that court proceedings do not drag on endlessly, wasting tax dollars, and allowing those who are not entitled to the benefits of our immigration system to remain here indefinitely under the cover of an appeal.

These are only five of the amendments which I wish to offer which I think would make this bill better, if I had a chance to offer them and if Senators had a chance to vote on them. Others would make it harder for gang members to qualify, force immigrants to file a change of address notification with the Department of Homeland Security when they move, and authorize the detention of dangerous aliens during their deportation trial.

Unfortunately, under the process the majority leader will provide us, no opportunity for these measures to be considered will be allowed and, thus, they will not be in the final bill.

Rather, the world's greatest deliberative body will be presented with a bill that has not been fully considered, will not be fully debated, and where there will not be an adequate opportunity to offer and vote on amendments. Since when did the Senate have so little to say when shaping legislation which we will vote on? Since when did the majority leader get the power to force legislation on the rest of the Senate?

I cannot support this flawed bill or this broken secret process that has produced it. I hope my colleagues will join me in insisting upon free and open debates, which are the hallmark of the Senate, and which are the only possible path forward to providing a rational, commonsense answer to the challenge of immigration reform.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. WYDEN. Mr. President, I ask unanimous consent to speak for up to 30 minutes as in morning business, with the time taken from Senator KENNEDY's time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oregon is recognized.

HEALTHY AMERICANS ACT

Mr. WYDEN. Mr. President and colleagues, there will be a great deal of activity in the Senate this week, and I want to take a few minutes to talk about the fact that this is going to be a big week in American health care as well.

There will be considerable effort devoted to the State Children's Health Insurance program. I see our friend Senator HATCH on the floor of the Senate. I commend Senator HATCH for his work on this program. The effort on the State Children's Health Insurance Program, in particular, has been a bipartisan one, involving Senator BAUCUS, Senator GRASSLEY, Senator ROCKEFELLER, and Senator HATCH. I commend their efforts on this legislation. Senator HATCH and I have talked about this in the context of health care reform many times. It is a moral blot on our country that so many youngsters do not have quality, affordable health care, do not have good coverage

like the children of Members of Congress.

So I want it understood that I am in strong support of the bipartisan efforts on the State Children's Health Insurance program that are ongoing in the Senate Finance Committee on which Senator HATCH and I serve. I particularly commend Senator BAUCUS, Senator GRASSLEY, Senator ROCKEFELLER, and Senator HATCH for the leadership they have shown.

Also, this week there will be several other significant activities in health care. Tomorrow, the Senate Budget Committee will open hearings on comprehensive proposals to fix American health care. They will start by looking at the bipartisan legislation I have worked on with Senator BENNETT of Utah. It is the first bipartisan proposal to overhaul American health care in almost 15 years. That and other approaches will be talked about in the Senate Budget Committee with the chair of our committee, Senator CONRAD, and Senator GREGG, having a longstanding interest on the question of health care reform, realizing you cannot get on top of big budgetary challenges in the United States if you do not address health care.

Then, finally, at the end of the week, my guess is there are going to be a lot of Americans flocking to the movie theaters to look at Mr. Michael Moore's movie. I will say, for purposes of the discussion this afternoon, since I am not in the movie business, I will spend my time this afternoon talking about health care legislation that is bipartisan in the Senate. Since I have mentioned the question of SCHIP, and how important it is, and how important it is that it be addressed quickly, let me turn now to the question of the Healthy Americans Act.

After 60 years of debate, going back to the days of Harry Truman, I believe the cure for America's ailing health care system is now within reach. My view is we are seeing encouraging signs pop up everywhere.

For example, the business community has done an about-face on the issue of health care reform. For example, in 1993—the last time Congress tackled this issue, during the Clinton administration—the business community said: We cannot afford health care reform. Now the business community is saying: We cannot afford the status quo. Previous adversaries, particularly business and labor, are now coming together to work for reform.

As the distinguished Presiding Officer knows, from our discussions when I introduced my legislation, the bipartisan Healthy Americans Act, we had Andy Stern, the president of the Service Employees International Union, standing right next to Steve Burd, the president of Safeway Company, and mid-size employers and small employers. So we are seeing the business community that so often has been at odds with labor and others coming together with them saying: We cannot afford the status quo.

Finally, it seems to me we have had a coming together of Democrats and Republicans on this issue. I am very pleased, under the leadership of my lead co-sponsor, Senator BENNETT, many Republicans have said they will go to a place they have had questions about in the past; that is, covering everybody. You say those words, ''covering everybody,'' and, of course, to some people that implies you are going to have a government-run plan, it is somehow going to be a socialistic kind of plan. Well, many conservatives, many Republicans have come to agree with Senator BENNETT and me that you cannot fix American health care unless you cover everybody because if you do not cover everybody, what you have is people who are uninsured shifting their bills over to those who are insured.

Families USA has done an analysis indicating, in their view, that those who have insurance may pay in the vicinity of $1,000 worth of their premium to cover people who do not have insurance. So my view is, with Republicans and Democrats coming together in an area saying, ''Let's make sure everybody is covered,'' we do have positive signs for reform.

Now, of course, bumping up against these positive signs is the popular wisdom. The popular wisdom, of course, is: Oh, Government cannot possibly put something together. People say: Oh, Government cannot organize a two-car parade, let alone fix something that will be a seventh of the American economy: American health care. People say there are too many lobbyists—too many lobbyists—many more than legislators. They are going to block it. They say, of course, touching on the point I made earlier, that people who have coverage, they are going to say: Gosh, I would rather stay with the devil I know rather than that other guy, that other devil. But I will tell my colleagues, I think the public understands the system is broken, and if now the Congress comes forward with a step-by-step strategy to fix American health care, I think the public will be receptive.

So let me outline, for purposes of a brief discussion, what goes into the diagnosis with respect to what is ailing American health care. I think, for the most part, people understand what is ailing our health care system, so I am going to make this diagnosis brief. First, for the amount of money we are spending in this country annually—$2.3 trillion—you could go out and hire a doctor for every seven families in the United States. So let's talk about what that means for folks in Arkansas and what it means for folks in Utah. If you divide the number of people in this country—300 million—into $2.3 trillion, which is what we will be spending on health care this year, you could go out and hire a doctor for every seven families in the State of Arkansas, pay the doctor $200,000 for the year and say, Doc, that is your job. You are going to take care of seven families. Whenever I am out and about speaking to physician groups, they always come up to me and say: RON, where do I go to get my seven families? Because I like that idea of being able to be a physician again, to actually be an advocate for patients. So we are spending enough money.

Now, despite these enormous sums and the fact that we have thousands of dedicated, caring, and talented health care professionals, the collective value we get for our health care dollar in America is shockingly small. For example, we are 31st in the world in life expectancy, having recently surged ahead of Albania but still lagging behind Jordan. On infant mortality, we are beating out Belarus, but we are still lagging behind Cuba.

Part of our challenge is we don't have a lot of health care; we have mostly sick care. Medicare Part A and Part B show this better than anything else. In the State of Arkansas, under Part A of Medicare—or Utah or Oregon or anywhere else—Medicare will pay thousands of dollars for senior citizens' bills. It goes right from Medicare to a hospital in Arkansas and Oregon. Medicare Part B, however, the outpatient part of Medicare in our States, pays hardly anything for prevention, hardly anything to keep people well, and keep them from landing in the hospital and racking up those huge expenses in terms of health care. We ought to change that. We ought to change it, and I am going to talk a bit about how the Healthy Americans Act does it and does it with incentives.

In addition to this bias against wellness and against preventive health care, we have a system where the biggest expenditure, which is the tax breaks for employer-based coverage, goes disproportionately to the wealthiest of us and encourages inefficiency to boot. Under the Tax Code today, if you are a high-flying CEO, you write off on your taxes the costs of getting a designer smile. But if you are a poor woman working at the corner furniture store, you get virtually nothing. The biggest reductions now in employer-based coverage—the biggest reductions, according to a new study by the Robert Wood Johnson Foundation—comes in the area of low-income workers.

So that is a bit about the diagnosis, and I already mentioned the fact that people who have insurance pay about $1,000 from their premium for folks who are uninsured.

Now I wish to talk about what we are going to do about it. What is it we are actually going to do about the big challenges with respect to health care? When I have gone home and had town meetings, we have always had kind of a back and forth early on between folks who say they want a government-run health care system of some sort and folks who want a private sector-oriented system. The discussion goes back and forth, and I am sure my colleagues have had similar experiences when they are home talking about health

care. But finally, after a little bit of back and forth, somebody in the audience stands up and says: RON, we want health care like you people in Congress have. We want coverage like you people and your families have. Then everybody starts cheering. Everybody is cheering for that. Nobody knows exactly what it involves or what it constitutes, but they figure if Members of Congress have it, that is what they want as well. So I very often, at that point, reach into my back pocket and take out my wallet, take out my Blue Cross card and ask people if that is what they want. It is private insurance. It covers me. It covers the Wyden family. People say, yes, that is what they want.

So I wrote a piece of legislation, the Healthy Americans Act, that gives folks across the country—in Oregon and Arkansas and Utah, across the country—guaranteed coverage such as Members of Congress get, delivered in a manner such as Members of Congress have, with choices and benefits such as Member of Congress have. Folks can get all the details about how this works at my Web site: Wyden.senate.gov.

Now, the Lewin Group—they are an independent, nonpartisan health care consulting group; kind of the gold standard for health policy analysis—says you can make that pledge, the pledge that I made for coverage at least as good as Members of Congress get, for all Americans for the $2.3 trillion that is spent annually, and, according to the Lewin Group, you would reduce health care spending by almost $1.5 trillion over the next decade.

Here is a bit of how the Healthy Americans Act works. Our country has about 300 million people, as I have mentioned. I don't alter the basic structure of care for Medicare, the military, and the small Government programs. The reforms I make to the Medicare program keep the basic structure of Medicare as is, but we do tackle the two biggest challenges facing the program.

The first is we are seeing a huge increase—a huge increase—in chronic illness. These are folks with heart and stroke and diabetes, a variety of problems that are chronic in nature. In fact, the estimate is about 5 percent of those on Medicare use up about 60 percent of the Medicare expenses. So we create efficiencies for how to better manage the chronic care that this large group of people incur. I think it will help generate savings for the long term. As we do that, we attack the underlying reason so many Americans need chronic care; that is, prevention has been given short shrift. So under our legislation, we create incentives for parents to enroll children and their family in preventive programs. They get lower premiums if they do. With respect to Medicare specifically, for the first time we authorize the Government to lower Medicare Part B premiums, the outpatient premiums, so that if seniors lower their blood pressure, lower their cholesterol, and engage in sensible, preventive medicine, they would experience lower premiums.

So we make improvements to Medicare, and Government programs clearly can be refined. But I am of the view that in the area of Medicare and the VA and some of the smaller Government health care programs, we basically ought to focus on keeping the basic structure as it is and making improvements as I have outlined in the chronic care and prevention care within that basic structure. So if you do that, if you set aside Medicare and the VA, you are left with about 250 million people. About 170 million of those folks get their coverage through employer-based health care. About 48 million are uninsured. They are often without any coverage at all. They may have some very modest coverage—charity care—and then we have folks in the individual market and Medicaid.

So let me describe what we do for folks in that area where there are 250 million people, folks who aren't covered by Medicare or the VA. If a citizen does have employer coverage, the employer is required by law to cash out the worker. We do it in a way so that with the very first paychecks, the first paychecks issued under the Healthy Americans Act, the worker will win and the employer will win.

Let's say, hypothetically, in Arkansas or Oregon, you have a worker who has a salary of $50,000, and the employer is purchasing $12,000 worth of health care benefits for them as well. Under the legislation, the employer is required by law to give the worker $62,000 in compensation—salary plus the value of their health care benefits. Then, we adjust the workers' tax bracket so they don't pay any additional tax on the additional compensation. That is important because, for all practical purposes, Senator BENNETT and I have legislated the biggest pay raise in the country's history by putting that extra cash in the workers' pockets. So when the worker sees it—we spent a lot of time talking about it—the worker says: That is pretty cool getting all this extra money. What is the catch? There has to be a catch if I am getting all this extra compensation. There is a catch. The worker, under the Healthy Americans Act, has to buy a basic health insurance policy, including prevention, outpatient, inpatient, and catastrophic—a basic policy. The first thing the worker is going to say is: How in the world do I do that? How am I going to be able to buy my own coverage? So we set up something called Health Help to make it easy for people, and people could do it online, to purchase their own coverage. We fixed the private marketplace to make it easier. Private insurance companies can't cherry-pick. They can't take just the healthy people and send sick folks over to Government programs more fragile than they are. There is community rating. People go into big pools so you can spread the cost of the risk. There is guaranteed issue so you can't be turned down. We also prevent people from being hammered because they have a preexisting illness.

So that is the way it works for folks who now have coverage, about 170 million of them. In the case of the worker I described in Oregon and Arkansas, $50,000 in salary, $12,000 in health care, $62,000 in compensation, if they can use that to go out, say, and buy a basic health insurance policy for $11,500 rather than the $12,000 they are now getting for health care, they can be on their way to Oregon for a great fishing trip in Central Oregon, because that is exactly what we are trying to do, is to create marketplace incentives for folks to try to hold their costs down. If the employer doesn't offer the coverage, employers make a contribution on the basis of their revenue per employee.

We had three groups of employers we worked on with this: large employers, medium-sized employers, and small employers, and when we launched the whole effort, there were representatives from each of those three employer groups. So it is a bipartisan bill: Senator BENNETT, a Republican, and myself, a Democrat. It is bipartisan, and it has the support of business and labor organizations.

Where does the money come from to pay for the Healthy Americans Act? We can make substantial savings by redirecting the Tax Code away from the system today which disproportionately favors the most affluent and rewards inefficiency. We steer it more to the middle class and the working poor. There are substantial administrative savings. According to the Lewin Group, this consulting group for private insurance, we have the administrative costs down to under 5 percent. That means we are going to systematically drive out a lot of what is being spent on marketing and underwriting and various kinds of inefficiency, which is clearly unneeded. We make substantial savings in what is called the disproportionate share of funding that now goes to the hospitals when they have to pick up the bills for those who are uninsured. It makes so much more sense. Instead of a poor person who has no coverage going to a hospital emergency room in Arkansas or Oregon or Utah, it makes so much more sense to use the scarce dollars so that person can afford a private insurance policy. It would be targeted at outpatient care and inpatient care and prevention rather than frittering away so much of our scarce resources for hospital emergency room services.

This legislation does that. The insurance companies compete not on the basis of cherry-picking but on the basis of price, benefit, and quality. Finally, we make care for the poor much more efficient and humane. Right now, if you are poor in America, you have to go out and try to squeeze yourself into one of perhaps 30 boxes in order to be able to get care as someone who is low

income. I think that is degrading and inefficient. We can do better.

Under the Healthy Americans Act, we say care for those individuals is automatic. They would get covered automatically. Once they are signed up, they are in forever. I know there are many who are saying that fixing health care is not possible in this Congress. I already mentioned the good work of Senator ROCKEFELLER, Senator HATCH, Senator BAUCUS, and Senator GRASSLEY on the children's health program. I will be with them all the way. They have done very good work. The fact that so many kids don't have decent health care is morally wrong and Congress ought to address it. I am going to do everything I can to help them.

I think this Congress ought to go farther. I don't think we got an election certificate to sit around and wait for another Presidential campaign to get going. Fortunately, under the leadership of Senators CONRAD and GREGG, the Senate Budget Committee will get going tomorrow, looking at a variety of options to fix health care. We are going to start with the Healthy Americans Act, but certainly a lot of colleagues have good ideas, and many are bipartisan. Certainly, Senators FEINGOLD and GRAHAM have good ideas. The American people don't want us to wait for 2 more years. They are not going to be tricked into comprehensive reform. The subject is too personal. They want to know what the benefits are going to be, what their costs are going to be; but they are ready. They know the current system cannot be sustained given our rapidly aging population, the huge increase in chronic illness, the disadvantages the employers face, and the tough global markets.

The American people know the current system cannot be sustained. They understand it is broken and we are going to show them there is a better way, a bipartisan way. The hearing that will begin tomorrow, and the bill Senator BENNETT and I have, will be the first bipartisan proposal to overhaul American health care in 15 years. I don't think we ought to wait 2 more years. That is not what we got an election certificate to do. Let's pass the SCHIP legislation. One of the key sponsors is on the floor this afternoon. Let us move on to address a new direction in American health care to finally make it possible for all of our citizens to get under the tent for basic, affordable, quality health coverage.

The PRESIDING OFFICER (Mr. DURBIN). The Senator from Minnesota is recognized.

Mr. COLEMAN. Mr. President, I rise to speak about the Employee Free Choice Act. Before that, I compliment the Senator from Oregon for the outstanding leadership he provided on this issue. Every American deserves access to affordable health insurance. This is the 21st century. He has worked in a bipartisan way to get important perspectives on the table, and I will add my voice to that discussion. I applaud his leadership on this issue. It is something we have to get done. Time is passing us by and we have it in our capacity to do it. The Senator from Oregon has provided important leadership.

Again, I rise to voice my opposition to the Employee Free Choice Act. It is kind of a misnomer. There is not a lot of free choice in what has been labeled the Employee Free Choice Act.

It is an awesome privilege for those of us who serve in the Senate to have this magnificent Capitol as a workplace. Its massive dome and perfect symmetry have been an inspiration to generations. Its most vital feature is something none of us have seen: its sturdy foundation, which lies beneath this building. Our democracy has a foundation as well: It is the ability of our citizens to cast their votes freely, fairly, and secretly, without anyone looking over their shoulder.

Certainly, that is the expectation when we walk into the booth to vote on election day. All of us have our place in this Senate based on the right of individuals to step forward and cast a secret ballot, which is one of the fundamental underpinnings of democracy. We pull the curtain, mark our ballot in private, and rely on our own personal conscience and convictions, free from any outside pressures.

For more than 200 years, the secret ballot has been one of the most fundamental principles of American democracy. As the great revolutionary figure Thomas Paine wrote:

> The right to vote is the right upon which all other rights depend.

That same principle has held true for American workers who have had the right to a secret ballot when it comes to unionization for the last 60 years.

I believe in a worker's right to union representation. I served for 8 years as mayor of St. Paul and I worked closely with unions to ensure that their right to organize was protected. But I also strongly believe in a worker's right to a secret ballot election. I will fight to protect that right—a right that the vast majority of Americans and union members support.

This fundamental belief in a worker's right to a secret ballot election has long been upheld by the courts. Throughout the years, the courts have spoken of the importance of secret ballot elections. The DC Circuit Court of Appeals said it best in a 1991 case that the ''freedom of choice is a matter at the very center of our national labor relations policy, and a secret election is the preferred method of gauging choice.''

Although the secret ballot process has served workers and unions well, the right to a secret ballot election is now under serious threat.

Already passed by the House, the Employee Free Choice Act would take away a worker's right to a private vote for union representation. Simply put, the passage of this legislation would deny American workers the choice to freely and privately choose whether to join a union by replacing the secret ballot process with a card-check process. So we would be telling our workers that instead of having the right to a federally supervised election by secret ballot, that gets tossed aside and we now use a card-check process—somebody coming up and saying, ''do you want to sign this?''

What is fascinating—and I have been involved in this business for 5 years as a Senator, 8 years as a mayor, and in the attorney general office for 19 years. I worked on a lot of issues—I hear a lot of discussion by my colleagues about some of the concerns impacting American workers today, the challenges we face in dealing with globalization and the pressures of working people. We should deal with those, but this is not the answer. This is not the answer to the issues and concerns being raised. Taking away the right to a secret ballot is not the answer.

Under the card-check process, there is no ballot, no voting booth, no ballot box, and no privacy for the worker's choice. Rather than a ballot, there is a union authorization card. Rather than the safe confines of the voting booth, the worker is surrounded by union members, and employers, as he or she considers the union authorization card. Rather than the privacy afforded by the secret ballot process, a worker's decision is publicly known.

The reality is that unions also fully appreciate the importance of secret ballot elections. For instance, when it comes to union decertification—in other words, when workers want to terminate union representation—the unions believe in secret ballot elections, which the AFL–CIO has characterized as ''the surest means for avoiding decisions which are the result of group pressures and not individual decision.''

I want to protect individual decisions. In the Senate, we should protect the sanctity of individuals' decisions, and we should protect the sanctity of federally supervised secret ballot elections. Certainly, if they are good enough for decertification, they should be good enough for union organizing.

I come to this debate with a strong and successful record of working with unions and fighting for American workers, including increasing the minimum wage and supporting collective bargaining rights for public safety workers. Again, I was mayor of St. Paul for 8 years, and during that time we settled every contract at the bargaining table. I am also proud of the support I have received over the years from the police unions, fire unions, building trade unions. That support is very important to me and I remain fully committed to the collective bargaining process.

The legislation pending before this body hurts workers, and it is on that basis that I cannot support it.

As we soon celebrate the July 4 holiday, we should honor our Nation's freedoms and liberties by ensuring that a worker's fundamental rights to a secret ballot election is protected. We should do so out of respect for our Nation's founding principles, so workers can make important choices about their workplaces and livelihoods without fear of repercussions for expressing their honest opinions. That is the simple fairness on which our whole system has rested.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. Mr. President, the proponents of this measure have tried to make the case that unions are good and that they deliver higher wages, benefits and overall prosperity for their members. Whether that is true or not is not the issue we are debating here today.

In fact, I am struck by the irony of the proponents' argument. If unions are so valuable to working Americans, unions should not have any difficulty winning an NLRB-supervised representation election. What do good unions have to fear from secret ballot elections?

Whether unions are good for workers is beside the point. This debate is about the method by which workers are allowed to choose a union.

If workers want to have a union in their workplace, they should be able to freely vote for one. But, workers cannot make this decision freely with either the employer or the union looking over their shoulders.

Card check is a recipe for legalized harassment and intimidation. The Senate should not allow this measure to pass.

Mr. President, I want to speak against cloture on the so-called Employee Free Choice Act, because it promotes neither freedom nor choice for employees when it comes to union representation. Rather, the card-check certification, the binding interest arbitration, and the penalty sanctions of the so-called Employee Free Choice Act would deprive employees of their freedom and choice in union representation that the National Labor Relations Act guarantees them and that the National Labor Relations Board secures for them.

The supporters of the so-called Employee Free Choice Act claim that the current system is broken and that the so-called Employee Free Choice Act will correct the deficiencies of the current system. However, they are misguided, because there is no free choice when an employee is bound by signatures on union authorization cards instead of votes in a secret ballot election made after an employee can learn about the advantages and disadvantages of union representation.

There is no free choice when a Government-appointed arbitrator decides the terms of a union contract that is binding for at least two years and employees are denied the right to vote on whether to accept the union contract. In other words, it's mandatory arbitration on both the employees and the company.

Contrary to the claims of the supporters of H.R. 800, the National Labor Relations Act is effective in providing for and protecting the free choice of employees in union representation. In fact, current statistics from the National Labor Relations Board demonstrate that the system does work.

In a recently released study of statistics for 2006, the win rate of unions in secret ballot elections supervised by the National Labor Relations Board has increased for the tenth consecutive year. That is correct—unions have a rising in secret ballot elections over the span of the last 10 years.

For example, in 2006, the union win rate was 61.5 percent of all representation elections, which was up from 61.4 percent in 2005. Since 1996, unions have won more than 50 percent of all NLRB-supervised elections in each year. Thus, secret ballot elections supervised by the National Labor Relations Board are effective and time-honored avenues for employees to express their free choice on union representation.

More significantly, unions are winning well over 50 percent of these secret ballot elections. Yet the supporters of this bill, H.R. 800, now want to cast aside this effective system and give unions the ability to increase membership and dues by a forced card check system and a guarantee of a Government-imposed initial union contract.

Additional proof that the National Labor Relations Board is conducting union representation elections in an efficient and timely manner is found in reports from the Board itself. For 2006, the median time between the filing of a union's election petition and the election was just 39 days. In addition, 94.2 percent of all initial union representation elections were held within 56 days from the time the union filed its election petition.

In short, the system is not broken. Rather, the system works, and it works in favor of unions in over 50 percent of these secret ballot elections. If there is a breakdown as unions claim, then it may be that it is with unions and their appeal and message to the working men and women of this country. The reason unions are fighting for passage of the so-called Employee Free Choice Act is that they are fighting to maintain their political relevance. According to the Bureau of Labor Statistics of the U.S. Department of Labor, unions' membership of the private sector workforce in this country is only 7.4 percent today. This is down from 7.8 percent in 2005. It is a continuation of the decline in union membership from 20.1 percent in 1983.

Thus, the so-called Employee Free Choice Act is not as important and imperative as organized labor has claimed because it does not protect the free choice of employees in union representation. It has nothing to do with leveling the playing field in a globally competitive market. Rather, the so-called Employee Free Choice Act is a quintessential political power play. It is about changing the law by turning your back on one of the hallmarks of a democratic society—a secret ballot election—and by supplanting the collective bargaining process with a federally mandated union contract. With these changes in the law, it will be easier for unions to increase membership by forced card check and to increase their financial dues to sprinkle around so that unions can maintain their political influence which is disproportionate to their shrinking membership.

I encourage my colleagues to stand up for working men and women by opposing this ill-advised legislation.

Mr. President, I think it is time that somebody stood up to defend the hard-working career employees of the National Labor Relations Board, NLRB, who are under attack from organized labor and who are being demeaned by this legislation, this so-called Employee Free Choice Act.

As I said, in 1978, during the labor law reform debate, the NLRB is one of the finest and most efficient organizations in the Federal Government, and its lawyers serve the public interest by representing the Nation's employees—not unions or employers but employees. They are among the best lawyers in Government or, for that matter, anywhere in the private sector, anywhere in private practice law firms, and their representation of employees is free of charge. Although I certainly do not always agree with the NLRB or its decisions, I have consistently defended the agency over the 31 years I have been in the Senate.

NLRB lawyers in Washington and throughout the country in regional and subregional offices are among the most dedicated protectors of employee rights—apparently even more so than unions if one considers the unions' position on H.R. 800 denying secret ballot rights of employees and depriving employees of a vote on wages and terms and employment conditions resulting from a federally imposed union contract.

If H.R. 800 were to pass, NLRB lawyers would have to become, in effect, handwriting analysts, making sure employee signatures on union-solicited authorization cards are not forged or fraudulent. The proud record of the agency and its lawyers in conducting secret ballot elections for union representation and in protecting the rights of employees in the election process would be history. The voting booth, the ballot box, the American flag, the NLRB agent standing guard to make sure the election is conducted without intimidation or coercion by unions or employers—all that would be thrown out and replaced with one role: simply counting union authorization cards submitted by union organizers.

With that, of course, would potentially come the loss of career NLRB jobs, since how many handwriting experts does the NLRB have or need? They deserve better treatment from organized labor, as do the employees the NLRB seeks to protect.

Lost also under H.R. 800 would be the significance for employees of walking into the voting booth to cast a private vote for or against a union. After all, under the card check system in H.R. 800, employees do not get to vote against union representation even though they will be bound by principles of majority rule and exclusive representation.

Let's get that clear. If 50 percent of the employees plus one sign cards, the other 49.9 percent are disenfranchised. If they don't want a union, that is tough; they are automatically unionized. That is not right. Under the card check system in H.R. 800, employees do not get to vote against union representation even though they will be bound by principles of majority rule and exclusive representation. Their vote, if one can call it that, is not signing a card, assuming they are even asked to sign a card, which is far different from having the opportunity of saying no.

Under the current NLRB secret ballot election process, all employees designated as an appropriate unit get to vote, even though some may not exercise that right. Under the card check system in H.R. 800, apparently all a union organizer has to do is define a unit of employees appropriate for collective bargaining—for example, a group of employees who share a community of interest—and then solicit authorization cards from a majority of employees in that unit. Once the organizers reach signatures from 50 percent plus one, all they do is then take the signed cards to the NLRB for certification, regardless of what the other 50 percent of the employees really feel about the process.

As under current law, of course, the NLRB may make a determination that the unit is an appropriate unit for bargaining, although not necessarily the appropriate unit. However, under the card check process of H.R. 800, the other 49 percent of the employees may not even know until after the fact that they were part of a petitioned-for-bargaining unit since they would never have been given an opportunity to vote or even asked to sign union authorization cards. At least under the current system, they are notified that they are part of a petitioned-for-bargaining unit and given the opportunity to vote for or against the union in a secret ballot election.

There are many victims of H.R. 800—employees, employers, the NLRB and its career employees and, most importantly, sound national labor public policy. The only winners under H.R. 800 would be the union leaders and those who slavishly do their bidding in exchange for political support.

Of course, I believe those who vote against cloture on the motion to proceed to H.R. 800 will be the true political winners since we will have joined the majority of Americans for protecting the rights of employees through a secret ballot election and against fear, coercion, and intimidation by union organizers to have employees sign union authorization cards. We will have stood by employees and not the union bosses. By defeating cloture on this radical legislation, we will have prevented the economic catastrophe of having federally appointed arbitrators impose wages, benefits, and terms of employment.

Ultimately, the employees will be the winners by stopping this antiemployee legislation.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, the debate we are having in the Senate on the Employee Free Choice Act is about workers' rights. It is about the plight of the American worker. It is about workers being able to organize. And my guess is that the Senator from Illinois, the Presiding Officer, perhaps even the Senator from Utah, was in the Chamber of the House some years ago when a man from Poland came to speak to us. I want to recount that today because I want to recount how strongly our country felt then and how much we admired the man from Poland who spoke to a joint session of Congress and what it means symbolically for workers to be able to organize.

It was interesting to watch from afar an organization called Solidarity in Poland, a group of workers organized under the banner of Solidarity. Well, one day, in a joint session of Congress, we heard from a foreign leader.

The joint session is full of pageantry. The House and the Senate are gathered together in the Chamber of the House, and the Doorkeeper announces the Supreme Court, then announces the Cabinet Secretaries, then the Senate Members, and then everyone is in the Chamber. And usually they announce the President of the United States as he comes to give a State of the Union Address, or perhaps, on rare occasions, a special message. On even rarer occasions, they will announce a foreign leader.

On this day, the Doorkeeper of the House of Representatives announced Lech Walesa from Poland, and this rather short, chubby man came forward, with a handlebar mustache. He came to the dais in the House of Representatives. The applause began and continued and continued and continued. This man, Lech Walesa from Poland, began speaking, and he gave an enormously powerful speech. Here is what he said.

He reminded us that it had been 10 years prior to that time, on a Saturday morning in a shipyard in Gdansk, Poland, that this man had been fired as an electrician in that shipyard. He was leading a strike of Polish workers in that shipyard against the Communist government.

He recounted that on that Saturday he was seized by the Communist secret police and beaten, and he was beaten badly. He was taken over to the side of the shipyard and was hoisted on top of and thrown over the barbed-wire fence, and he lay on the ground face down, bleeding, outside of that shipyard wondering what to do next.

What should this man, this unemployed electrician who had now just been beaten by the Communist secret police and thrown over the barbed-wire fence at the shipyard in Gdansk, Poland, what should he do next? He lay face down on the ground wondering.

The history books tell us what he did next. He pulled himself up off the dirt, brushed himself off, and climbed back over the fence into the same shipyard to continue leading the strike. And 10 years later, he was announced at the back door of the House of Representatives as the President of the country of Poland. This man, Lech Walesa, was not an intellectual, not a soldier, not a businessman, and not a diplomat. He was an unemployed electrician leading an organization called Solidarity, which is an organization about working people.

These workers risked everything in pursuit of one central idea—that people ought to be free to choose their own destiny. And because of Solidarity and because of the work they did, they threw off the yoke of communism, the heavy boot of communism that existed in Poland, and Poland became free. Then it happened in Czechoslovakia, and then Romania, and East Germany. They lit the fuse that caused the explosion that got rid of communism in Eastern Europe.

Here is what Lech Walesa said about what happened inside that shipyard and the years following. He said: You know, we didn't have any guns—the Communist government in Poland had all the guns. We didn't have any bullets—the Communist government had all the bullets. We were a bunch of workers armed with an idea that people ought to be free to choose their own destiny.

And he said: My friends, ideas are more powerful than guns.

This country loved Solidarity. Ronald Reagan, the American people, the Congress—we embraced these workers of Poland—Lech Walesa and the courageous workers who followed him, workers organizing under a banner called Solidarity. The ability to form labor organizations, the development of what those organizations mean to people, was key to defeating communism and to the cause of freedom. Think of what labor meant to Eastern Europe. It was

the spark. Yes, workers organizing represented the spark that defeated communism in Eastern Europe. These were ordinary people with extraordinary courage, uncommon valor.

When Lech Walesa spoke from the dais in the House of Representatives 10 years after he was beaten in that shipyard, 10 years after laying face down in the dirt wondering what to do next, he showed up at the door of our legislative Chamber as the President of this country saying: Ideas are more powerful than guns.

Now, fast-forward to today, a time when workers in this country all too often are left behind, especially workers who are working hourly jobs. Workers who are going to work wondering whether they will have a job tomorrow because their employers are becoming bigger and stronger and more powerful. Employers that have decided that the bottom line is what is important and that they can actually increase their profits by moving jobs overseas. So, they think, we will just tell our workers: You know what. You are just like wrenches. We can use you and throw you away, and we will move the job to Sri Lanka, to Bangladesh, to India, or to China. So American workers are told: You don't matter much.

I have been on the Senate floor 100 times talking about all of these companies that have decided they want all the benefits America has to offer, but they don't want to hire Americans. They want to produce their products elsewhere, where they can pay pennies an hour. What has happened in recent years to the American workers is downward pressure on their income, fewer retirement benefits, fewer health care benefits, the threat of seeing their jobs moved overseas. One might ask, if labor organizing is so effective, why is this occurring in this country? Why can't workers get together to represent the countervailing power against big companies so workers get their fair share of the income?

The answer is the deck is stacked against them at this point. That is why there is legislation on the floor of the Senate today being considered to try to see if we can't give people the opportunities to organize effectively once again.

Do you know that in nearly one-half of the cases in this country, 2 years after workers have already voted to form a union they still don't have a contract because the employer refuses to bargain with the union—2 years after the employees voted to form a union and they have not yet been able to form a union. Let me say that again. In almost one-half the cases where they have already decided to vote to form a union, 2 years later workers do not have a contract. Why would that be the case? Because there are a dozen ways for employers to fight it and prevent it. This legislation is legislation that says let's try to even up the score a little bit, provide some balance, provide some opportunity for workers to get together to organize.

The evidence is pretty overwhelming. The income of workers who have the capability of organizing is significantly different. Cashiers at grocery stores and other stores earn 46 percent more if they are union than if they are nonunion. Union food preparation workers earn nearly 50 percent more than nonunion workers. Union maids and housekeepers earn 31 percent more than their nonunion counterparts. Union workers are twice as likely to have employer-sponsored health benefits and pensions at work. They are four times more likely to have a secure defined benefit pension plan than nonunion workers. Those facts are pretty clear—they are the benefits of workers being able to organize.

The legislation we have before us is legislation that says we think the right of people to organize is very important.

I have talked at length on the floor about these issues as well. I spoke about James Filer many times. James Filer died, I said, of lead poisoning. He was shot 54 times, I guess that is lead poisoning. In Ludlow, CO, shot 54 times. Do you know why James Filer was shot 54 times? Because he believed people who were sent down underground to dig for coal, to mine for coal, ought to be able to have two things: No. 1, work in a safe workplace and, No. 2, be paid a fair wage. Because James Filer spent his life working for that, believing that workers who go underground ought to get a fair day's pay and ought to work in a safe mine, he was killed.

I could give you other names of those who have fought for workers' rights, risked their lives fighting for workers' rights. This country has been better and moved forward as a result of workers being able to organize.

Yes, we need entrepreneurs, we need capitalists, we need investors, we need incentives—we need all the things that come together in this society to succeed. But we need workers. Workers are not disposable. The American worker is not disposable. Workers represent one of the significant building blocks of progress in this country.

In recent years, what has happened to us is we have decided American workers should compete against a different standard. The standard is someone in China working for 30 cents an hour. If you can't compete against that, tough luck, you lose your job.

I will not go through all the stories. I could stand here for hours telling stories, company after company, about that. But the fact is, American workers have struggled. The struggle in this country has taken place for a century, to lift our standards up: Safe workplace, child labor laws, wage-and-hour laws, minimum wages, the right to organize. For a century, we went through that process and we lifted America up and expanded the middle class dramatically. That has been the success of this great country.

Now we are seeing, brick by brick, that foundation being taken apart. This legislation is one piece of the remedy. It says, if we care about and stand for and believe in the right of workers to organize, then that right has to be a right we expect to be available to workers, rather than a right that is abrogated by employers who do not want to have anything to do with workers who organize.

The stories are endless about the bad things that happen to workers who try to organize. One in five active union supporters is illegally fired during union-organizing campaigns—20 percent are fired. In 78 percent of the elections, employers require supervisors to deliver anti-union messages to the workers whose jobs they pay and control. In 51 percent of the elections, employers force workers to attend closed-door, anti-union meetings, and they threaten to close the workplace if employees vote for union representation.

These are a few of the one-sided election rules that tilt the playing field in favor of the management of the company. The worker hardly stands a chance. That is what is happening.

For all of the hyperbole that is trying to scare people about it, this legislation is very simple, and it is very democratic. If the majority of employees in a workplace sign up to decide they want to organize as a workplace, then this country ought to respect that. That is why we need legislation.

I started by talking about Lech Walesa and Solidarity. It is not only foreign workers who organize whom we should respect. We should respect the right of workers in this country who organize as well.

I would like to hear someone on the floor of the Senate stand up—I have not heard that yet—but stand up and say Circuit City is a wonderful example of where we ought to head in this country. Circuit City announced one day, in a newspaper account, that they decided to get rid of some 3,400 of their workers. Their CEO apparently authorized that announcement to be made. The CEO was making $10 million a year and 3,400 workers were to get fired because they were making $11 an hour, and that was too much money to be paying American workers. So Circuit City said—again with a CEO and other executives making millions of dollars a year—we will fire 3,400 people and rehire people at $8 an hour and save money.

I suppose you can save money that way. I am not sure that is a particularly good message to American workers: Come work here, get some experience here and by the time you get some experience, we think we can find somebody who will work for less money than you. That's the message: we prefer to have inexperienced workers rather than experienced workers, we think $11 an hour is too much for you and your family. What kind of a message is that? I didn't hear anybody talk about that much. It was one big yawn around here with that sort of thing.

That kind of approach, that I think devalues the workforce in this country,

is something I think we ought to care about. The underlying legislation we are talking about is something we ought to care about as well because it stands up for American workers. It says, in this country, we live free. If you want to organize, you have a right to organize and the rules ought to be fair. The deck ought not be stacked against you. That is why we have legislation being considered today and I am pleased to support it.

I yield the floor.

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that Senator BOND be given the floor immediately after my remarks and I be granted up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I listened very carefully to my friend from North Dakota. He is a friend and very fine man and good Senator, but I have been a little bit amazed at some of the things he said. First, I have only been here 31 years, but I was one of those who did a lot to help Lech Walesa. My dearest friend in the labor movement happened to be the international vice president of the AFL–CIO, Irving Brown. Irving Brown headed our tripartite representation at the International Labor Organization in Geneva, Switzerland. He was probably the most respected labor leader in the world. He took on the Soviets and their phony trade union organization that was trying to take over the French docks and he beat them. He risked his life every day of his life for free trade unionism, internationally.

When he died I was, as far as I could see, the only Republican invited to his memorial service. He went into Paris at the end of the Second World War—before the end of the Second World War—through the underground, and stayed there and helped topple the Nazis and then stayed there and defeated the Communists who tried to take over the French docks. If they had been able to do that, they would have had a worldwide trade union that would have been anything but in the best interests of the workers. He was the one who came up with the idea for the National Endowment for Democracy, and I worked very hard to get that enacted here and also was one of the first members of the board of directors of the National Endowment for Democracy.

I think he would have been horrified with what this bill does, taking away the right of workers to have a secret ballot election and replacing it with the ability of 50 percent of the workers plus one, who sign cards, mandating a union for every other employee. The fact of the matter is, doing away with secret ballot elections is anything but Democratic.

I have to say I am amazed they are trying to sell this to the American public. I don't think they can. They can't sell it to the union members out there, roughly 70 percent of whom are against doing away with secret ballot elections—and for good reason. Once they start down that road, then you can have Government interference and a whole bunch of other interferences that will take away people's freedoms and rights.

This bill is a disgrace. Even worse is the mandatory arbitration this bill imposes on employers and employees for up to 2 years if they do not agree within 90 days of collective bargaining, which usually always takes longer, and 30 days of mediation. Then the Federal Government can step in and determine the wages, terms, and conditions of employment.

That is a ridiculous approach. That is even more dangerous than the card-check part of this. I can tell you this, as one who helped Lech Walesa, who met with him in Gdansk, who had dinner with him over in Gdansk, and also with Father Jankowski, who was the Catholic priest who held mass on the docks with guns trained upon his back, all I can say is I do not think their belief in free trade unionism consisted of having a card check system. A system that would bind 100 percent of employees to a union when only 50 percent plus 1 decided to unionize through a coerced and nontransparent signing of a card.

I yield the floor.

The PRESIDING OFFICER (Ms. STABENOW). The Senator from Missouri.

Mr. BOND. Madam President, I rise today to express my strong opposition to H.R. 800, the misleadingly named Employee Free Choice Act or card-check bill. As Americans, we cast secret ballots when we vote for the President, Congress, Governors, mayors, and city council members. Yet this bill would take away that essential right within the workplace.

It reminds me of the story from my home country, Audrain County, Missouri, often called the ''heart of little Dixie'' in Missouri, because it was settled by Democrats. The folklore has it that in the 1864 election, when President Lincoln was running for reelection and everybody had to stand up on the courthouse steps and announce for whom they were voting, one brave or foolhardy soul got up and said he wanted to cast a vote for Abraham Lincoln. To show you how kind and generous and hospitable the people of Audrain County were, they gave him a full 24 hours to get out of town. While I cannot document that story with the names of the specific individuals involved, that is an example of why a secret ballot is important.

A secret ballot allows people to exercise a free choice without fear of coercion from either side, either management or fellow workers who support management or fellow workers who support a union and union organizers.

Rather than enhancing and enabling secret ballots within the workplace, this bill would eliminate that choice. Under the so-called card-check bill, an employer would no longer carry the right to demand a secret ballot election in order to certify a union as the employee's bargaining unit. The reauthorization of the National Labor Relations Act of 1947, the original benchmark for secret ballot union elections, was enacted to safeguard the rights of workers and the companies they worked for, to promote collective bargaining, and to restrain certain private sector labor and management practices, which could pose a threat to the general welfare of workers, to business, and to our Nation's economy.

Now, as we all know, NLRA allows for an exception to the rule of a secret ballot election. If an employer is willing to accept union authorization cards that have been signed from a majority of the employees represented, the organized union becomes the bargaining unit for that specific group of workers.

Therefore, as you see under existing law, there are exceptions which allow for authorization cards to be accepted. But to remove completely the ability of workers to have a confidential and private vote on whether they choose to become a part of a union is utterly objectionable and goes against all of the principles we hold so dear in this democracy.

I feel that this ill-advised legislation will replace a federally supervised secret ballot election process with a system that would open the door for harassment, intimidation, coercion, forgery, and fraud. If enacted, this bill would permit union organizers to gain signatures from workers wherever they feel free to do so. Therefore, as a result, a worker could see an organizer choose to show up at the place where he or she eats, at their residence, or at a family outing just to obtain a signature for representation.

Might I say also my constituents, who are small businesses, who know their employees on a first-name basis, are violently opposed to this kind of working operation. The small businesses are the dynamic engine that keeps this economy growing. They are creating the jobs, they are the ones that grow. If they thought they could have a union imposed upon them by card check, without going through a secret ballot, it would kill the ability of those small businesses to grow and hire more workers.

In fiscal year 2005, the National Labor Relations Board conducted 2,745 elections. It is interesting to note that 1,504 secret ballot elections were won by organized labor. Therefore, the total percentage of elections won by labor unions was 55 percent.

In 2004, organized unions won 51 percent out of 2,826 total elections conducted that year. During the Clinton administration in 1994, organized labor won only 44 percent of the total secret ballot elections.

According to a polling report conducted in January of this year, out of

the many individuals who were asked whether they would prefer an authorization card over secret ballot, 89 percent of those polled overwhelmingly chose the secret ballot.

As you see from the numbers, employees who have a real free choice of confidentially deciding whether to become part of the union have freely been able to employ their given right for union representation if they choose. In the last few years, under the secret ballot election, a majority of workers have decided to join a union. If a majority of prospective union employees does not wish to join, then they have a right, by secret ballot, to decline.

If labor unions are continuously increasing their election win margin each fiscal year, why prefer to use a system that threatens the protective rights of the confidential vote for each employee? Why not leave the ultimate decision to the employees where support for the secret ballot continues to remain strong?

The answer to that question may be in the fact that while secret ballot elections recently produced a victory of 55 percent in 2005, it does not match the success of a 90-percent win rate that the card-check system produces.

Many small businesses back home in Missouri have come to me and expressed concern with this bill, from machinists to mechanics to food distributors, and many other small companies. They have all voiced their resistance, distrust, and strong opposition to this bill.

We must understand that over 93 percent of our Nation's businesses have fewer than 100 employees. This bill would place a heavy burden on the livelihood of these small businesses, since they are the least likely to have experience in labor negotiations or have experienced legal counsel to represent them. They have to work on a first-name basis with their employees. They know what their challenges are. They know who they are, and they are in the best position to be able to help their workers. But they don't want to have the threat of a nonsecret ballot imposing a union on them.

Passage of the bill will mean that unions could unfairly target considerably smaller businesses, more than before, given that the amount of resources necessary to organize a business would be significantly less. Prohibiting a secret ballot for the purposes of assisting organized labor with efforts to bolster membership is not the remedy needed to ensure every worker's right to a safe, confidential, union election, where their God-given rights to a secret ballot, which we hold dear in the United States, would be denied.

I urge my colleagues not to permit this bill to go forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

IMMIGRATION REFORM

Mr. SESSIONS. Madam President, I thank my able colleague from Missouri. He is one of our most valuable and able members in the Senate. I value his thoughts on that and share his thoughts, actually.

I want to move off of that and some of the comments that Senator DORGAN had about working Americans and what they are facing today.

I remember addressing this point last year in the debate on immigration. I think it was at night when not many people were on the floor. Senator KENNEDY was here. I raised the question of what was happening to wages of working Americans as a result of large-scale immigration, and quoted professors and experts who had demonstrated that where those areas—where immigration reached its highest levels, wages had gone down for workers; they hadn't gone up.

Now we are told that businesses cannot get workers, and we are told we are at full employment, but apparently something is awry if wages are not going up in many areas.

I want to mention to you what we have with regard to the immigration bill that is coming before us. We will have cloture vote on it in the morning. This is what I want to say to my colleagues. The legislation promises that it will bring legality to the system. They say we have an illegal system and we have got a comprehensive plan to fix it.

What does our own Congressional Budget Office say? They just did an analysis of it. The Congressional Budget Office looked at the legislation that is proposed. They made an opinion about how much it would cost the U.S. Treasury. It was about $30 billion over the next 10 years; not for the cost of enforcement, just the cost of additional social and welfare benefits provided to those who are here illegally, who will be made legal.

They made that analysis, and they also made one more analysis that is so stunning and so remarkable that I remain baffled that my colleagues have not picked up on it. What the Congressional Budget Office, our own budget office—a budget office that answers to the House, answers to the Senate, answers to the majority leader, HARRY REID, answers to the Speaker, NANCY PELOSI—the Congressional Budget Office concluded that net illegal immigration, after the passage of this bill, would only be reduced 13 percent.

Now what kind of reform is that, I ask my colleagues? I submit to you this is not a reform. A fix that is supposed to bring legality to a system that only reduces illegality by 13 percent. Last year we arrested 1 million people entering our country illegally. These are huge numbers. I would have thought we would want to see an 80 or 90 percent reduction of illegality at our border. This is a bill that by our own evaluation does not bode well.

There is another factor that many of my colleagues probably do not know, have never understood. My staff has worked very hard to account for the actual flow of legal immigration into the country. In the next 20 years, this country, if this bill is passed, will see a doubling of the legal permanent residents in America. That is the number of people who are given a green card. That is the next step to citizenship. Anybody with legal permanent residence can move on to citizenship. It will double the number of legal permanent residents, which is what we call green card holders.

So we are not going to have any reduction in illegality, and we are going to have a major increase—a doubling of legal immigration. I am worried about that. We have been talking here about this debate about card check and unions. What it is about is wages and fairness for American workers, is it not?

Mr. Tonelson testified at one of our hearings before the Senate Judiciary Committee. This was a hearing I requested and asked for. We were able to get him, and he testified about areas in construction, in meat packing, in restaurant work, where there was high level of immigration from 2000 to 2005. Wages went down. You bring into this country more wheat, the price of wheat will go down. You bring into our country more cotton, the price will go down. Bring in more iron ore, the price of iron ore will go down. You bring in more labor, the price of American labor will go down. That is a fact.

I support a legitimate guest worker program. I believe we do have certain needs in certain industries and situations such as Hurricane Katrina where the need was so dramatic on the gulf coast. I know there are needs for some guest workers, temporary workers. I am prepared to help write legislation which would meet that need. I believe in immigration into America in general. I am not asking that we slash the amount of legal immigration into the country. But I doubt most Americans, when they hear about the great group I affectionately call the ''masters of the universe'' who met in secret and wrote this bill, had any understanding that their promise of comprehensive reform of the illegal immigration system we have today—and that is a fair way to describe it—they had no idea this bill would only reduce illegal immigration by 13 percent. I don't believe they had any idea it would double the numbers who were coming in legally.

That brings me to my point. The longer this legislation has been out for review, the less the public has liked it. I can see why. If you remember, Senator REID first called the bill up. He actually called up the old bill that the House wouldn't even look at last year. He let it sit for about a week and then plopped down, on a Tuesday, an entirely new bill, over 700 legislative pages, and wanted us to vote on it by Friday of that week. Why? That is what they attempted to do. We pushed back and said: No, this is a big issue;

we can't vote on Friday; we are not going to vote this week. We fought that, and they backed off. We had a week's break and came back. We got back on the bill and proceeded with it and had some amendment votes and were moving along, and then Senator REID pulled the bill off the floor on a Thursday night. So we thought maybe that was the end of it.

But after working on it, they decided to bring it back up. It is going to be brought back tomorrow. The bill is filed. Cloture was filed. We now find ourselves prepared to vote tomorrow on whether to invoke cloture on the motion to proceed, go to this bill, and actually discuss it on the floor. We know there are probably 51 Senators who have committed to vote for final passage of the bill. I think they have made a mistake. Some probably didn't understand it fully. I am sure some are uneasy about that commitment. But more than 50, I am confident, are committed to voting for the legislation. Some really think anything is better than the current system. Maybe this is better, they say. They are prepared to vote for it. So by going to the bill, we are setting ourselves on a pathway that leads to final passage of legislation I believe is not worthy of the U.S. Senate.

More than that, I urge my colleagues to think about this. We have been told—and if I am mistaken, I ask the majority leader to tell me I am wrong—that an unprecedented procedure will be utilized to eliminate as much time of debate as possible and to completely control the amendment process to this legislation in a way that has never been done before in the history of the Senate. It has never been done this way. The majority leader is going to fill the tree. He is going to file a second-degree amendment. That amendment will be divisible into a number of different amendments so he can say which amendments will be voted on and which will not, and other amendments will not be allowed to be voted on. It is complete control of the process. They will say: We adopted some of your amendments, you complainers. We have some of your amendments in that group.

This process has been prepared with the care and precision of the Normandy invasion. This has been prepared meticulously for weeks, how they are going to move this bill through and how they are going to control the amendments. The amendments that will be allowed, I am confident, will be amendments they are confident they have the votes to defeat or amendments they don't care if passed. But they will not allow amendments to go to the core of this agreement by those masters of the universe who put it together, anything that would actually threaten this legislation's agreement they put together.

Some have been told: Don't worry, Senator, vote for cloture tomorrow, and we will let your amendment be voted on. If your amendment is selected, it is likely that they have the votes to vote it down or the crowd that put this bill together doesn't object if it passes. But anything that really goes at this mechanism, this special agreement they have put together in secret without committee hearings of any kind, will not be allowed to be voted on. That is a big mistake.

I say to my colleagues on the other side of the aisle, I have been in the Senate 10 years, most of which Republicans had the majority. This procedure was never used against the Democrats when Republicans were in the majority. This is the first time it has been used in the Senate. What if it is used against Senators in the future on both sides of the aisle? The great free debate this Senate is so proud of would be eroded.

So for two reasons I urge my colleagues tomorrow to vote against cloture. First, we need to have this bill pulled down. We need to go back and review what it is that has caused the American people to reject it so overwhelmingly. We need to find out why the Congressional Budget Office has concluded that it will reduce illegal immigration by only 13 percent. My goodness. We need to ask ourselves, do we really want to double on top of that the legal immigration into America?

What are we afraid of? Why is there this obsession to move this flawed piece of legislation through, utilizing the unprecedented procedural gambit to do so? I ask why?

Three weeks before we had the final vote and Senator REID pulled it down, after the debate continued a couple of weeks ago, a Rasmussen poll showed support for the bill in the high 20s. Then fell to 23 percent, and the last poll showed only 20 percent of Americans supported this bill. Only 20 percent of the American people said we should pass this bill. A decent respect for the opinions of the people who elect us, I suggest—if nothing else, maybe for our own self-interest—would call on us to say: What is it that people are worried about? Why don't we pull this bill and see if we can't make a decent piece of legislation that we could be proud of and move it forward? What possible reason is there to be obsessed with just ramming it through this Senate? I am amazed. It takes my breath away. There is every kind of reason to suggest that we should pull the bill down and work on it.

I will conclude with these thoughts. Let's don't go forward tomorrow. Let Members of the Senate say to those who are promoting the legislation—one former law officer called them mandarins; I jokingly called them the masters of the universe—this legislation will not work. They are good people. They think they were doing good. But the product they produced won't work, and the American people don't like it. I say vote against cloture tomorrow because a vote for cloture is a vote ultimately to move this bill passage.

No. 2, I say vote against cloture tomorrow because unless the majority leader declares otherwise, we will have to assume that what we have been hearing is correct, and he will use an unprecedented procedure—a procedure dubbed ''the clay pigeon''—to completely control the amendment process and to bring this bill up for final vote with amendments only he has approved in a minimal amount of time that can be expended on such legislation. Any legislation this big deserves time. Any legislation this big or with this many flaws deserves a lot of work.

I urge my colleagues, in light of these factors and others they may personally care about—and there are many more problems—to reject cloture tomorrow. It would be a clear message to the leadership that is trying to move this legislation that we are not going to have it. We want better legislation, if you want us to pass it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, there is a widespread perception among the people of our country that things are getting worse, not better. Polls seem to indicate that people feel that life for the middle class in the last 10 years is not as good as it used to be. By very strong numbers, the people of our country believe the economy is getting worse, not better. We are the greatest country in the history of the world, but there is something wrong when, if current economic trends continue, the young people in our country will have a lower standard of living than their parents. We are moving in many respects in exactly the wrong direction, and it is our job as Members of the Senate to turn that around and to begin making government work for all people rather than just the wealthy and the powerful who have so much power over what goes on in this institution.

I rise in strong support of the Employer Free Choice Act. I commend Senator KENNEDY for his leadership on this issue.

Year after year, millions of American workers have been working longer hours for lower wages. In Vermont, it is not uncommon for people to work two jobs and on occasion work three jobs in order to cobble together an income in order to cobble together some health insurance.

Consider the facts: Since 2001, median household income has fallen by nearly $1,300; wages and salaries now make up their lowest share of the economy in nearly six decades; the number of Americans who lack health insurance has grown by 6.8 million since 2001, to over 46 million Americans without any health insurance today; the number of Fortune 1,000 companies that have frozen or terminated their pension plans has more than tripled since 2001. Indeed, the middle class itself has shrunk. Over 5 million more Americans have slipped into poverty since the

year 2000. So what we are seeing is the average American worker working longer hours for lower wages.

Today there are millions of Americans who work who scarcely have any vacation time whatsoever. People are losing their health insurance, they are losing their pensions, and they are sitting around looking at the reality that if we do not turn this around, their kids will be even worse off than they are—all at the same time technology is exploding and worker productivity is increasing.

Meanwhile, while the middle class shrinks and poverty increases, corporate profits today make up their largest share of the economy since the 1960s. While the middle class is shrinking, millionaires and billionaires in this country have never had it so good since the late 1920s.

Today, the wealthiest 1 percent of Americans own more wealth than the bottom 90 percent. The CEOs of our largest corporations now earn 400 times as much as the average worker. This is not just an economic issue, this is a moral issue. Is this what America is supposed to be about, the wealthiest 1 percent owning more wealth than the bottom 90 percent, and the gap between the rich and the poor growing wider every day, as the middle class continues to shrink. I do not believe that is what America is supposed to be.

At the same time, workers are seeing a decline in real wages, are being forced to pay more for their health insurance, and are seeing their pensions slashed. The CEOs of large corporations are making out like bandits.

Just one simple example: Several years ago, the former CEO of ExxonMobil, Lee Raymond, received a $400 million retirement package—while we are paying over $3 for a gallon of gas, and ExxonMobil, last year, enjoyed the highest profits of any corporation in the history of the world.

But it is not just CEOs such as Mr. Raymond. At a time when big banks are ripping off American consumers by charging outrageous interest rates and sky-high fees, Richard Fairbank, the CEO of Capital One Financial, received over $300 million in total compensation over the past 5 years.

While consumers have been getting ripped off at the gas pump, Ray Irani, the CEO of Occidental Petroleum, raked in over $500 million in total compensation over the past 5 years. And on and on it goes, CEOs making out like bandits, workers paying $3 for a gallon of gas, losing their health insurance, losing their pensions, losing their homes.

The middle class is shrinking, poverty is increasing, and millionaires and billionaires have never had it so good. It is our job to turn that around. There are a lot of reasons for the growing inequality in our economy, and economists may differ, but there is clearly agreement on some of the basic reasons the gap between the rich and the poor is growing wider and the middle class is shrinking.

The failure, up until very recently, to raise the minimum wage is an obvious example. Millions and millions and millions of workers today—before the new minimum wage goes into effect—are making $5.15 an hour. Yes, the U.S. Congress has provided hundreds of billions of dollars in tax breaks for the wealthiest 1 percent, but we could not raise the minimum wage until a few weeks ago. That is certainly one of the reasons poverty in America is increasing.

Another reason is that unfettered free trade, which forces American workers to compete against desperate workers in China, Mexico, and Vietnam, is also responsible for an increase in poverty and a lower standard of living for millions of American workers. No, American workers should not be forced to compete against desperate workers in China who are making 30 cents an hour. That is not a level playing field. That is wrong, and that is another reason the middle class in this country is in decline.

But perhaps the most significant reason for the decline in the middle class is the rights of workers to join together and bargain for better wages, better benefits, and better working conditions have been severely undermined over the years.

Today, if an employee is engaged in a union organizing campaign, that employee has a one in five chance of getting fired.

Today, half of all employers threaten to close or relocate their business if workers choose to form a union.

Today, when workers become interested in forming unions, 92 percent of private sector employers force employees to attend closed-door meetings to hear antiunion propaganda; 80 percent require supervisors to attend training sessions on attacking unions; 78 percent require supervisors to deliver antiunion messages to workers they oversee; and 75 percent hire outside consultants to run antiunion campaigns.

In 2005 alone, over 30,000 workers were discriminated against, losing wages or even their jobs, for exercising their constitutional right of freedom of association—a right guaranteed under the Constitution of the United States.

Further, Human Rights Watch has said:

> Freedom of association is a right under severe, often buckling pressure when workers in the United States try to exercise it.

The right to come together to form a union is a constitutional right. It is under severe, unprecedented attack today.

Even when workers—who are faced with all of these enormous obstacles—win union elections, more than one-third of the victories do not result in a first contract for workers.

Today, corporate executives are routinely negotiating obscenely high compensation packages for themselves, but then they deny their own employees their ability to come together to create better wages and working conditions and better lives for themselves. That is wrong. This Senate has to stand up for those workers.

It is time to turn this around. It is time to stand up for the working people of this country. That is what the Employee Free Choice Act is all about.

The House of Representatives did the right thing when it passed the Employee Free Choice Act by a vote of 241 to 185 earlier this year. Now it is time for the Senate to act.

This legislation is very simple. The Employee Free Choice Act would simply allow workers to join unions when a majority sign valid authorization cards stating they want a union as their bargaining representative. As Senator KENNEDY has correctly pointed out, card check recognition was the law of the land in the United States from 1941 to 1966. In other words, all this legislation does is give workers the same rights they had 41 years ago.

More than half of the U.S. workforce—nearly 60 million workers—say they would join a union right now if they had the opportunity. Yet only 12 percent of the workforce has a union. This is much different from other industrialized countries around the world.

In Canada, where card check is the law of the land, twice as many workers belong to unions than in the United States. In Britain, where card check recognition is the law of the land, 60 percent of workers belong to unions.

What has strong union participation meant for workers in other countries? This is an important point to be made because it is terribly important we in the Senate see what is going on in the rest of the industrialized world, see and note the benefits workers around the world are receiving that our workers are not.

Just a few examples. In Finland, where two-thirds of workers belong to unions—guess what—unlike college graduates in the United States who are graduating $20,000 in debt, Finland provides a free college education, including law and medical schools, to all qualified citizens. That is pretty good. They encourage young people to go to college and graduate school tuition free.

While the cost of childcare in the United States is skyrocketing—millions of American families cannot afford quality childcare—in Finland, day care is free to all citizens.

Unlike the United States, where the 2-week vacation is becoming a thing of the past, in Finland, workers are guaranteed 30 days of paid vacation and 60 days of paid sick leave.

In Norway, where the union participation rate is about 60 percent, women receive 42 weeks of maternal leave at full pay—full pay—while U.S. workers only receive 12 weeks of unpaid maternal leave.

In Belgium, France, and Sweden over 90 percent of workers belong to unions. Workers in those countries all have

much stronger pensions, health care, childcare, and vacation benefits than American workers.

In addition to the card check provision, the Employee Free Choice Act would also stiffen penalties against employers who illegally fire or discriminate against workers for their union activity during an organizing or first contract drive.

Perhaps most importantly, this legislation will make it easier for workers who win union elections to negotiate a first contract. We will end the situation where, when workers decide to form a union—they go to negotiate—the employer simply refuses to negotiate.

In order to strengthen America's middle class, we have to restore workers' rights to bargain for better wages, benefits, and working conditions.

After all, union workers in this country earn 30 percent more, on average, than nonunion workers who are performing the same jobs.

Madam President, 80 percent of union workers have employer-provided health insurance; only 49 percent of nonunion workers do.

Madam President, 68 percent of union workers have a guaranteed pension through a defined benefit plan; only 14 percent of nonunion workers do.

Madam President, 62 percent of union workers have short-term disability benefits; only 35 percent of nonunion workers do.

Union workers have, on average, 15 days of paid vacation; while nonunion workers, on average, have fewer than 11 days of paid vacation.

Again, I thank Senator KENNEDY for his leadership on this issue. We have to do everything we can from a moral perspective to reverse the decline of the middle class, to lower our poverty rates, to improve the standard of living of American workers, and passing the Employee Free Choice Act is an important step in that direction.

Madam President, thank you very much.

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. KENNEDY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 40 minutes remaining.

Mr. KENNEDY. Mr. President, I think we have had a very good discussion over the course of the afternoon and earlier. As I mentioned in my opening comments, a number of our colleagues spoke about this issue during the last week. So this is a matter of importance. It is a matter of economic justice and economic fairness. It is an extremely important issue, I think, a defining issue in terms of what is happening to the middle class in this country. Are they going to have voices and votes that are going to be taken seriously? Are they going to be able to participate in a meaningful way in terms of our economy? This involves their families and their future, their own personal future, their economic future, the future of their retirement, the future of their health care, and the future of their ability to be able to educate their children. So it is a very important matter.

I have been listening to the debate and the discussion. It is an interesting fact that the bill itself is only three pages long. It is only three pages long. But the difference it would make for working families is enormously significant and incredibly important. So this legislation, although it is written in some technical language, is understandable and should be. Basically, what it does is it gives the worker the kinds of expression and the rights in the workplace which increasingly they have been denied.

I wish to go over very briefly exactly how this legislation works, because if you were someone back home listening to the discussion and the debate, I think you would wonder what this legislation is all about. I thought I would take a few moments to go through this. As I mentioned, a majority sign up in a workplace for employee free choice requires the employer to recognize the union if a majority of the employees sign valid authorization cards; if the employees want to have an election, then there can be an election. The idea that has been suggested around here is that this eliminates the opportunity for free elections and that, of course, is not so. But what it is saying is that the people who are going to be the most affected by it will be able to make the decision as to whether it is going to be an open election or whether it will be the card check-off.

Then we have the instructions by the NLRB to make clear and fair rules for how that signup is to protect the workers' rights.

Then, this says, the Employee Free Choice Act brings the employers to the table within 10 days to start bargaining. The majority has indicated through the card check that they want to form a union and this is a process spelled out in this legislation about getting the employer to the table within 10 days and provides a reasonable timetable for negotiations and creates an incentive for both parties to reach an agreement and provides for mediation and binding arbitration as a last resort.

This idea we have heard during the course of the afternoon that this is going to require Government imposing a judgment and decision on companies is, of course, completely fallacious.

This is the timeline. Although it may be somewhat difficult to see, it is not enormously complicated. The union is certified, requests to bargain, it takes 10 days, and the bargaining begins. It goes on for 90 days. It can be extended. As long as there is a demonstration on both sides that they want to continue to move ahead, they will go ahead. If not, either party may request they go to mediation.

What we have found out, and history demonstrates, that 86 percent of the cases that go to mediation are actually settled. This is an extraordinary achievement and a record. So it gives full opportunity for the 90 days, continued opportunities for the sides, if they think they are making progress. If one or the other sides requests the mediation, they go to mediation. Then, only at the very end, if they are unable to get, through the mediation, if they are unable to resolve their questions in collective bargaining, then there is going to be 30 days after that which will be for the arbitration.

Now, a point that has been missed during this debate and discussion is that on the issue of arbitration, it is not in the interest of the union to put the employer out of business because they wouldn't have jobs, and it isn't in the interest of the employer to be so arbitrary that they will find they are not going to have a workforce. So there are forces that are out there to bring the situation together, and that is how it has worked in the past and is working.

The example that has been used, of course, is in our neighboring country of Canada, where it has met with great success. This is not enormously complicated, but the impact this will have in terms of permitting the 60-odd million individuals across this country who want to participate in a union to be a member of a union is dramatic.

I wish to reiterate for the membership what is happening in the real world. I explained earlier the kinds of activities employers have had to discourage, effectively to demean the workers themselves and destroy their economic life by firing them, even after there is a successful outcome in favor of a union. I wish to show what the numbers are. This is in 2005, when over 30,000 workers received backpay after the National Labor Relations Board found that employers had violated their rights—30,000 workers across the country. This isn't 5 or 6 workers, where it is happening in New England, or 4 or 5 workers down in Los Angeles or in another part of the country; this is 30,000 across the country. Thirty thousand across the country are receiving the backpay in one particular year. It demonstrates what is out there and the difficulty. That means they have been fired or their rights have been violated for being involved in union activity, to try to get an expression in their workplace, and they get fired or their rights are violated. What happens is they get fired or somehow their rights are violated, and it can be 2, 3, 4, or 5 years, luckily, if they ever get a reinstatement, so many of them become discouraged and completely drop out of the market.

Now let's see, after the National Labor Relations Board says they have been harshly and illegally treated, what is the burden then on the employer to pay them? Look at this. The average backpay of those 30,000 workers, many of whom are out 1, 2, 3, 4, or 5 years, is $2,660. That is the backpay. That is the average backpay for those 30,000 workers. Talk about a slap on the wrist. It is not even a slap on the wrist. This is the cost of doing business. Compare this to the unauthorized reproduction of Smokey the Bear. The penalty is $10,000 and up to 6 months in prison. This is the unfairness to American workers when they have been unfairly treated or fired, risking their family's future and their future, reinstated by the National Labor Relations Board and receiving the average pay of $2,660. So you can understand very easily why these many unscrupulous—not all, and we have given examples of informed and enlightened employers—but we can understand why many employers say go ahead, give me those firms that you have a list of, and we will take these kinds of penalties any time, rather than going ahead with the union. That is what is out there, in terms of its impact, by failing to move ahead.

We illustrated earlier in the day when it wasn't this way—when we had strong unions, speaking for working families, increase in productivity, increase in wages, and the result was that America was growing together. America was growing together toward being the strongest economy with the strongest national security in the world. The opportunities for those families to continue their being a part of what I call the march for progress, being a part of an America that was offering better opportunities than these families had or that their parents had. That was the promise of America. That isn't where we are today. We have gone through that earlier in the afternoon.

Since there have been a number of references to the National Labor Relations Board, I wish to include a letter from an extraordinary former Secretary of Labor. His name is Ray Marshall. He was an extraordinary Secretary of Labor under President Carter. He now continues to be a professor at the Johnson School of Public Affairs. He wrote, on March 21—and I will include his letter in the RECORD. I wish to mention briefly the relevant and very important part of his letter pointing out numerous studies, including those by the Commission on the Future of Worker-Management Relations, the Dunlop Commission. The Dunlop Commission was led by John Dunlop, who taught at Harvard Business School, a Republican, a Secretary of Labor for a number of Republican Presidents, and generally perceived to be one of the most thoughtful Secretaries of Labor we have had, in fact, over the last 50 years, and there was a Dunlop Commission which he took great pride in, in reviewing labor-management relations. That is what Ray Marshall is referring to.

He pointed out the Dunlop Commission documented the failure of American labor law to adequately protect workers' rights, bargaining rights. The National Labor Relations Act's major weaknesses include: Giving employers too much power to frustrate workers' organizing efforts through unlawful means.

This is the Dunlop Commission, former Republican Secretary of Labor, included in a letter from Ray Marshall.

No. 1: Giving employers too much power to frustrate workers' organizing efforts, often through unlawful means.

No. 2: Weak penalty for illegal actions by company representatives.

We gave an example of both of those.

No. 3: Employers' refusal to bargain in good faith after workers vote to be represented by unions.

The letter goes on. 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:

LYNDON B. JOHNSON SCHOOL OF PUBLIC AFFAIRS, THE UNIVERSITY OF TEXAS AT AUSTIN,

Austin, TX, March 21, 2007.

Hon. TED KENNEDY, Chair,
U.S. Senate Committee on Health, Education, Labor and Pensions, Washington, DC.

DEAR SENATOR KENNEDY: I regret very much that a scheduling conflict precludes the opportunity to accept your invitation to testify on the Employee Free Choice Act (EFCA), which I strongly support.

There is abundant evidence that free and democratic societies and broadly shared prosperity require strong and democratic organizations to represent employees at work and in the larger society. This is one reason all democratic countries, including the United States, have declared the right of workers to organize and bargain collectively to be fundamental human rights.

Unfortunately, despite our support of this declaration, U.S. labor law actually makes it very difficult for American workers to bargain collectively, even though polls show that nearly 60 million of them wish to do so. Indeed, unlike most other advanced democracies, the United States requires wokers to engage in unfair high-stakes contests with their employers to gain bargaining rights. Numerous studies, including those by the Commission on the Future of Worker-Management Relations (the Dunlop Commission) have documented the failure of American labor law to adequately protect workers' bargaining rights. The National Labor Relations Act's (NLRA) major weaknesses include: giving employers too much power to frustrate workers' organizing efforts, often through unlawful means; weak penalties for illegal actions by company representatives; and employers' refusal to bargain in good faith after workers vote to be represented by unions.

By strengthening the right of workers to select bargaining representatives without going through lengthy and unfair election processes, facilitating first contracts, and creating stronger and more equitable penalties, the EFCA would cause the NLRA to be much more balanced.

The EFCA is important to all Americans, not just to workers. We are not likely to have either sound public policies or fair and effective work practices if millions of American workers' voices remain unheard. It is significant that stagnant and declining real wages for most workers, along with growing and unsustainable income inequalities, have coincided with declining union strength.

Good luck with this important legislation. Please let me know if I can help in any way.

Sincerely,

RAY MARSHALL.

Mr. KENNEDY. Mr. President, I think these summarize the challenge and the problem and what we are trying to do to address them.

There have been comments about who will benefit—that it is going to be the union bosses who will coerce the people; the union representatives have no power over workers; the employer can fire you. He can hire you and fire you. He can decide whether you are going to have any kind of health insurance, or vacation, or paid sick leave. They are the ones who hold the whip, and we should not forget it. There is the claim that this is a payback for union leaders. It is the people who care about the workers who support this.

That brings me to this point. We have a letter from 124 religious leaders. I will read quickly part of this excellent letter:

As religious leaders, we will continue to work to disseminate within our communities of faith this message: That the right of workers to freely organize in a democracy, and families and communities are strengthened when workers can bargain for fair wages, adequate benefits, and safe working conditions.

We, as leaders of faith communities that represent the entire spectrum of U.S. religious life, call upon the U.S. Senate to bring the Employee Free Choice Act to the floor of the Senate as soon as possible. We urge that the Senate vote to pass this historic legislation as a public representation that this bill offers the best remedy to the egregious violations of workers' rights and best hope to restore to workers a voice in the workplace free from fear and harassment.

I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AN OPEN LETTER FROM RELIGIOUS LEADERS TO THE U.S. SENATE TO SUPPORT THE RIGHT OF WORKERS TO ORGANIZE

We, the undersigned religious leaders and representatives of faith-based-organizations, are deeply concerned about the pervasive violation of the rights of working people when they attempt to exercise their basic freedom to form unions and bargain collectively for a better life.

Over the past 30 years, workers' living standards have declined in well-documented ways—stagnant or low pay, longer hours spent at work, unaffordable or no health care benefits, and increasing insecurity. Increasing income inequality is the hallmark of our time.

U.S. labor law protects the legal right of workers to form unions, yet employers regularly and effectively block that right. Employer violations of workers' rights are routine and illegal firings of union supporters in labor organizing drives are at epidemic levels. In 2005 National Labor Relations Board (NLRB) annual report 31,358 people—or one worker every 17 minutes—received back pay because of illegal employer discrimination for activities legally protected by the National Labor Relations Act. But the perpetrating corporations pay no effective price.

This routine and flagrant violation of workers' rights has created a climate of fear and intimidation in the workplace. The results are that too many workers do not try to exercise their freedom for fear of losing their jobs. They quietly suffer hazardous working conditions, falling wages, and declining benefits.

America's faith traditions are nearly unanimous in support of the right of workers to organize, and by using sacred text and tradition, our faith communities have developed social statements supporting the freedom of workers, too vulnerable to systemic injustices in the workplace, to organize and collectively bargain.

The Employee Free Choice Act is the first step to fixing this badly broken system by strengthening penalties for companies that break the law by coercing or intimidating employees. It will also establish a third-party mediation process when employers and employees cannot agree on a first contract, and enable employees to form unions when a majority expresses their decision to join the union by signing authorization card. It makes real the principle that the free choice about whether to form unions should belong to workers.

As religious leaders, we will continue to work to disseminate within our communities of faith this message: That the right of workers to freely organize their workplaces is required in a democracy, and families and communities are strengthened when workers can bargain for fair wages, adequate benefits, and safe working conditions.

We, as leaders of faith communities that represent the entire spectrum of U.S. religious life, call upon the U.S. Senate to bring the Employee Free Choice Act to the floor of the Senate as soon as possible. We urge that the Senate vote to pass this historic legislation as a public representation that this bill offers the best remedy to the egregious violations of workers' rights and the best hope to restore to workers a voice in the workplace free from fear and harassment.

Sincerely, (Signed by 124 leaders)

Mr. KENNEDY. That isn't just the Senator from Massachusetts, the Senator from Vermont, or others who have spoken in favor of this. This is an open letter from 124 religious leaders, representing all of the great faiths, who are urging us as a matter of social consciousness and morality to give a voice and expression in the form of support for that legislation.

I also include a letter from 16 Governors from around the country. In part, they say:

The freedom to form and join unions is a fundamental human right protected by our constitutional freedom of association, our Nation's labor laws, and international human rights laws . . . it is a right for which millions of Americans have struggled. The freedom to form unions is of special importance to the civil and women's rights movements because unions help ensure adequate wages, health care coverage, and retirement security. It was the right to form a union that Dr. Martin Luther King, Jr. was supporting during the Memphis sanitation strike when he was assassinated in 1968. Unions also helped to reduce the wage gap for women, people of color, and can prevent arbitrary and discriminatory employer behavior.

So 16 Governors are recommending that we move ahead with this legislation.

I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

June 21, 2007.

Hon. HARRY REID,
Senate Majority Leader, U.S. Capitol Building, Washington, DC.
Hon. MITCH MCCONNELL,
Senate Minority Leader, U.S. Capitol Building, Washington, DC.

DEAR MAJORITY LEADER REID AND MINORITY LEADER MCCONNELL: As governors, we ask for your support of the ''Employee Free Choice Act,'' introduced by U.S. Senator Edward Kennedy and U.S. Representative George Miller. This legislation provides for recognition of a union when the majority of employees voluntarily sign authorizations, offers mediation and binding arbitration to resolve first contracts, and strengthens penalties for violations during organizing and first contract efforts.

The freedom to form and join unions is a fundamental human right protected by our constitutional freedom of association, our nation's labor laws, and international human rights laws, including the 1948 Universal Declaration of Human Rights. It is a right for which millions of Americans have struggled. The freedom to form unions is of special importance to the civil and women's rights movements because unions help ensure adequate wages, health care coverage and retirement security. It was the right to form a union that Dr. Martin Luther King, Jr. was supporting during the Memphis sanitation strike when he was assassinated in 1968. Unions also help to reduce the wage gap for women and people of color, and can prevent arbitrary and discriminatory employer behavior.

The National Labor Relations Act of 1935 has long allowed employers to recognize a union when the majority of workers sign authorization cards, designating the union as their bargaining agent. The right to form a union, however, has been eroded over the last several years, resulting in increasing employer harassment, discrimination, and sometimes termination for workers taking initial steps toward forming a union. Twenty-five percent of private-sector employers illegally fire at least one worker for union activity during organizing campaigns. Even where workers successfully form unions, employers often refuse to bargain fairly with the workers. Moreover, 92% of employers illegally force employees to attend mandatory, closed-door meetings against the union. The Employee Free Choice Act will protect workers from these abuses, provide for first contract mediation and arbitration, and establish meaningful penalties when employers violate workers rights.

When workers try to form unions, all too often they are harassed, intimidated, and even fired for their support of the union. These attacks on workers' rights, for which there are only weak—if any—remedies, occur all too frequently among the most vulnerable workers of our society, including women, the working poor or all races, and recent immigrants. As a result, those workers who need unions the most are often those who have the least chance of achieving the benefits of unionization.

We strongly urge you to support the Employee Free Choice, legislation that would begin to reinstate the right to form unions that Congress protected for America's workers over 65 years ago.

Sincerely,

Governor Bill Ritter, Jr., Colorado; Governor Chet Culver, Iowa; Governor John Baldacci, Maine; Governor Jennifer Granholm, Michigan; Governor Bill Richardson, New Mexico; Governor Ted Strickland, Ohio; Governor Edward G. Rendell, Pennsylvania; Governor Joe Manchin III, West Virginia; Governor Rod Blagojevich, Illinois; Governor Kathleen Sebelius, Kansas; Governor Martin O'Malley, Maryland; Governor Jon Corzine, New Jersey; Governor Eliot Spitzer, New York; Governor Ted Kulongoski, Oregon; Governor Chris Gregoire, Washington; Governor Jim Doyle, Wisconsin.

Mr. KENNEDY. Finally, we have a letter from the Leadership Conference on Civil Rights. Two hundred civil rights groups are endorsing this legislation.

In part, their letter says this:

This bill will reform the current system for selecting a union to give all working people the freedom to make their own decision about whether to choose a union and bargain for better wages and benefits. LCCR strongly believes that a healthy labor movement invests America's diverse working people with a powerful voice with which to challenge workplace discrimination and demand equality.

I ask unanimous consent that this letter also be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LEADERSHIP CONFERENCE
ON CIVIL RIGHTS
Washington, DC, June 18, 2007.

DEAR SENATOR: On behalf of the Leadership Conference on Civil Rights (LCCR), the nation's oldest, largest, and most diverse civil and human rights coalition, with nearly 200 member organizations, we urge you to support the Employee Free Choice Act (EFCA) (S.1041). [The bill will reform the current system for selecting a union to give all working people the freedom to make their own decision about whether to choose a union and bargain for better wages and benefits. LCCR strongly believes that a healthy labor movement invests America's diverse working people with a powerful voice with which to challenge workplace discrimination and demand equality.]

Under the current system, where the National Labor Relations Board (NLRB) conducts polling after a long and bitter campaign period, employers are given ample opportunity to intimidate and coerce employees to vote against unions. Until workers can exercise a free choice, they will continue to lose power in our country, living standards will continue to suffer, and our middle class will continue to decline. LCCR urges the Senate to vote yes on cloture for the EFCA, and to promptly join the House in passing the bill.

The EFCA levels the playing field for employees by: (1) certifying union representation when a majority of workers sign cards designating the union as their bargaining representative; (2) strengthening penalties against companies that illegally punish employees for supporting a union; and (3) bringing in a neutral third party to settle a contract when a company and a newly certified union cannot agree on a contract after three months.

A recent analysis of NLRB data reveals the necessity of reform. One in five active union supporters is illegally fired for union activity during NLRB election campaigns; workers are fired for union activity in 25 percent of campaigns; in 78 percent of NLRB campaigns, employers require supervisors to deliver anti-union messages to the workers whose jobs and pay they control; in 92 percent of NLRB campaigns, employers force

workers to attend closed door anti-union meetings; and in 51 percent of NLRB campaigns, employers threaten to close the workplace if employees vote for union representation.

LCCR and the civil rights community care deeply about this bill. The labor movement has long been a forceful advocate for equal opportunity and equal dignity in our nation. The critical role played by labor in achieving passage of Title VII of the Civil Rights Act is well-known. But unions also facilitate enforcement of civil rights laws by policing the workplace and using the grievance process to halt discriminatory practices. Moreover, unions raise the wages and benefits of women and people of color. Workers who belong to unions earn 30 percent more than non-union workers, and enjoy substantially better health care. These improvements are even more pronounced for women and people of color.

Labor unions today are in crisis. Union membership in the private sector continues its precipitous decline of the past several years. Fierce, concerted resistance to unions by employers and the weakening of existing labor protections have made union organizing extraordinarily difficult. Surveys demonstrate that American workers want unions. Yet the campaigns of intimidation and coercion mounted by employers during organizing drives and the lack of an adequate legal remedy for such employer conduct have reduced existing polling procedures to a farce. The EFCA presents an important opportunity to guarantee workers a free, uncoerced choice in choosing union representation.

The Senate should seize this opportunity and vote for the EFCA. Should you require further information or have any questions, please contact Paul Edenfield, Counsel and Policy Analyst, at 202/263–2852, regarding this or any issue.

Sincerely,

WADE HENDERSON,
President & CEO.
NANCY ZIRKIN,
Deputy Director.

Mr. KENNEDY. So there it is. The oustanding religious leaders, the Governors, those who have been speaking out to protect and advance the cause of women and minorities in the workplace, all see this legislation as being a major consequence to economic justice to workers' rights in this country. That is why we are in such strong support of this legislation. We are hopeful we will get a strong vote on tomorrow.

I reserve the remainder of my time.

Ms. MIKULSKI. Mr. President, as a U.S. Senator, I am fighting for jobs today and jobs tomorrow. Unions play a vital role in ensuring safe and fair working conditions. That is why I support the right to form and join unions and I will continue to fight to preserve the rights of workers.

It is time to get behind the working people's agenda. That is why I am proud to stand with the labor movement. I wear the union label on my clothes, on my heart, and on the floor of the Senate. I am proud of union members. You all work hard. You work three shifts: one at your jobs to make a living, then with your family to make that living worthwhile, and a third with your union to make a difference.

I know the importance of unions, and that is why I am an original cosponsor of the Employee Free Choice Act. With union membership at its lowest point in more than 60 years, this bill takes several steps to make it easier to unionize without employer coercion. Workers understand the benefits of joining a union—53 percent say they could join one today if they could. But the right to organize is deliberately denied by many employers.

Unions raise wages, improve working conditions, and ensure fair treatment on the job. In many jobs they make the difference between living in poverty and making ends meet or the difference between just getting by and making enough to make a better life for a family.

Workers face three obstacles when trying to unionize: unfair union election rules, meaningless penalties, and employers' refusal to bargain with employees. This bill would level the playing field by letting workers choose how to form a union, establishing meaningful penalties, and guaranteeing both sides bargain in good faith.

Workers organize themselves by signing a document saying they want to join a union. Once a majority of workers signup, they can ask their employers to be recognized as a union and collectively bargain for a contract. However, employers often refuse to recognize the union and require workers to go through an intimidating anti-union campaign that ends in an unfair election.

The Employee Free Choice Act makes it easier to form a union by not allowing employers to veto employees' decisions about how to organize and force an unfair election. Workers could still request an election, but it would be their choice—not the employers.

The other big problem for workers who want to unionize is that the penalties for companies that break the laws are too low. Employers who break union election rules only have to post a sign saying that they won't do it again. Employers who fire a worker for being pro-union are only required to pay wages they would have owed if they had followed the law minus whatever the fired employee earned since his or her firing. And because cases can be tied up in court for years, employers are able to fight dirty against unions and workers with near impunity.

The Employee Free Choice Act raises penalties for unfair labor violations to $20,000, requires employers to pay workers who were unfairly fired three times backpay, and requires the NLRB to seek an injunction when they have evidence that an employer has violated a union election law.

Even when unions are able to overcome these slanted rules, employers still undermine the will of their employees by refusing to negotiate in good faith. Today, if a union and an employer can't agree on a contract within a year, the employer can call an election to disband the union and another unfair antiunion campaign begins. While not bargaining in good faith is prohibited by law, the NLRB has set the standard of proof too high to ever be met except in the most blatant cases. This gives antiunion employers every reason to stall during negotiations, and that is why one-third of unions formed through elections don't get a contract within a year.

This bill ensures fair negotiations by establishing reasonable time tables for negotiation and mediation. In the rare cases when that fails to produce an agreement, this would also require arbitration so that parties have incentives to compromise and find a middle ground that benefits everyone.

Unfair rules, lax enforcement, and insincere negotiating has crippled union organizing and threatened the middle-class lifestyle that was once the economic pride of our country. The Employee Free Choice Act gives workers the rights they deserve, restores integrity to our Nation's labor laws, and lays the foundation for working and middle class Americans to once again share in our country's economic prosperity.

America's economy continues to grow but working class economic security and opportunity have gone in the opposite direction. Wages are lower today than they were 30 years ago, employers no longer offer good benefits, and workers don't make enough to save for retirement or send their kids to college. Despite working longer and being more productive, American families find it harder to break into the middle class and families in the middle class are finding it harder to stay there. This bill is a step in the right direction for working Americans. I strongly urge my colleagues to join me in supporting it.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. BURR. Mr. President, I have the deepest respect for the Senator from Massachusetts, and this is one Senator who makes no accusations that this is payback. I proudly say the Senator from Massachusetts believed before that this is the right thing, he believes it today, and he will believe it tomorrow; and no one could convince me he could change his mind. It is refreshing in this institution to find somebody who is so entrenched that the press, public opinion, or anything cannot move him.

But acknowledging that about Senator KENNEDY, I have to express my strong disagreement from the standpoint that he says this is easy to do. I hope it is not easy to do. I hope it is not easy in America, in a democracy, to do away with the private ballot. I believe it is something we cherish, something we protect, something we understand is part of the tenets of democracy.

I think it is important that we look back. We have heard a lot about where we are. But how did we get to the point that we have a system where if 30 percent of the employees sign a sheet to have an election—30 percent, not 50 percent—in fact, they get that right. It

was in 1947 when they changed the National Labor Relations Act. Why did they change it? Because through the 1930s and 1940s, there was widespread intimidation by the labor unions on workers and on employers. Rather than to have that intimidation that mobilized one's commitment to unionize a business, they rewrote the law and they provided the right of a private ballot in this infant democracy—what we did for elections we adopted for employees, a secret way for every employee not to be bullied or intimidated as to how they wanted to be represented by their employer or by a union.

Employee Free Choice Act. That sounds easy, and I think that is why he suggested it is. The reality is Americans will give up the private ballot. But the Employee Free Choice Act violates that tenet of our democracy because it would prevent every worker's vote from counting. I will say that again. It would prevent every worker's vote from counting. We have had battles over the last 10 years in this country about every vote counting. Not only would it prevent every vote from being counted, it would deny the right to vote to some employees, because now just with 50 percent plus one additional worker there would be no need for a vote. He is right. You would enter into a 10-day process that would accelerate, in all likelihood, to mediation because you have a union that shot for the stars and an employer that can only pay X. The history of the country is that we split the difference and the employer decides if they can even stay in business.

Under current law, the most frequent form of union organizing is a private ballot, with 30 percent of the employees signing their name on a dotted line, which initiates an election process where employees will decide by private ballot as to whether the union represents them. I cannot think of anything more fair than 30 percent initiating and 50 plus 1 making the final decision. In Winston-Salem in the past year and a half, I had a good friend whose company was forced to have a ballot—or at least they pushed it as far as they could. You see, at the end of the day, I am not sure they had 30 percent of the employees sign. But if you had seen what happened in that community, if you had seen the posters that were put on telephone poles about the owner of this business, the fliers mailed to his neighbors—it had nothing to do with his business or employees. It was a character assassination on the individual who owned the business because the labor unions thought if they could break his character, he would give in to a vote and they would have a chance of organizing his business.

The great news out of that story is he didn't break; he fought them and he won. In fact, they didn't have 30 percent who signed. They didn't have an election because the employees decided they didn't want to be represented by the union. I can tell you that in the town I live in, they make pretty good money. They may not make as much as they would like to, but they make as much as the industry they represent can bear and that the town they live in can afford to pay.

When we talk about intimidation, I assure you that there is intimidation against the employer. It is happening every day in communities across this country. If there are any examples of what I saw as to what would happen if we did away with the private ballot, I would hate to see what would happen to employees in this country if unions had the ability to bully and intimidate them into agreeing to sign on because there was no longer the secrecy of a private ballot.

In the last 10 years, we have seen increased effort by unions to seek union recognition outside of the secret ballot process already—the so-called use of card check. It has become a critical component of big labor's organizing strategy. Card check circumvents workers' rights to private ballot to union certification elections. The legislation would instead force workers into a union once union organizers have obtained those 50 percent plus 1 signature.

This invites worker intimidation and character assassination by the union. I believe all votes should be counted. Under card check, that would not happen. Many individuals will be denied access to vote. Many votes will go uncounted because no votes would take place.

Do you find it odd that in 2001, the authors of this bill demanded private ballots in Mexico? As recently as 2001, the cosponsors of card check legislation urged Mexico to guarantee secret ballots to their workers voting in union-recognized campaigns. So they will propose private ballots in Mexico, but they won't support their continued existence in the United States. Unions know private ballots prevent coercion when it comes to making a choice about unions. Even the AFL–CIO has called the secret ballot the surest means for avoiding decisions that are the result of group pressure and not individual decisions. That statement was made in a legal brief regarding union decertification elections.

The Employee Free Choice Act is, quite frankly, antiworker legislation. Unions should not be enhancing their power by weakening workers' rights. I cannot think of a more important right than the right to vote, the right to a secret ballot, the right to make sure that your vote is cast, that it is counted, and that it counts. The authors of this bill suggest that we throw that away.

I will end with this story. We all had the opportunity—''all'' meaning the entire world—to see the first free elections in Iraq in a number of decades. We saw people with purple fingers acknowledging the fact that they had risked their lives to travel to a polling place to cast a private ballot for a slate of candidates to elect their representatives.

In my office today is a ballot from one of those polling places in Iraq. It is framed next to a flag that a pilot, who patrolled over that polling site protecting those Iraqi people, brought back and was told by the Iraqis: Give this to a Member of the U.S. Senate who represents you and tell them how much it means to us.

If this is, in fact, how we see democracies emerge and the importance of an individual's right to vote, to elect their representatives, to decide their future, and yet we, the strongest democracy in the world, throw out private ballots, disregard this important piece of democracy because it is easy, if we neglect history and we forget what happened in 1930 and 1940 and why we changed it in 1947, and we fall prey to what seems easy, then what example do we set for the rest of the world? How hard will people fight in the future for democracy and freedom? Will people be willing to risk their lives when they see the ability to weigh in on who represents them? I seriously doubt it.

I think the worst example we can send to the world is that there is a piece of American democracy where private ballots are no longer needed, where we just disregard that part of the rights of the American people.

I am hopeful that tomorrow we will vote not to proceed, that this legislation will not be considered, and we can assure the American people we have protected their rights with the private ballots and not accept what is easy, and that is to throw it away.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I rise today to also voice my opposition to the Employee Free Choice Act. It is a House bill which has been sent over to the Senate, H.R. 800. It is commonly referred to as the card check legislation. I am not concerned about the rights or about unions. I am not particularly concerned how the members of a union or how employees decide they want to organize. I am not concerned about corporations or businesses or how those businesses may decide they want to organize themselves. But what I am concerned about is the individual, and I am concerned about whether this is the best way to move forward in a democratic process where the individual is so very important. If we talk about a democratic process, we simply talk about free elections, which assures us the privacy of the ballot box.

My home State of Colorado continues to maintain a low unemployment rate, far below the national average. According to the Bureau of Labor Statistics, only 3.5 percent of Coloradans are currently unemployed. This is significant when compared to the national average of 4.5 percent. This is something about which Colorado should be proud to

boast. This is the type of information businesses review when they mull over starting up or expanding in the great State of Colorado. This low unemployment rate is the result of Colorado's strong economy and highly productive workforce.

So when we consider the so-called and wildly misnamed Employee Free Choice Act, I know it threatens to turn the clock back on progress we have made. In fact, this is an issue which Colorado has already rejected. This year, our newly elected Democratic Governor vetoed an attempt to enact a similar measure into State law. That vetoed bill would have repealed the Colorado law requiring that once a company's employees approve a union, they have a second secret ballot vote on how dues will be assessed with a 75-percent supermajority required for approval.

Governor Ritter's vote put a stop to the rushed efforts by Democrats in the State legislature who tried to ram the bill through, not unlike those here today. Governor Ritter's efforts protected the 92 percent of Colorado workers who are not members of unions.

Union leaders responded to Governor Ritter's actions with threats to move the Democratic convention from Denver if they don't get their way. If unions are able to make such threats on State governments and State legislatures and State Governors, I question what keeps them from intimidating workers who choose not to join their labor organizations.

Similar rushed efforts are being made at the Federal level, hiding under the deceptive name of the Employee Free Choice Act. It is advertised as an effort to restore economic opportunity for working families. In fact, this legislation threatens the fundamental right of workers to hold democratic elections in the workplace. Private ballot elections would be replaced with publicly signed card check elections. This would invite coercion from both employers and union activists.

Secret ballots guarantee the confidentiality of an employee's wishes without fear of exploitation, ostracism, or retribution. Common sense tells us that if corporate intimidation was a problem, private elections would do more to protect the true wishes of the employee.

History recognizes this democratic system as suitable for electing America's leaders, including every Member of Congress who serves today. Workers deserve the same rights at work as they do when they cast their ballot on election day. Only private ballot elections ensure democracy in the workplace. Ask yourself: Do publicly signed cards reliably reveal a worker's true intentions? Workers should be able to express their true desire about joining a union without pressure or fear of reprisal. Just as undue employer pressure is unacceptable on an employee, so is union pressure.

We speak of big business, but most union elections over the past several years involve employers with less than 30 eligible employees. Compare that to the massive organization labor has built to advance its agenda.

What we are really talking about is big labor versus small business. Secret ballot elections, in my view, must be preserved, not eliminated. So I am asking my colleagues to join me and others in opposing the Employee Free Choice Act because, in my view, it is not about unions. It is not about corporations or big business. This is about the democratic process. It is about free elections and the privacy of the ballot box.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DEMINT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEMINT. Mr. President, I would like to speak for a few minutes about a couple of bills that are going to be offered this week. There are two bills that probably make a good point about where we are as a Senate, and particularly I think where my Democratic colleagues are. We have one bill that takes away almost a sacred right of American workers, and then we have a second bill that will be offered tomorrow that gives new rights and benefits to non-Americans who came to this country illegally.

The first bill has been given lots of names today. I think it is S. 1041. Some call it card check. I call it the ''Worker Intimidation Act.'' One of the most central parts of our whole free society, whether you are talking about local school board elections, elections to Congress, or where workers decide whether to become part of a union, has always been the secret ballot. The very fact that this Congress is considering eliminating that secret ballot should give all of us pause as to where we are as a country.

The very thought that we would call this in some way worker protection is amazing, and that we are saying this bill will somehow help unemployment in this country, when we know it would not. Unions have been declining for years in the private sector because, in an age of lean manufacturing, continuous quality improvement, and just-in-time inventories, it is becoming increasingly impossible to have a third-party decisionmaker involved in that whole process.

I spent years consulting for continuous quality improvement, and it is hard enough, with your customers and workers and your company, to figure out how to make that dynamic work profitably. But when a third party is involved with collective bargaining in decisions about how your operations work it is almost impossible to make a company competitive in this global economy.

We have seen in our own country the companies and industries we are proudest of—our auto industries, and we have seen it in the airlines where, basically, unionization and the union contracts have brought these companies either to bankruptcy or close to it.

There is a reason that unions are not prospering in the private sector. The only place they are prospering is in government. As the government grows, it doesn't have any competition. The inefficiencies are very well known, the incompetencies. Third-party decisionmaking does nothing but make us more and more inefficient and inept as a government, which we see in everything from Katrina to almost everything we do.

As we look at this other bill that we are going to bring up, where we add 128,000 new border agents who will be unionized and part of collective bargaining, we will continue to see dysfunction at the border. We are not helping workers when we take away their right to vote as to whether to become a union. We have heard a lot of explanations of what this bill does, but it is really a desperate attempt to try to salvage unionization and union bosses in this country. It is just not right to tell a worker they can be intimidated to join a union, and that is basically what it comes down to.

So I am here to encourage all my colleagues to vote this bill down tomorrow. I am very surprised the majority leader is even willing to bring it up.

That brings me to the second bill where, on one hand, we are willing to take rights away from American workers—and I think America is increasingly concerned as it sees our laws and justice system seeming to work against them. It seems to work for the criminals rather than the victims. It tends to take rights away from Americans and give them away and send our money overseas. I hear that from everyone I talk to. But one of the most emotionally charged issues of our day is this immigration bill, which many call the amnesty bill, that will also be brought up.

We all know there are millions of people all over the world who have been waiting years to come to this country and work legally, to be a part of this country and to share our values. At the same time, we also know for many years, millions and millions of folks have snuck in illegally and continue to be here to this day, and the bill we are talking about this week is going to reward those who came here illegally while basically putting at a disadvantage those who have been trying to work the system legally for years.

All of us in Congress have tried to help people for many years, whether it is to get their passports or green cards, to try to get their citizenship, or to help people who want to get visas to come here because industry needs them to come, and it is difficult working within this legal system. We make it so

hard for people to come here legally, and we have made it easy for them to come here illegally.

We have talked about—during the debate today and we will a little more tomorrow—how back in 1986 we saw we had a problem with 2 or 3 million illegals who were here, and we passed a bill that was going to secure our borders and get a verifiable worker ID system, and we were going to grant amnesty to those who were here but then no more. We were just going to do it that once. But what we did was send a signal all over the world that if you can get here illegally, we are eventually going to make you legal. And so here we are again, except this time with 12 to 20 million illegals who have come to this country, breaking our laws as their first act of coming across our border.

This bill—and I know there are a lot of good intentions behind it—is holding hostage the reforms we need to secure our borders, to develop a workable immigration system. We are holding that part hostage, which we really need, to this whole idea of amnesty. They are telling those of us who want to make a system that works to get in the guest workers our farmers and hotel operators need, to get in the skilled workers in our high-tech industries, that in order to do that and to develop an enforcement system to make that work, we have to give 12 million people who came here illegally permanent residency and a pathway to citizenship.

I don't buy that grand bargain, and I don't think America has either. In fact, I know America hasn't. Our offices have had thousands of calls from all over the country from people who are desperate and wondering why we are not willing to enforce our laws. And what would make them think we are going to enforce this new law if we have not even shown an inclination to enforce the laws that have already been passed—not just in 1986 but last year we passed a stronger border enforcement bill than is in this current amnesty bill. Yet we have done very little to move ahead with it. We are holding it hostage to this brandnew amnesty program.

It is not fair to Americans because the American worker will have to pay for this in their taxes. We know these illegals who are here are going to continue to use government services: health care, and emergency rooms, free education for children, day care, free lunch programs, housing programs, and eventually Social Security and Medicare. We don't even know how we are going to keep these promises to our own citizens. Yet we are being asked to give permanent legal residency and a path to citizenship to those who came here illegally.

Tomorrow, we are going to bring up two bills. One is to take away a right of American workers to a secret ballot when it comes to whether they are unionized. The second is to give new benefits and rights to millions of people who disobeyed our laws, who came to this country illegally, and who jumped in front of those trying to obey our laws. Both bills should be voted down.

I encourage my colleagues to respond to the American people on this one, to show them we can listen, that we are not as callous as we appear. Their concerns go far beyond just this immigration bill or this secret ballot bill. They believe they are being sold out. They think they are being betrayed. They think we are just moving from whim to whim in the Senate, and we are refusing to go by the rule of law and enforce the laws we have actually passed in Congress. They are concerned at a level and alienated at a level I have never seen.

At a time when the trust and favorable ratings of Congress and the President are at historical lows, we have chosen to stick down the throats of the American people legislation they do not trust and they do not want.

I appeal to the President, I appeal to the leaders on the Democratic side and the Republican side to take this a step at a time and allow us to earn the trust of the American people, to show them that we will enforce our laws and secure our borders, to show them we will follow through on a worker ID program that is verifiable so we will know who is legal and who is not. And if we develop a legal immigration system that works, then the decisions about what to do with the illegals who are here will become easy because we will have a workable system we can work with.

To vote for the bill, the motion to proceed tomorrow on this immigration bill, is a vote to pass it. Every Senator here knows, regardless of how this bill ends up, that there are 51 Senators who will vote for it. So moving this bill along tomorrow by voting for this cloture motion to proceed is voting to pass this bill.

I have heard some say: I am going to vote for the motion to proceed, but I will vote against the bill. America will see through it because they are looking at this one. We did the same thing last week on the Energy bill, where some folks said: Well, I am going to vote for the cloture motion, but I am going to vote against the bill, when they knew if they helped pass cloture they were passing the bill. The same is happening with this immigration bill. There are some who think the American people will not notice they pushed this bill all the way to final vote. Even if they vote against the final bill, they voted to pass it.

Tomorrow will reveal who wants to listen, who is going to listen to the American people, by voting against this cloture motion to proceed. This bill has come up and been voted down three times already in the last month. It is unprecedented in Congress after a failure of that magnitude to bring a bill back in a couple of weeks and try to stuff it down the American people's throats again.

This is the wrong bill. It is a flawed bill. It is the wrong time to ask the American people to trust Congress when we have not proven to be trustworthy in the past. We need to take this a step at a time, and we need to stop this cloture motion tomorrow. I encourage my colleagues to listen to the American people, to vote against the elimination of a secret ballot for unions, and to vote against the amnesty bill that will follow it tomorrow.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION

Mr. SESSIONS. Mr. President, I want to share some thoughts about immigration and the situation in which we currently find ourselves and offer a bit perspective, I think fairly, on where we are.

We are the world's most free nation and are having one of the strongest periods of economic growth—maybe our strongest ever. Billions of people all over the world, however, are in poverty and live in countries that are corrupt and backward. One expert has said that all would live a better life if they came to the United States. I think that is a true fact.

We are indeed a nation of immigrants, and that heritage has caused us to continue one of the most generous legal immigration systems of any nation in the world. I submit, however, that immigration policy is an issue of national sovereignty, as Canada, Mexico, Spain, Japan, England—all nations understand and respect. This is an acknowledged fact. I chaired the Mexican-American Senate Interparliamentary Group for 2 years. We talked about those things. Everybody understands setting immigration policy is your nation's prerogative.

It is amazing to me that our majority leader—in this case, our Democratic leader—will use the power of first recognition to call up an immigration bill again, just two weeks after the American people have basically rejected it. In fact, the polling numbers show that support for the Senate bill is dropping further and further. He then will use, I understand, an unprecedented, never-before-used procedure that would block amendments. This is the so-called clay pigeon procedure others have described. He will file a first degree amendment, and then file a second degree to it to fill the tree, so no other second-degree or unapproved amendments will be allowed votes. He will divide his own second degree into 20 or so amendments and then work every procedural trick in the book to ensure that the underlying bill and its 20 hand picked amendments move the

legislation through this Senate as fast as possible. The mandarins who are managing this piece of legislation want it out of here. They don't want any more calls from their constituents. They don't want any more talk show people explaining some of the things that are in it. They want it off their plate. Good policy? Well, they say, that is for another day. We just want the bill out of here.

Well, the opposition to this bill is gaining momentum. Thoughtful Senators who wanted to vote for something are analyzing the fine print of the bill and realizing that the ''vision'' bill supporters describe is not supported by the text. Senators are announcing that they will be voting no. Senators who participated in the debates and wanted to vote for something and hoped to be able to vote for this bill after examining it in more detail are indicating that they are going to vote against it.

It is quite clear that the same special interest forces who produced the 1986 bill are the ones who worked behind the scenes to produce this one. It was produced in secret meetings of politicians without any public hearings. It did not go through a single committee markup. But you can be sure the activist open border immigration forces, and the business interests, were having their voices heard in these meetings. Does anybody doubt that? What about the American public? Were they in the room? Were their opinions sought after? What about experts in law enforcement, were their opinions sought after? I suggest not.

The mandarins, in their faux wisdom, treated this as a political problem that could be solved by compromise. We have to pass something, they said. That was the mantra. So in the end it seems that passing something means passing anything, regardless of whether, in the end, it will work to end illegality or establish good policies that will serve our long-term national interest.

This Senator will never support a bill that will fail as spectacularly as the 1986 legislation failed. I have to tell my colleagues, my best judgment, and we looked at this hard, is that this one will fail. Even the Congressional Budget Office, our investigative analysis arm, in its June 4—just a few weeks ago—cost estimate, says that illegality after the passage of this bill would be reduced a mere 13 percent. Mr. President, 8.7 million illegal aliens would be expected over the 20-year period instead of 10 million under current law. That is what their estimate is.

So our masters—and I say that affectionately; I call them masters of the universe. These are good friends and good Senators. They have tried to do something. They got it in their head that if they just all met and they just put out the realpolitik and they worked out the political deals and split the babies and all this, they could do a bill that served America's interests. I watched with interest. I thought some of the things they said they wanted to accomplish were good improvements over last year's bill. But I have to tell you, I don't believe it worked. I don't believe they got there.

They don't want to pay attention to those of us who question what they have done, you see. They believe they are wonderful and bright and thoughtful and love America and are compassionate. The rest of us, they say you see, we are nativists. They say we just oppose immigration—despite the fact that we don't oppose immigration. They say we don't like immigrants. They say we don't have courage. How many times have I heard that? You have to have courage to vote for this turkey, I guess. That is supposed to be something that would be good. But sometimes I think hanging in here and opposing the machinery of this process takes a little gumption on the part of those of us who oppose it.

They say we do not believe in immigration or we lack compassion. I want to reject those charges flatout. They are false. I believe in immigration. I believe in a guest worker program. But I want a guest worker program that will work, will not be an avenue of expanded illegality, as the CBO said this one will.

In fact, because of the guest worker program, the Congressional Budget Office has said visa overstays, those people who come in legally but do not go home when they are supposed to, will increase under this bill, not decrease.

I thought we were supposed to be fixing illegality not enhancing illegality. So I wish to say to my colleagues, first, it is indisputable that the passage of this bill will not create a lawful system of immigration. This bill does not live up to their promises. Our good friends the masters came out of their secret meeting, and they announced they had fixed immigration; they announced that they had a comprehensive plan that is going to fix immigration, and that we are finally going to end this illegality.

But their own Congressional Budget Office that responds to them, that responds to the Democratic leaders, Senator REID or Speaker PELOSI, it is pretty much a nonpartisan group, but they are under the control of the Congress. This group under the control of the Congress says it will not work, says visa overstays will increase and the net impact on illegal immigration only be to reduce illegal immigration by 13 percent.

Now, I consider that one event so significant, so earth shaking, that I cannot see how the Majority Leader could still take up this legislation and jam it down the throat of this Senate through an unprecedented procedure to pass it, especially when the American people do not like it either.

So it will not create a lawful system. We can be sure of that. We felt that when we analyzed it. My chief counsel, Cindy Hayden, and others looked at it, we found loophole after loophole. I made a speech of about 20 loopholes that were in the legislation. There were many more than the specific 20 I talked about. But we knew it was not going to be an effective law enforcement bill. It was not going to secure the border. So what does the CBO say? They agreed with our analysis.

Secondly, what else is fundamentally in here? The legislation fails to move to a merit-based system and, in fact, triples low-skilled and chain migration over the next 8 years. The promise was made that the bill would move us to a system more like Canada has, which makes so much sense; a system that Canada is very proud of. They believe it serves the Canadian interest.

They still have the same number of refugees and humanitarian immigrants that they always did, but they have—with regard to the rest of their immigration policy—reached a point where 60 percent of the people who enter into Canada have to come through a point system. If you are admitted and come in, you can bring your wife and children, but to do that, you basically have to first demonstrate that you can contribute to Canada.

One of the things they gave you points for, in an objective evaluation, is education. We know that if an immigrant has had any college courses, they do much better economically. They ask if you speak English or French. You get extra points if you do that.

You even get extra points if you are younger. You get extra points if you have skills Canada needs. They even give you points if you move to areas of Canada that are underpopulated and have a particular job shortage.

That is the way the deal works. They promised we would have that in this legislation. That was part of the announcement. But when you read the fine print, you see that was eroded away in the political compromise. The bill's merit based system will not have any substantial effect until 8 years after this date. So I don't know what will happen in 8 years. You never know. But we would like to see this kind of thing in the bill.

I congratulate the people who produced it, that they began to discuss it because last year it was not even discussed. I talked about it on the floor repeatedly. I asked how we could debate comprehensive immigration reform and nobody even ask what they are doing in Canada. So they put the Canadian system in here. But it is so weak that it is a great disappointment.

Well, I indicated that illegal immigration would only drop 13 percent. What about the proposal for legal immigration on the legislation? Well, it is going to go up 100 percent. Legal immigration will double in the next 20 years.

Now we have looked at the numbers. I think this is indisputable. We will have twice as many people getting legal permanent residence over the

next 20 years as we would under current law. I am not sure when the average citizen listened to our colleagues and they announced on that big day, the grand bargain, that we were talking about a proposal that would hardly limit legal immigration at all and would double legal immigration, I don't think that is what they had in mind when comprehensive reform was discussed.

What about cost? The Congressional Budget Office dealt with that issue. They have to score legislation. Well, what does the cost factor say? Under the CBO analysis, the cost to the taxpayers of the United States—now I wanted to make this clear, this is not for border enforcement, Border Patrol acts, barriers or anything such as that—this is costs that will be incurred by the recipients of amnesty, who will be given amnesty under this bill, because all of a sudden they will be entitled to welfare, Medicare, and other types of tax credits and other types of benefits.

They concluded this legislation will add to the taxpayers of America an additional $25 billion in cost over the next 10 years. They have admitted, without any hesitation, those costs will greatly increase in the outyears, because the way this thing is staggered, people's benefits do not come immediately. But as the years go by, they are entitled to more welfare and social benefits.

So they have admitted we are going to have an increase significantly in the future because, in fact, the persons who are here illegally, for the most part, have little education. Approximately half, maybe even more, do not have a high school diploma at all, and their skill levels are low.

We have statics and scientific data on that. I am not disparaging anyone. I respect anyone who works hard and wants to come to America and work hard. I respect that. But I can say with certainty these are basically low-wage workers that are going to be legalized.

My fifth point is, that the way the bill is written, it will reduce the wages of working Americans. We bring in more cotton in this country, the price of cotton goes down. You bring in more iron ore, the price of iron ore goes down. If you reduce the amount of oil coming into the country, the price of oil goes up. You bring in more laborers, the price of labor goes down.

I would submit that if one of the charges I have made out of these five is true, this legislation should be pulled from the floor; it should not become law. But I am going to take a few moments now to demonstrate, I believe with hard evidence, all of these charges are true. The legislation, in effect, will not end the unlawfulness of our current system and will shift the balance against American workers and create another amnesty that will encourage even more illegals in the future.

The effect will be to continue the erosion of confidence by the American people in Congress, and in the Government overall, which is at an all time low, virtually. I am not sure since I have been in the Senate, we have such a large number of people who believe this country is on the wrong track.

I have to believe, and experts have told me, that their distrust and dissatisfaction over immigration is a big part of the way, the cause of this cynicism. Let me take some points here, one by one.

Will this grand bargain we are presented with create an honest, legal, fair system for the future? The answer is no. That was our conclusion after we studied the bill. But let's look at what others might say. I mentioned the CBO study. They said specifically that the bill would limit the amount of illegal flow across our border by 25 percent but would increase illegal visa overstays significantly.

The net result was only a 13-percent reduction in illegals, from 10 million illegals projected to come into our country under current law over the next 10 years, to 8.7 illegals coming in over the next 10 years. That is a 13-percent reduction only. That is not good enough. We should be at the 80, 90 percent of increased lawfulness. Aren't we trying to create a system of law?

I was a Federal prosecutor for 15 years, 12 years as U.S. attorney. This is not acceptable. People come to America because they believe we are a Nation of laws; their rights will be protected. I happened to be at a birthday party reception for a friend of mine. A lady from England there came up to me and she said: I hope you stand up for this. She had a distinct British accent. She said: I thought you ought to play right by the law and people shouldn't come in illegally. I tried to do the right thing.

Well, what about others? What do they say? What experts are out there who know something about immigration? What do they think of this bill? What about Border Patrol officers, people who carry out their daily responsibilities to enforce the border, who have lived with this illegality for so long? They are real experts. I assure you they were not in the meeting with the masters of the universe when they crafted this legislation.

They know what is happening. A group of them, a prominent group of retired Border Patrol officers held a press conference at the National Press Club on June 4. Their purpose was to express their opinion about the legislation. I have to tell you, their opinions are not a pretty sight. I am going to quote from them and show you what they said; not what this Senator said but what they said.

Hugh Brien, the former Chief of the Border Patrol from 1986 to 1989, after the 1986 failed bill became law—He was appointed by former President George H.W. Bush. He is himself an immigrant to America. He came here as a young man. This is what he had to say about the bill. It is, he said:

A complete betrayal of the Nation.

Is that harsh? It was his job. That is what he said about it. He went on to say:

It is a slap in the face.

To the millions who came here legally, such as the lady I met today, such as a lady from India who was written up in the Montgomery Advertiser, I believe, yesterday, who talked about having to hire a lawyer and filing all of the paperwork and taking several years, but she was proud to be here legally, and she did not appreciate people coming illegally, or such as the lady I met at a funeral not long ago who had come into this country after a number of years who said: I hope you make the law enforced for everybody equally; I did it right.

Now don't tell me that when you ignore law there are no consequences. In a real sense, as my experience as a prosecutor says, when you don't enforce the law, you make chumps of the guys who do it right, and when you provide benefits to those who cheat, it is not a good thing for a Nation who respects its legal system.

What else did Mr. Hugh Brien, former head of the Border Patrol say? He said:

It is a sell-out.

He went on to note that in 1986, when this same debate was occurring and he was about to take office as the head of the immigration system, and these are the words he used—it is not funny, he said: Our masters, our mandarins, promised us their bill would work. These are tough words, but these are people who are entitled to express them. They are not my words.

Powerful politicians who are unaware of the reality of what it takes to actually create a legal enforcement system without experience in these matters have arrogantly cut a political deal and they have cut one, unfortunately, that doesn't work. I guess that is not too far from the definition of a mandarin.

Mr. Hugh Brien added these final important words:

Based on my experience, it's a disaster.

He has the experience to say so. He was charged with enforcing the 1986 immigration law which proved to be a disaster and he did, as chief of the Border Patrol from 1986 to 1989.

What about the national chairman of the Association of Former Border Patrol Agents, Kent Lundgren. This is what he had to say. He had some harsh words, too. With regard to the promise that the system will do 24-hour background checks, he said, after studying the bill, there are ''no meaningful criminal or terrorist checks'' in the bill. That is a bad thing. We have been told this bill will make us safer. He says there are no meaningful criminal or terrorist checks in the bill. He knows how the system works and how this 24-hour check will occur. He is scoring the screening procedure set forth in the bill saying ''the screening will not happen, period.'' He added:

''There's no way records can be done in 24 hours.''

As to the promise that this bill will work, he concluded—these are not my words; he is presently the associational head of the former Border Patrol Officers, the national president: ''Congress is lying about it.''

On a separate issue, the provision that allows gang members, even members of the very violent international MS–13 gang, to become lawful permanent residents if they check a box to renounce their gang membership, he said, ''What planet are they from,'' talking about us. Why would our colleagues write a bill that allowed for this?

These are real views, harsh views of a man who led the border patrol association and had a press conference a few weeks ago to express deep concern.

Another one at the press conference was Jim Dorsey, a former Border Patrol agent, who served 30 years. He served as inspector general with the Department of Justice. He was promoted up from the Border Patrol, which is a part of the Department of Justice, to the Department of Justice, and was given responsibility to investigate serious allegations of corruption. That is quite a responsible position to be chosen for that as investigator. He had these things to say: ''The 24-hour check is a recipe for disaster.''

As to the overall legislation, Mr. Dorsey said at the National Press Club: ''I call it the al-Qaida dream bill.''

Roger Brandemuehl, chief of the Border Patrol from 1980 to 1986 under President Reagan—this is another chief of the Border Patrol for 6 years under President Reagan—he said: ''We have fallen into a quagmire.'' He added: ''The so-called comprehensive reform is neither comprehensive nor reform. It's flawed.''

What about the current Border Patrol Association, the Border Patrol union? It is not just the retired patrol officers who oppose the bill; the current ones do as well. In May, the National Border Patrol Council, affiliated with the AFL–CIO, sent out a press release titled ''Senate Immigration Reform Compromise is a Raw Deal for America.'' These are the people who are out doing it every day. The press release stated:

> Every person who has ever risked their life securing our boarders is extremely disheartened to see some of our elected representatives once again waving the white flag on issues of illegal immigration and border security. Rewarding criminal behavior has never induced anyone to abide by the law, and there's no reason to believe that the outcome will be any different in this case.

I spent the better part of my professional career as a prosecutor. If you make it clear that you are not going to enforce laws, people assume the laws won't be enforced. In fact, when law enforcement officers don't enforce the law, they de facto wipe out legislative actions and eviscerate policy. You have to enforce the laws.

He goes on to say:

> 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.

He goes on:

> Rather than the meaningless triggers of the additional personnel and barriers outlined in the compromise, Americans must insist that border security be measured in absolute terms.

That is a strong, crystal-clear condemnation of this act by the officers whose lives are on the line this very moment on our border trying to enforce our laws. Are we going to listen to them? Or are we going to listen to our mandarins, our masters meeting in secret, who plopped a bill down here, 700 pages long, that they say will make the system work? I wish it would. I even had hopes this spring, and I said so publicly. I was hoping they might make real progress. But I am afraid we haven't. Talk to the experts. Talk to CBO.

This is a another very significant, but discrete issue that I believe we should think about, and it is a weakness I had not fully comprehended until I read a piece in the Washington Times by Michael Cutler on June 21. He also participated in a press conference, a different one than the Border Patrol one, at the National Press Club on June 19. The event focused on the grave threat to national security the immigration bill represents. Mr. Cutler authored an op-ed in the Washington Times last Friday entitled ''Immigration Bill Is a No Go'' that focused on security issues raised by the bill. People are going to be invited to come in who are here illegally, give their name and so forth, and within 24 hours they will be receiving a legal status in the country, a probationary visa. It will soon be converted into this Z visa that people will have, but immediately within 24 hours, they will be provided that, unless something shows up of a serious nature in their background. But as these experts have told us, it is not possible to do a very effective check in 24 hours, as you can imagine. Even though you can do a computer run, it still has great weaknesses in it. So he focuses on this whole issue and says this:

> If a person lies about his or her identity and has never been fingerprinted anywhere in our country, what will enable the bureaucrats at the USCIS—

that is the agency that will be handing out the immigration benefits—

> to know the person's true identity? If the adjudicators simply run a fictitious identity through a computerized database, they will simply find the name has no connection to any criminal or terrorist watch lists.

I am quoting him now.

> What is the true value? Remember, we are talking about a false name.

Let me continue quoting:

> There is absolutely no way this program would have even a shred of integrity and the identity documents that would be given these millions of illegal aliens would enable every one of them to receive a driver's license, Social Security card, and other such official identity documents in a false name.
>
> Undoubtedly, terrorists would be among those applying to participate in this ill-conceived program. They would then be able to open bank accounts and obtain credit cards in that same false name. Finally, these cards would enable these aliens to board airliners and trains even if their true names appear on all of the various terrorist watch lists and ''no fly'' lists. That is why I have come to refer to this legislation as the ''Terrorist Assistance and Facilitation Act of 2007.''

There has been a lot of talk in this Senate about Mexico's consulates throughout the United States issuing matricula cards and that these matricula cards are given based on documents that nobody knows for sure how good they are. Therefore, the cards they have are not really guaranteed to be a valid identity, but they are being utilized around the country as legitimate identification. What Mr. Cutler says is the identification documents we will be giving out under this bill will not be any better than matricula cards. It is going to prove nothing more than what the person said to get the card. He may come here, be one of those people who planned to hijack our airplanes and crash them on 9/11. Several of them were apprehended by state and local police. But, under this act, unless we had their fingerprints on record—and I am sure none of those fingerprints were on record—they would be given an official ID from the United States government, giving them complete freedom to go anywhere in the country.

That is why he calls it ''the Terrorist Assistance and Facilitation Act of 2007.'' That is a very serious professional criticism of a core part of this legislation.

How about this? Mr. Kris Kobach, a former Department of Justice attorney under Attorney General Ashcroft and a specialist on terrorism and immigration, agrees with Mr. Cutler. He posted an article on the Heritage Foundation Web site titled ''The Senate Immigration Bill, a National Security Nightmare.'' The article states:

> The bill will make it easier for alien terrorists to operate in the United States by allowing them to create fraudulent identities with ease.

Wow, is that a charge? Should we be hell bent to go forward tomorrow and move on to a bill that the American people reject and that could be called a terrorist dream bill that would actually allow and make it easier for terrorists to obtain fraudulent identity in this country?

Mr. Kobach, a fine lawyer, now professor, goes on to write:

> Supporters of the Senate's comprehensive immigration reform bill have revived it under the guise of national security. However, the new public relations campaign is a farce. The bill offers alien terrorists a new pathway to obtain legal status which will make it easier for them to carry out deadly attacks against American citizens.
>
> **priority in this bill is extending amnesty as quickly and easily as possible to as many illegal aliens as possible. The cost of doing so is to jeopardize national security.**

That is a statement from a former Assistant Attorney General of the United States of America charged with these kinds of issues, now a professor.

Well, we know this: We know the sheriffs along the border have absolutely been in an uproar over our failure to back them up in their efforts to create a lawful border. Is anybody listening to them? The truth is, the Senate bill is not going to stop illegal immigration or even substantially reduce it. According to the Congressional Budget Office, the new Senate bill will only reduce net annual illegal immigration by 13 percent. There will be additional visa overstays: 550,000 by 2017 and up to 1 million 10 years later, according to the CBO.

Now, I mentioned that it promised, at the beginning, a move to a more merit-based point system for evaluating those applying for citizenship instead of the much-criticized chain migration policy we now have. The Canadians have adopted such a policy, after a very careful study over a period of years, and they are very happy with it. I talked to the head of the Canadian immigration system—Monte Goldburg—about it. He said they are very happy with it. They would like to take it even further toward a merit-based system than the current law by which they now admit 60 percent of the immigrants in their country based on a competitive skills-based system.

But, unfortunately, the bill fails to meet this goal. For the next 8 years—almost a decade—instead of moving to a merit-based system and ending the chain-based system, chain migration will increase. After that, merit admissions will reach just more than one-third of all immigrants entering our country. So we will continue this system that, in effect, favors lack of education and low-skill workers, and denies entry to those who have higher skills, education, speak English, and have college degrees.

How does that chain migration work? You see, if you are here, you got amnesty last time, or if you came here legally, you are then allowed to bring your wife and children. I think we should always have that. So I am not opposing wives and children. But under current law, you are allowed to also immigrate your parents, and your brothers and your sisters. You can bring a brother, and the brother can bring his wife and their children; and your sister, likewise. These would come based on their family connection only and not based on any skills they might offer to our country. So I am worried about that. I do not think we have accomplished a large enough move in the direction the drafters indicated they would. I thank them for at least dealing with the issue this year, which was not dealt with last year.

This is very important—very, very important. I will just say, you see, it is a zero-sum game. We cannot admit everybody who would like to be an American citizen. That is a fundamental principle. That is a fundamental principle. In the year 2000, 11 million people applied for the 50,000 lottery slots. There are 50,000 slots in America where they draw your name out of a hat. You send your name in, they put it in there, and they draw the names. Mr. President, 11 million applied. That gives an indication of how many people would like to come to America.

So if you have an overall cap on how many people can come legally and you are allowing parents and brothers and sisters—without any reference to whether they have any skills or not—then you are denying slots to people. Let's say two people apply from Honduras. One was valedictorian of his high school class. He wants to come to America and learn English. He has 2 years of college and technical training. That person applies. Another one is a brother of somebody who is in the United States. That brother maybe does not have a high school diploma, maybe is basically illiterate even in the language of which he was raised. Who is going to get in? The brother gets in and denies, therefore, a slot, an entry right to somebody who has a better chance, statistically speaking, of flourishing in the great American experience.

So I do not think it is a harsh thing for America to say: If you leave your community and you come to America and we agree to allow you to be an American citizen, what obligation do we, then, have to you to say you get to bring your parents and your brothers and sisters, whether or not they will provide and be able to be successful in America?

I just do not get it. I think the country has a right to say: Let's have people compete for those slots, and the best persons—the ones who are likely to prosper the most and be most successful—ought to be the ones who get the benefits.

My fine staff people, Cindy Hayden and Jenny Lee, have examined the details of this legislation. They have consulted others and concluded that over the next 20 years the law will provide twice as many persons with legal permanent status in our country as we would under current law. I do not believe the American people understand this. I do not believe they think that is what reform is about.

Of course, as I noted, illegal immigration is not going to go down but 13 percent. So I would pose this question to my colleagues: How can you call this a ''grand bargain''? It is more like a Faustian one, to me. Just like in 1986, there is a grant of amnesty to virtually everyone here—no illegal alien left behind, and a lack of enforcement.

In fact, this amnesty will be another incentive for illegals to believe they will be given amnesty in the future once again. Indeed, no one has promised to not give amnesty again. I thought a most interesting speech—I happened to catch it—was by CHUCK GRASSLEY, the Senator from Iowa, who was here in 1986. He said he is not supporting this bill. He said: I was here in 1986, and everybody said this is a one-time amnesty. It will not happen again. We are going to fix this system. Trust us.

Of course, we did not fix the system, and they gave 3 million people amnesty then. Now we are looking at 12 million. But the key thing in Senator GRASSLEY's speech that I thought went to the core of what we are about and why we ought to have a pause here is, he said: Nobody has come on this floor and said we won't give amnesty again in the future. He said: You will not hear them say it. Why? Because we moved into a pattern of ignoring the law and not enforcing it.

What about costs? You have heard the talk: If given amnesty, our illegal population will pay taxes. They are hard working. This will help America. It will help increase our population. The Medicare and Social Security systems are in long-term jeopardy. These new workers will help us save Medicare and Social Security.

You have heard those arguments. I have to tell you, I wish that were true. I even myself thought it might be several years ago. But the fact is, nothing could be further from the truth. Out of 12 million people who would be given amnesty—I call it amnesty. Different people have different words. It is not a loaded question to me. I have said repeatedly that persons who are here unlawfully now, who came here wrongly, who have been here a number of years, who have worked hard, who have obeyed the law, have children, perhaps, deep roots in our society—I do not think we can ask all those people to leave. I am not asking for that to be a part of my proposal to fix immigration. But when you give people an absolute status, I guess I think amnesty is a fair word for it.

My personal view is we should never, ever, after 1986, give people who come to our country illegally all the benefits we give to people who come to our country legally. That is my view of it. We will make a mistake if we do it again this time. But some sort of lawful process where people can stay and be legal and not have these burdens—for those who have earned it and done well—I am willing to accept it. But of the 12 million who are here, half do not have a high school diploma. Most have lower skills. They overwhelmingly are lower income workers. They will immediately be treated like green card holders—legal permanent residents—and be entitled to all the benefits that low-income American workers get, which are paid for by the U.S. taxpayers. As low-income workers, they will pay little, if any, income taxes—we know that—while gaining the child tax credit for their children, food stamps, subsidized housing, education, and health care at our emergency rooms.

So in one part of the analyses, the Congressional Budget Office adds up all

these numbers, and they conclude that the cost over the next 10 years to the taxpayers of this country—not including enforcement, fences, border patrol, all that stuff; just the cost from legalizing those who are here illegally—will be over $30 billion.

Now, with my amendment I offered to delay the earned-income tax credit payments to illegal immigrants who are here, and to delay it until at least they became a legal permanent resident, we would reduce that to maybe $25 billion. That passed by a narrow margin, which I was pleased to have passed, but all the rest of the benefits are there, so we are looking at perhaps a $25 billion net drain on the U.S. Treasury, according to the Congressional Budget Office. They admit it will be much greater in the future.

In the outyears, the costs will increase because the way the bill is written, certain benefits are not made available initially to those who are given legal status, but their benefits will increase in the years to come. How much will those increases be? When asked if it would be a substantial increase in the future, the Congressional Budget Office—which did not score beyond the 10 years—said certainly, absolutely, it would be a substantial increase.

One institution has looked at this figure: the Heritage Foundation. The Heritage Foundation's senior fellow, Robert Rector, has spent months on this very issue. He used the best available statistics in calculating the costs to the American Government—State, Federal, and local treasuries—of amnesty. It is a picture that I think, as responsible legislators, as representatives of our own constituents, we have to think about, we have to acknowledge. The number he came up with is so large that many people have just tried to dismiss it without any thought. But Robert Rector is one of the foremost experts in this country on welfare and social programs. He was the architect of the welfare reform President Clinton vetoed two or three times and finally signed and took credit for for the rest of his tenure. How wonderful it was. It did work exceedingly well. Mr. Rector's analysis cannot be lightly dismissed. He concludes that the cost to Federal, State, and local governments from just retirement of the 12 million to their death would be $2.6 trillion.

It is clear any short-term benefit—whatever the exact number is out there, whatever the exact number is—any short-term benefit provided to American businesses who would enjoy these low-skilled workers would be more than offset by the lifetime costs of tax credits, welfare, food stamps, Social Security, Medicaid, and Medicare that will be picked up by the American public—the taxpayers.

Mr. Rector said: ''This is a fiscal disaster.''

Finally, I believe this legislation, because it will not reduce illegal immigration and will double—only a 13-percent reduction—and will double legal immigration, will put even more stress than we currently have on working middle-class Americans. It will have a tendency to pull down wages of American workers. That is their asset: their labor. But workers are more than a mere asset; they are human beings. They are created with inalienable rights, according to our Declaration, and they are citizens who are the ultimate shareholders of America. Citizenship carries responsibilities for them and for us. We pay taxes. We serve in the military to the point of giving our lives for our country.

I have talked to a lot of mamas and fathers in the last several years who have had their sons—middle-class Americans who are serving our country in Iraq and Afghanistan who have lost their lives in service to our country.

We have an obligation to obey the law. We accept court rulings even if they are silly and absurd. That is what we do. We grumble, but we follow what the court says. We obey laws passed by this Congress, whether we like them or not, whether they make sense or not. That is the responsibility of citizenship in this Nation we have inherited.

Those of us now in Congress I submit have an obligation to those dutiful citizens who serve every day doing the right thing. We owe them something. One thing we owe them is consistent and fair application and enforcement of the law. Another is to make sure those who do the right thing are rewarded or allowed to prosper and those who do not are disadvantaged. This is the definition of a morally ordered society. We are a community of people, voluntarily bound together in many ways. It is the uniqueness of America. It is our strength. But do not ever doubt that that moral order, that proper balance, can be eroded if we are irresponsible in this body. It can even be lost.

Labor is more than barrels of oil, tons of iron ore, bales of cotton, or kilowatts of electricity. Our workers are our citizens, created beings of infinite worth. They have every right to expect, to demand, that their elected representatives protect their interests, their country's legitimate national interests, not just what might be seen as an immediate benefit to that abstraction we might refer to as ''the economy.''

So I believe in immigration. I support immigration. I do not want to end it. I support an effective temporary worker program. But let's tell the truth about immigration and wages in this country. The elites are doing very well in this boom period, corporations are making record profits, but what about our citizens of this Republic who are less skilled? What have their wages done?

We have had a series of witnesses, including Dr. Chiswick from the University of Illinois. We had Professor Borjas of the Kennedy School at Harvard. We had Alan Tonnel at a Senate hearing. We had a hearing and all of them testified and all of them agreed that large numbers of immigrants are, in fact, reducing wages of American citizens.

I left this Senate Chamber Friday after talking about this issue, and I mentioned wages. I went out, and right on the corner there was a gentleman with a homemade cardboard sign. He had white hair and gray in his beard.

I said: Well, what brings you here?

He said: Well, I wanted to come up and have my say about this immigration bill. He told me he was a master carpenter and that he was from Melbourne, FL, and that in the 1990s he made $75,000 a year. He said he can hardly stay in business today because of the large flow of immigrant workers that has pulled down his ability to have the kind of income he would like.

Now, some may think that is too much money for a carpenter. I don't, not if he works hard and not if he is good. Don't think there are not millions of Americans who have given their lives to developing a skill and a craft and that, in the blink of an eye, can be made less valuable by an unwise, ineffective, inappropriate immigration policy.

So there is a lot we need to think about as we debate this bill. I am absolutely convinced it will not do what it promises, and what it will do may be adverse to our country. I am very worried about it. There is no reason whatsoever in the face of overwhelming public opposition that we should be bringing it up, and there is no reason whatsoever that the majority leader should be utilizing this clay pigeon procedure which, apparently, he will execute tomorrow, that will allow us to vote only on the amendments he chooses and to craft this procedure for handling this bill to minimize to the *n*th degree the amount of time we have available to debate it. I think that is a mistake. I object to that and urge my colleagues to vote tomorrow not to proceed to the legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent there now be a period for the transaction of morning business with Senators permitted to speak therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION

Mr. DURBIN. Madam President, before making my closing procedural remarks and turning the floor over to the Senator from Indiana, I would like to use morning business for a brief moment to respond to the Senator from Alabama.

Our views on the immigration issue are much different. I happen to believe

the current immigration system is a disaster. It is unfair to the people of America to allow 800,000 or more undocumented people to come into our country each year, three-fourths of whom will remain in our country, as they have over the last 20 years.

Today there are about 12 million undocumented people. We have to stop the flow of undocumented across the border. The underlying immigration bill focuses on enforcement. The version that will be before us this week for the very first time invests $4 billion in enforcement. Those who argue we need to have stronger borders instead of broken borders, those who argue we should have enforcement in the workplace, should support this bill. It creates the laws and the tools to do that.

I might also add I don't believe the procedural arguments are valid. First, let me say this bill has been on the floor pending, available for scrutiny for weeks—4 weeks, 5 weeks, at least. Anyone who argues they haven't had a chance to look at this bill, it isn't for lack of opportunity, as everyone should for a bill of this consequence.

The second argument that somehow this process we are about to embark upon is so unusual as to be unfair, what the Senator failed to note is that the amendments which will be considered this week are an agreed-upon list of amendments on a bipartisan basis. Democratic leaders, Republican leaders came together and are offering over 20 amendments which will be debated on and considered this week. There are amendments offered by Senators who are going to oppose this bill no matter what it says and amendments offered by those who support it.

There will be ample opportunity for more debate on a bill that has already been debated for weeks—a bill which has been subjected to almost 40 amendments. I think most people understand the gravity of this bill, the importance of this bill, and the complexity of this bill. It is the effort of the majority leader, HARRY REID, to finally bring this matter to closure and a vote.

There are some, who for a variety of different reasons, oppose this bill who have said: We will do everything within our power to stop this matter from coming to a vote. That is their right as Senators in this Chamber. It is the right of those who want to bring it to a vote to use the rules for their purposes. That is the nature of this body. That is what the Senate is all about. So I think it will be a fair process.

At the end of the week, we will have considered this bill in its entirety and subjected it to amendment and debate. That is what the Senate should be about, and that is what this bill is concerned with.

SUPREME COURT RULING

Mr. MCCONNELL. Mr. President, 6 years ago I took to this floor to express the view that any campaign finance law must be written within the boundaries of the first amendment. It states:

Congress shall make no law, respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people to peaceably assemble, and to petition the Government for a redress of grievances.

This very amendment adorns the facade of the yet-to-open Newseum a few blocks from here on Pennsylvania Avenue—a building constructed, both philosophically and physically, upon the cornerstone of our first amendment rights.

Today the U.S. Supreme Court decided that the U.S. Congress went too far 5 years ago in legislating restrictions on First Amendment rights. In its ruling this morning in Wisconsin Right to Life vs. FEC, the Court righted that wrong.

It took an important first step toward restoring the rights of organizations to petition the government and members of Congress.

The court rejected an intent-and-effect test for advertisements and instead went with a susceptible of no other reasonable interpretation than an appeal to vote for or against a candidate.

However, and most importantly, in a debatable case the tie is resolved in favor of protecting speech.

As the Chief Justice noted in his decision for the majority:

Where the First Amendment is implicated, the tie goes to the speaker, not the censor:

It is fitting that this opinion should come down as we approach the Fourth of July recess, when we return home to celebrate those freedoms for which our forefathers fought and died.

What better tribute to their efforts than the affirmation of our right—not just ability—but right of freedom to speech and the right to petition the government for a redress of grievances.

This afternoon, we will witness our new colleague from Wyoming be sworn, reminding us of the oath we all took upon election to this body to, ''Preserve, protect and defend the Constitution of the United States of America.''

Chief Justice Roberts summed up this case and, in fact, the entire campaign finance debate so well that I would like to close with his words. He wrote:

These cases are about political speech. The importance of the cases to speech and debate on public policy issues is reflected in the number of diverse organizations that have joined in supporting Wisconsin Right to Life before this Court: the American Civil Liberties Union, the National Rifle Association, the American Federation of Labor and Congress of Industrial Organizations, the Chamber of Commerce of the United States of America, Focus on the Family, the Coalition of Public Charities, the Cato Institute, and many others.

In his closing paragraph, the Chief Justice reminded us what lies at the heart of this issue. After quoting the language of the first amendment, he wrote:

The Framers' actual words put these cases in proper perspective. Our jurisprudence over the past 216 years has rejected an absolutist interpretation of those words, but when it comes to drawing difficult lines in the area of pure political speech—between what is protected and what the Government can ban—it is worth recalling the language we are applying: when it comes to defining what speech qualifies as the functional equivalent of express advocacy subject to such a ban—the issue we do have to decide-we give the benefit of the doubt to speech, not censorship. The First Amendment's command that ''Congress shall make no law . . . abridging the freedom of speech'' demands at least that.

It is a good day for the first amendment.

I yield the floor.

FURTHER CHANGES TO S. CON. RES. 21

Mr. CONRAD. Mr. President, last week, pursuant to section 309 of S. Con. Res. 21, I filed revisions to S. Con. Res. 21, the 2008 Budget Resolution. Those revisions were made for Senate amendment No. 1704, an amendment pending to Senate amendment No. 1502, an amendment in the nature of a substitute to H.R. 6, the energy bill.

The Senate did not adopt Senate amendment No. 1704. As a consequence, I am further revising the 2008 Budget Resolution and the adjustments made last week pursuant to section 309 to the aggregates and the allocation provided to the Senate Energy and Natural Resources Committee for Senate amendment No. 1704.

I ask unanimous consent that the following revisions to S. Con. Res. 21 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008—S. CON. RES. 21; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 309 DEFICIT-NEUTRAL RESERVE FUND FOR COUNTY PAYMENTS LEGISLATION

[In billions of dollars]

Section 101:	
(1)(A) Federal Revenues:	
FY 2007	$1,900.340
FY 2008	2,015.841
FY 2009	2,113.811
FY 2010	2,169.475
FY 2011	2,350.248
FY 2012	2,488.296
(1)(B) Change in Federal Revenues:	
FY 2007	−4.366
FY 2008	−34.955
FY 2009	6.885
FY 2010	5.754
FY 2011	−44.302
FY 2012	−108.800
(2) New Budget Authority:	
FY 2007	2,376.348
FY 2008	2,495.957
FY 2009	2,517.006
FY 2010	2,569.530
FY 2011	2,684.693
FY 2012	2,719.054
(3) Budget Outlays	
FY 2007	2,299.749
FY 2008	2,468.215
FY 2009	2,565.589
FY 2010	2.599.173
FY 2011	2,691.657
FY 2012	2.703.260

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008—S. CON. RES. 21; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 309 DEFICIT-NEUTRAL RESERVE FUND FOR COUNTY PAYMENTS LEGISLATION

[in billions of dollars]

Current Allocation to Senate Energy and Natural Resources Committee:	
FY 2007 Budget Authority	5,016
FY 2007 Outlays	5,484
FY 2008 Budget Authority	5,636
FY 2008 Outlays	5,322
FY 2008–2012 Budget Authority	29,583
FY 2008–2012 Outlays	28,475
Adjustments:	
FY 2007 Budget Authority	0
FY 2007 Outlays	0
FY 2008 Budget Authority	−565
FY 2008 Outlays	−565
FY 2008–2012 Budget Authority	−3,745
FY 2008–2012 Outlays	−3,745
Revised Allocation to Senate Energy and Natural Resources Committee:	
FY 2007 Budget Authority	5.016
FY 2007 Outlays	5,484
FY 2008 Budget Authority	5,071
FY 2008 Outlays	4,757
FY 2008–2012 Budget Authority	25,838
FY 2008–2012 Outlays	24,730

REMEMBERING SENATOR CRAIG THOMAS

Mr. VOINOVICH. Mr. President, all of us in the Senate will miss Craig Thomas. I got to know Craig when we both served on the Senate Ethics Committee. During that time, I came to admire him as a wonderful human being, a man of character and integrity, and someone who spoke plainly on how he felt about things.

I also admired Craig for speaking up in policy lunch and at the steering committee on so many occasions. He always got to the nub of the problem and never failed to tell it just as he saw it. On many occasions, I sensed he had a great frustration with the system, but he stayed in there and was an encouragement to many.

When he got sick, Janet and I put him on our prayer list. I also looked at some health care alternatives for him in Cleveland, but he felt he had great care at the Bethesda Naval Hospital. The last time I saw him, he looked like the old Craig, full of vim and vigor. We were shocked when we heard of his passing. It is said that it is not the number of years one lives that counts but what one does with those years that matters. We will all miss Craig but know that he is in heaven with our father eternally happy.

POSITIVE ENERGY DIRECTION

Mr. FEINGOLD. Mr. President, last week this body passed energy legislation that finally sets the U.S. energy policy in a new, positive direction. In 2005, I opposed the Energy bill because it did not establish a sound and fiscally responsible energy policy. The Renewable Fuels, Consumer Protection, and Energy Efficiency Act of 2007 will help wean the United States of oil dependence, encourage the development of renewable energy, and promote energy efficiency, and I was pleased to support it.

The bill includes many important provisions. A renewable fuel standard of 36 billion gallons of renewable fuel by 2022 will help spur the development of advanced fuels such as cellulosic ethanol, which holds a lot of promise for my home State of Wisconsin. The bill also includes anti-price gouging language, based on Senator CANTWELL's bill that I cosponsored, to protect consumers from price gouging by sellers and distributors of oil, gasoline, or petroleum distillates during natural disasters and abnormal market disruptions.

The bill also includes a proposal of mine that supports local renewable energy—an issue I am committed to advancing and hear a lot about during the listening sessions I annually hold in every county of Wisconsin. My amendment, cosponsored by Senators SANDERS and MENENDEZ, guarantees that a new energy and environmental block grant program would provide resources to cities and counties nationwide to reduce fossil fuel emissions, reduce energy use, and improve energy efficiency while ensuring these improvements do not harm the environment and retain the benefits of activities within the local community, such as encouraging local or cooperative ownership of bioenergy efforts.

Our Nation's addiction to oil poses a significant threat to our economy, our security, and our environment. The Federal Government should allow and encourage State and local governments to improve their energy policies while creating opportunities for rural Americans to produce and benefit from renewable energy. My amendment is based on my larger effort to increase opportunities for rural America outlined in my Rural Opportunities Act. Introduced in February 2007, the Rural Opportunities Act helps sustain and strengthen rural economies for the future and create more opportunities in rural communities. A crucial component of the bill is ensuring that the potential benefits from domestic renewable energy are gained in an environmentally responsible manner that benefits local communities.

During debate on this important bill, I also supported several efforts to improve it. I was pleased to cosponsor several successful amendments including one offered by the senior Senator from Wisconsin, Mr. KOHL, to make oil-producing and exporting cartels illegal, and make colluding oil-producing nations liable in U.S. court for violations of antitrust law. I also cosponsored the amendment from the Senator from Colorado, Mr. SALAZAR, that states the sense of Congress that America's agricultural, forestry, and working lands should provide 25 percent of the total energy consumed in the United States from renewable sources by the year 2025 while continuing to produce safe, abundant, and affordable food, feed, and fiber.

I supported an amendment offered by the Senator from Indiana, Mr. BAYH, that sets aggressive targets for reducing oil consumption by 10,000 billion barrels a day by 2030. The language is simple—it sets our goal, and we have to figure out how to get there. We are a country of innovators. Whether it is wind, solar, biodiesel, or a technology we still have not dreamed of yet, we can—and we must—break our addiction to oil. This bold, aggressive amendment can help ensure that we meet our goal of real energy independence and security.

Any plan to move away from our dependence on oil needs to address fuel efficiency standards for our vehicles. In the last few years, I have joined a majority of my Senate colleagues in supporting legislation requiring the administration to increase fuel efficiency, but we have so far been unsuccessful in getting this requirement enacted. I supported a proposal from several of my colleagues, including Senators PRYOR and LEVIN, that was crafted to increase fuel efficiency standards substantially without jeopardizing the jobs of many hard-working Wisconsinites. It is unfortunate this amendment was never offered. I will be following the House and Senate conference closely to ensure that the final bill strikes the right balance on this issue.

I am also disappointed that the Senate was unable to muster the necessary votes to overcome Republican objections to a tax package reported by the Finance Committee that would boost energy efficiency and renewable energy programs. The cost of these new or extended tax incentives was fully offset. It is also unfortunate that the Senate could not once again pass a renewable portfolio standard to ensure that all States' utilities are producing a minimum percentage of renewable energy. My home State of Wisconsin is one of about 20 States that currently have such a standard, but a Federal standard would help level the playing field.

It is encouraging, however, that the Senate soundly rejected proposals to mandate the use of and direct Federal money to develop coal-to-liquid facilities. Private investors have not been willing to invest in this technology in the United States because of significant capital costs and risks, not to mention the unproven technology to capture and store greenhouse gas emissions.

Energy security is an important issue for America and one which my Wisconsin constituents take very seriously. I am pleased this bill rejects the efforts of some of my colleagues to insist on drilling for oil and gas in the Arctic National Wildlife Refuge. Drilling in the Arctic National Wildlife Refuge would sacrifice one of America's greatest natural treasures for a supply of oil that would not significantly enhance our energy security. The supply of oil in the Arctic Refuge may not last more than a year, would not be available for many years to come, and would decrease gas prices by only a penny when the Refuge is at its highest

rate of production. Drilling in the Arctic Refuge does nothing to address the immediate need of the Federal Government to respond to fluctuations in gas prices and help expand refining capacity. Those who offer the Refuge as the solution to our need for energy independence are pointing us in the wrong direction.

This year's Energy bill finally moves past this misguided debate and other fiscally and environmentally irresponsible proposals. The United States is at an important juncture. By supporting the Energy bill, I am supporting a new direction for our Nation's energy policy: one that encourages renewable energy, conservation of the resources we have, and American innovation.

GREAT LAKES SHORT SEA SHIPPING ACT

Ms. STABENOW. Mr. President, I speak in support of the Great Lakes Short Sea Shipping Act of 2007. This legislation will exempt from the harbor maintenance tax certain commercial cargo loaded or unloaded at U.S. ports in the Great Lakes Saint Lawrence System.

In recent years, transportation planners have been struggling to identify ways to move people and goods more efficiently. Congested highways, particularly at the Detroit, Michigan/Windsor, Ontario border crossing, the busiest border crossing in North America, acts as a huge constraint to economic growth.

The purpose of the Harbor Maintenance Tax, HMT, is to generate revenue from port users for port maintenance conducted by the U.S. Army Corps of Engineers. The Corps maintains Federal shipping channels by conducting periodic dredging, which is necessary to remove sand and silt that occur naturally in shipping channels. HMT receipts are placed in the harbor maintenance trust fund, which serves as a source of revenue for the Corps' dredging budget. The HMT is assessed on cargo transported between U.S. ports and cargo imported to U.S. ports from other countries. Exports are not assessed a tax. More specifically, the tax is not paid by the vessel owner, nor the port, but by the owner of the cargo in each ship. The bill would provide a narrow exemption to the HMT for the movement of nonbulk only commercial cargo by water in the Great Lakes region, which includes the movement of freight and people between the U.S. ports on the Great Lakes and between Canadian and U.S. ports on the Great Lakes.

This very narrow exemption would remove the current disincentive to moving freight by water and allow the region's transportation planners to develop new shipping services to not only relieve highway congestion, but to improve air quality as well. Moreover, the legislation could open up new shipping services to be offered on the Great Lakes, thus creating jobs in the maritime sector. One of the other benefits is that this exemption will offer options for trucks that may choose to use the bridges, tunnels, or now ferry service. Because the Detroit/Windsor border crossing is the busiest border crossing in North America, any alternative mode of transportation that allows for commerce to flow more smoothly, quickly, and efficiently is beneficial not only to the Great Lakes region, but to the country. Also, in this time of us working to be more responsible and have a cleaner environment for our children, allowing trucks off of the congested highways and onto ferries where they can cut off engines and not idle, will reduce air emissions, improve air quality, and cut down on gasoline usage.

Moreover, since trucks currently use roads rather than ferries to move around the Great Lakes region, the Federal Government does not HMT on their cargo. Under this proposed legislative exemption, if a truck boarded a ferry, the Federal Government would still not collect a tax.

HONORING OUR ARMED FORCES

STAFF SERGEANT ROY P. LEWSADER, JR.

Mr. BAYH. Mr. President, with a heavy heart and deep sense of gratitude, I honor the life of a brave soldier from Clinton. Roy P. Lewsader, Jr., 36 years old, was killed on June 16 while deployed in Tarin Kowt, Afghanistan, when a rocket-propelled grenade detonated near his vehicle. With a promising future ahead of him, Roy risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Roy was killed while serving his country in Operation Enduring Freedom, his second tour of duty in the ongoing war against terrorism. He was assigned to the 1st Brigade, 1st Infantry Division, stationed in Fort Riley, KS.

Today, I join Roy's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Roy, a memory that will burn brightly during these continuing days of conflict and grief.

Roy was known for his dedication to his family and his love of country. Today and always, Roy will be remembered by family members, friends and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Roy's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.'' This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Roy's actions will live on far longer that any record of these words.

It is my sad duty to enter the name of Roy P. Lewsader, Jr. in the official record of the United States Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Roy's can find comfort in the words of the prophet Isaiah who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Roy.

TRIBUTE TO ROBERT E. STURM

Mr. HARKIN. Mr. President, at the end of this week Robert E. Sturm will retire following a long and distinguished career of exemplary service to the U.S. Senate, most recently as chief clerk of the Committee on Agriculture, Nutrition and Forestry. We could not have had a more capable, conscientious and dedicated chief clerk for these many years. More important, though, we will miss Bob's friendly helpfulness to each member of our committee, to all of the staff who work on and with our committee and to the many members of the public who follow the work of our committee.

Bob Sturm began his service to the Senate 33 years ago in 1974, shortly after graduating from college, as a mail room clerk for Senator Birch Bayh of Bob's home State of Indiana. He served as mailroom clerk and mailroom manager for Senators Dick Clark of Iowa, Donald Stewart of Alabama, and Russell B. Long of Louisiana. For 2 years he was an office systems consultant for the Senate Computer Center where he assisted 14 Senate offices and helped lay the groundwork for today's Senate-wide computer network.

Bob served as Senator PATRICK LEAHY's office manager before he became the financial clerk and systems administrator for the Committee on Agriculture, Nutrition and Forestry in 1987, when Senator LEAHY became chairman. Bob was promoted to chief clerk for the committee under Chairman DICK LUGAR in 1995 and has held the position under several succeeding chairmen. Of course, I was pleased have Bob continue as chief clerk when I became chairman in 2001. He then continued in that position when Senator COCHRAN and Senator CHAMBLISS chaired the committee and when I once again became chairman earlier this year. It is a tremendous testament to

Bob's abilities, professionalism and dedication that he has served as chief clerk for such a number of chairmen of both parties.

For all of these years, we could always count on Bob to take care of all types and any number of details to make sure our committee functioned smoothly. He took responsibility for everything from stocking supplies, to covering the front office, to troubleshooting the computer system, to handling the whole range of committee finances, rules and legislative documents and reports. Bob starts the day early and on many occasions, without hesitation, has stayed late into the night, or even overnight, to do what needed to be done. Thanks to this high level of dedication, we could always be sure that the paperwork and other details were in order for hearings and committee meetings. Also, of special note, Bob very successfully oversaw the recent renovation of our beautiful committee hearing room in the Russell Building.

Former Senator Margaret Chase Smith of Maine once said, ''Public service must be more than doing a job efficiently and honestly. It must be a complete dedication to the people and to the Nation.'' Those words perfectly capture the extraordinary dedication of Bob Sturm.

We all congratulate Bob on the milestone of his retirement from the Senate. I also thank him for all of his great work and express my gratitude for his friendship and invaluable help to all of us over the years. I am but one of many who wish Bob all the best, with many years of health and happiness, as he begins this new phase in life.

ADDITIONAL STATEMENTS

NATIONAL GRASSLANDS WEEK

• Mr. DOMENICI. Mr. President, while many may not know, last week was National Grasslands Week. I would like to join Secretary Johannes and the U.S. Department of Agriculture to celebrate and recognize the legacy represented by the establishment and maintenance of our national grasslands and to honor all of the individuals that have worked so diligently over the years to preserve New Mexico's precious grassland ecosystem.

In my home State of New Mexico we enjoy the luxury of hosting two officially designated national grassland areas. Those are the Kiowa and the Rita Blanca National Grasslands. These grassland reserves, located near the towns of Clayton and Roy, in the northeastern part of the State, are chartered under the Cibola National Forest System. They are both ongoing ecosystem restoration projects that were implemented following the Dust Bowl in the 1930s.

While the Kiowa and Rita Blanca National Grasslands started as a means to preserve the environment and wildlife, they are rich in cultural significance as well. The lands were once inhabited by a number of Native-American tribes, including the Comanche, Kiowa, and Kiowa-Apaches. They were nomadic tribes whose culture depended heavily on hunting Buffalo and gathering food from the areas vast array of native plants. The area also plays a significant part in the history of the Wild West as the Homestead Act of 1862 brought thousands of settlers out West, many of which settle in the grasslands of eastern New Mexico. They contain over 100 individual grazing permits, which incorporate the use of a wide variety of grazing management techniques, a large range of piñon-juniper management programs, which includes prescribed burning and mechanical treatment along with a personal use fuel wood program, and many active partnerships with State and local governments, and other entities such as Quail Unlimited and New Mexico State University's Clayton Livestock Research Center.

The National Grasslands of northeastern New Mexico provide thousands of acres of wildlife habitat, livestock forage and even serve as centers for recreation and clean energy initiatives. The Kiowa and Rita Blanca National Grasslands also attract many visitors who get to see firsthand the biological wealth, culture, and heritage the grasslands preserve and maintain. Visitors can participate in a wide range of activities like camping, picnicking, fishing, and wildlife viewing and get a taste of our western heritage.

The New Mexico's Grasslands provide a place of peace, quiet, and beautiful sunsets. Next time you are in my home State, I invite and encourage you to visit these great places in northeast New Mexico. I commend USDA, which has managed public grasslands to meet the needs of the American people for over seven decades, and salute the staff of the Cibola National Forest and the people of New Mexico who work so hard to help administer these grasslands in a way to maintain and preserve sustainable use.•

HONORING COACH TERRY HOEPPNER

• Mr. BAYH. Mr. President, today Senator LUGAR and I, with heavy hearts, honor the life of a great Hoosier from Woodburn, IN, Terry Hoeppner. Coach Hoeppner died last week after battling brain cancer for several years.

He graduated from Franklin College in 1969. After graduation, he began his career as a coach, spending time coaching high school football in Indiana, South Carolina, and Alabama until he was hired by his alma mater's football program in 1980.

He was the defensive coordinator for 6 years at Franklin College until he was hired by Miami University in Oxford, OH. He spent 13 years as an assistant coach until 1999, when he was promoted to head football coach, a position he held for 6 years.

Coach Hoeppner came to Indiana University in 2004 as the new head football coach and brought with him a new energy to Bloomington. At his first press conference, he stated that, ''Our goals are simple—100 percent graduation rate, and the Rose Bowl. We will shoot for perfection, and we can settle for excellence.''

In March, doctors were forced to hold Coach Hoeppner out of spring practices, and on June 19, 2007, he finally succumbed to the disease. He is survived by his wife, Jane; his children, Drew, Amy, and Allison; and his grandchildren, Tucker, Spencer, Tate, and Quinn.

Coach Hoeppner was held in high esteem by both colleagues and former players. Pat Fitzgerald, Northwestern University football coach said, ''He was one of the great role models in our coaching profession.''

Ben Roethlisberger, Pittsburgh Steelers quarterback, who played for Hoeppner at Miami said, ''He has been a second father, a teacher and a friend. He believed in me and I owe everything to him for where I am in life. I hold the deepest love and respect for him, his wife Jane, and their family. He has been a role model for so many young men. I aspire to be as honorable and touch as many lives as Coach Hep. I will miss him more than words can describe.''

It is our sad duty to add the name of Terry Hoeppner in the official record of the Senate for the role he played in the lives of so many young athletes. May God grant strength and peace to those who mourn.•

HONORING POLICE OFFICER FRANK C. DENZINGER

• Mr. BAYH. Mr. President, with a heavy heart and deep sense of gratitude I honor the life of a dedicated police officer from Indiana. Frank Denzinger, 32 years old, died on June 18, 2007, from a gunshot wound he suffered in the line of duty as a Floyd County sheriff's deputy. Frank risked his life, every day, to serve and protect Hoosiers in order to make Indiana a better place.

Frank was a good man and was well loved by the Floyd County community. He was best known for his devotion to his family as a loyal father, husband, son, and brother. He was a loving husband to Tara, who said their 2-year-old daughter, Avery, was his ''pride and joy.'' He is also survived by his parents Frank W. and Patricia, as well as his sisters, Sara Rowe and Amy Cook.

Frank was a graduate of Floyd Central High School, and also graduated with honors from Vincennes University and Eastern Kentucky University. He was a 4-year veteran of the Floyd County Sheriff's Department. The former Floyd County Sheriff who hired him, Randy Hubbard, described him as being an ''excellent, high-quality'' deputy, who was always willing to lend a

hand to families, ''helping them work out problems, little things.''

Frank's last action was one of incredible heroism. After being shot in the back, he pushed a woman out of the line of fire and into safety. This final act of bravery not only encompassed his dedication to his job and duty to protect, but also illustrated his extraordinary character. His friend and fellow deputy, Jeff Firkins, said, ''He was a hero to the end. He took every care to make sure everybody else was safe. He was a great person and he had a heart of gold.''

Today, I join Frank's family and friends in mourning his death. While we struggle to bear sorrow over this loss, we can also take pride in the example he set, bravely serving to make America a safer place. It is his heroism and strength of character that people will remember when they think of Frank, a memory that will burn brightly during these continuing days of conflict and grief.

When I think about Frank's profound commitment to protect and the pain that accompanies the unjust loss of this outstanding officer, I hope that some comfort can be brought to all the loved ones Frank left behind through the words of Peter 3:14, ''but even if you should suffer for what is right, you are blessed.'' Both Frank's final heroic act, as well as his everyday lifestyle, epitomized doing what is right. May God be with all of you who mourn this tragic loss, as I know He is with Frank.

It is my sad duty to enter the name of Frank C. Denzinger in the official record of the United States Senate for his service to the State of Indiana and the United States of America.●

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 a nomination and a withdrawal which were referred to the appropriate committees.

(The nomination and withdrawal received today are printed at the end of the Senate proceedings.)

MEASURES DISCHARGED

The following measure was discharged from the Committee on Health, Education, Labor, and Pensions, and referred as indicated:

S. 1615. A bill to provide loans and grants for fire sprinkler retrofitting in nursing facilities; to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. LANDRIEU, from the Committee on Appropriations, without amendment:

S. 1686. An original bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2008, and for other purposes (Rept. No. 110–89).

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. HATCH (for himself, Mr. KENNEDY, Mrs. FEINSTEIN, and Mr. SPECTER):

S. 1685. A bill to reduce the sentencing disparity between powder and crack cocaine violations, and to provide increased emphasis on aggravating factors relating to the seriousness of the offense and the culpability of the offender; to the Committee on the Judiciary.

By Ms. LANDRIEU:

S. 1686. An original bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2008, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. BIDEN (for himself, Mr. HAGEL, Mr. KENNEDY, and Mr. CASEY):

S. 1687. A bill to provide for global pathogen surveillance and response; to the Committee on Foreign Relations.

By Mr. CASEY:

S. 1688. A bill to amend title 10, United States Code, to extend the time limit for the use of education assistance by members of the Selected Reserve and members of the reserve component supporting contingency operations and certain other operations; to the Committee on Armed Services.

By Mr. BINGAMAN (for himself and Ms. COLLINS):

S. 1689. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes; to the Committee on Finance.

By Ms. SNOWE (for herself, Mr. KERRY, and Mr. BENNETT):

S. 1690. A bill to establish a 4-year pilot program to provide information and educational materials to small business concerns regarding health insurance options, including coverage options within the small group market; to the Committee on Small Business and Entrepreneurship.

By Mr. SCHUMER:

S. 1691. A bill to amend title 18, United States Code, to restrict the public display on the Internet of all or any portion of social security account numbers by State and local governments, and for other purposes; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Mr. BAYH, Mrs. CLINTON, Mr. ISAKSON, Mr. KENNEDY, Mr. KERRY, Mr. LAUTENBERG, Ms. MIKULSKI, Ms. MURKOWSKI, and Mr. VITTER):

S. 1692. A bill to grant a Federal charter to Korean War Veterans Association, Incorporated; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LUGAR (for himself and Mr. BIDEN):

S. Res. 253. A resolution expressing the sense of the Senate that the establishment of a Museum of the History of American Diplomacy through private donations is a worthy endeavor; to the Committee on Foreign Relations.

By Mr. COLEMAN (for himself and Mr. REED):

S. Res. 254. A resolution supporting efforts for increased healthy living for childhood cancer survivors; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 38

At the request of Mr. DOMENICI, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 38, a bill to require the Secretary of Veterans Affairs to establish a program for the provision of readjustment and mental health services to veterans who served in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 41

At the request of Mr. BAUCUS, the name of the Senator from Mississippi (Mr. LOTT) was withdrawn as a cosponsor of S. 41, a bill to amend the Internal Revenue Code of 1986 to provide incentives to improve America's research competitiveness, and for other purposes.

S. 479

At the request of Mr. HARKIN, the names of the Senator from Alaska (Mr. STEVENS) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 479, a bill to reduce the incidence of suicide among veterans.

S. 573

At the request of Ms. STABENOW, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 573, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 616

At the request of Ms. COLLINS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 616, a bill to promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities.

S. 648

At the request of Mr. CHAMBLISS, the name of the Senator from Oklahoma (Mr. COBURN) 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. 691

At the request of Mr. CONRAD, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 691, a bill to amend title XVIII

of the Social Security Act to improve the benefits under the Medicare program for beneficiaries with kidney disease, and for other purposes.

S. 793

At the request of Mr. KENNEDY, the names of the Senator from Rhode Island (Mr. REED), the Senator from Iowa (Mr. HARKIN), the Senator from Connecticut (Mr. DODD), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Illinois (Mr. OBAMA), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 793, a bill to provide for the expansion and improvement of traumatic brain injury programs.

S. 829

At the request of Ms. MIKULSKI, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 829, a bill to reauthorize the HOPE VI program for revitalization of severely distressed public housing, and for other purposes.

S. 849

At the request of Mr. LEAHY, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 849, a bill to promote accessibility, accountability, and openness in Government by strengthening section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), and for other purposes.

S. 911

At the request of Mr. COLEMAN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 911, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 961

At the request of Mr. NELSON of Nebraska, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 961, a bill to amend title 46, United States Code, to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II, and for other purposes.

S. 968

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 968, a bill to amend the Foreign Assistance Act of 1961 to provide increased assistance for the prevention, treatment, and control of tuberculosis, and for other purposes.

S. 1011

At the request of Mr. BIDEN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1011, a bill to change the name of the National Institute on Drug Abuse to the National Institute on Diseases of Addiction and to change the name of the National Institute on Alcohol Abuse and Alcoholism to the National Institute on Alcohol Disorders and Health.

S. 1163

At the request of Mr. AKAKA, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1163, a bill to amend title 38, United States Code, to improve compensation and specially adapted housing for veterans in certain cases of impairment of vision involving both eyes, and to provide for the use of the National Directory of New Hires for income verification purposes.

S. 1175

At the request of Mr. DURBIN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 1175, a bill to end the use of child soldiers in hostilities around the world, and for other purposes.

S. 1233

At the request of Mr. AKAKA, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 1233, a bill to provide and enhance intervention, rehabilitative treatment, and services to veterans with traumatic brain injury, and for other purposes.

S. 1259

At the request of Mrs. CLINTON, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1259, a bill to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the achievement of universal basic education in all developing countries as an objective of United States foreign assistance policy, and for other purposes.

S. 1266

At the request of Mr. CRAIG, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1266, a bill to amend title 38, United States Code, to increase assistance for veterans interred in cemeteries other than national cemeteries, and for other purposes.

S. 1295

At the request of Mr. FEINGOLD, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1295, a bill to amend the African Development Foundation Act to change the name of the Foundation, modify the administrative authorities of the Foundation, and for other purposes.

S. 1346

At the request of Ms. MIKULSKI, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1346, a bill to amend conservation and biofuels programs of the Department of Agriculture to promote the compatible goals of economically viable agricultural production and reducing nutrient loads in the Chesapeake Bay and its tributaries by assisting agricultural producers to make beneficial, cost-effective changes to cropping systems, grazing management, and nutrient management associated with livestock and poultry production, crop production, bioenergy production, and other agricultural practices on agricultural land within the Chesapeake Bay watershed, and for other purposes.

S. 1430

At the request of Mr. OBAMA, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1430, a bill to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of $20,000,000 or more in Iran's energy sector, and for other purposes.

S. 1494

At the request of Mr. DOMENICI, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Pennsylvania (Mr. CASEY), the Senator from California (Mrs. BOXER) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1494, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 1502

At the request of Mr. CONRAD, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1502, a bill to amend the Food Security Act of 1985 to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make their land available for access by the public under programs administered by States and tribal governments.

S. 1519

At the request of Mr. SPECTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1519, a bill to amend title XVIII of the Social Security Act to provide for a transition to a new voluntary quality reporting program for physicians and other health professionals.

S. 1593

At the request of Mr. BAUCUS, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1593, a bill to amend the Internal Revenue Code of 1986 to provide tax relief and protections to military personnel, and for other purposes.

S. 1606

At the request of Mr. LEVIN, the names of the Senator from Colorado (Mr. SALAZAR) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1606, a bill to provide for the establishment of a comprehensive policy on the care and management of wounded warriors in order to facilitate and enhance their care, rehabilitation, physical evaluation, transition from care by the Department of Defense to care by the Department of

Veterans Affairs, and transition from military service to civilian life, and for other purposes.

S. 1621

At the request of Mr. CONRAD, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from Nebraska (Mr. HAGEL) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 1621, a bill to amend the Internal Revenue Code of 1986 to treat certain farming business machinery and equipment as 5-year property for purposes of depreciation.

S. 1681

At the request of Mr. DODD, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1681, a bill to provide for a paid family and medical leave insurance program, and for other purposes.

S.J. RES. 4

At the request of Mr. BROWNBACK, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S.J. Res. 4, a joint resolution to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States.

S.J. RES. 12

At the request of Mr. BROWNBACK, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S.J. Res. 12, a joint resolution providing for the recognition of Jerusalem as the undivided capital of Israel before the United States recognizes a Palestinian state, and for other purposes.

S. RES. 222

At the request of Mr. SMITH, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. Res. 222, a resolution supporting the goals and ideals of Pancreatic Cancer Awareness Month.

At the request of Mrs. CLINTON, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. Res. 222, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATCH (for himself, Mr. KENNEDY, Mrs. FEINSTEIN, and Mr. SPECTER):

S. 1685. A bill to reduce the sentencing disparity between powder and crack cocaine violations, and to provide increased emphasis on aggravating factors relating to the seriousness of the offense and the culpability of the offender; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, I rise today to introduce S. 1685, the Fairness in Drug Sentencing Act of 2007. I am joined in this effort by my colleagues, Senators KENNEDY, FEINSTEIN, and SPECTER. This bipartisan, balanced effort will adjust the existing statutory ratio for cocaine sentencing to craft a more rational and effective sentencing policy. I must underscore that this bill continues to offer significant penalties for drug dealers and ensures that those who continue to peddle dangerous substances in our communities will endure harsh consequences for their destructive choices; at the same time, though, S. 1685 rectifies a longstanding disparity in cocaine sentencing that should have been fixed two decades ago.

Some background might be appropriate for my colleagues at this point. In 1986, Congress enacted the anti-drug abuse law to address the growing problem of drug use in our country. This legislation created the basic framework of statutory mandatory minimum penalties which are currently applicable to Federal drug trafficking offenses.

The law differentiated between powder and crack cocaine by establishing significantly higher penalties for crack cocaine offenses. It is likely this was done based on assumptions that crack cocaine was considered more dangerous and had increased levels of violence associated with its usage. Based on these assumptions, the law provided for quantity-based penalties which differed dramatically between the two forms of cocaine. Under that law, the current law, it takes 100 times more powder cocaine than crack cocaine to trigger the same 5- and 10-year mandatory minimum sentences. This penalty structure is referred to as the ''100 to 1 drug ratio.''

Over the last decade, public officials, lawmakers, interest groups, criminal justice practitioners, and judges have all criticized and questioned the fairness and practicality of the Federal sentencing policy for cocaine offenses created by the 1986 law. This 100-to-1 ratio is widely viewed as an unjustifiable disparity. Crack and powder cocaine are pharmacologically the same drug, and although the level of violence associated with crack is higher, it does not warrant such an extreme sentencing disparity.

It should also be noted that during the negotiations in 1986 that produced the 100-to-1 ratio law, a bill was introduced at the request of President Reagan which represented the Reagan administration's views on drug policy. This bill was described as the ''culmination'' of President Reagan's efforts in his commitment to fight drug abuse. The Reagan legislation utilized the same quantity of crack cocaine necessary to trigger a 5-year mandatory minimum as what is called for in the legislation we are introducing today, reducing the sentencing disparity to a 20-to-1 ratio.

While many individuals can disagree on what the appropriate ratio should be, I am completely comfortable recommending the same amount previously requested by President Reagan. I supported his proposed 20-to-1 ratio in 1986, and I support this same ratio today.

Many organizations share our concern, and the U.S. Sentencing Commission has advocated that Congress reduce the sentencing disparity on four different occasions between 1995 and 2007. The Commission has conducted a voluminous amount of research on this topic. This research has led to many conclusions by the Commission, including that the current penalties exaggerate the relative harmfulness of crack, sweep too broadly and apply most often to lower level offenders, and fail to provide adequate proportionality.

The Fairness in Drug Sentencing Act continues to recognize that crack and powder cocaine are not coequal in their destructive effects. On the contrary, the five-fold reduction in the crack-powder ratio corrects the unjustifiable disparity, while appropriately reflecting the greater harm to our citizens and communities posed by crack cocaine.

This legislation also seeks to emphasize the defendant's role in the crime and will require the U.S. Sentencing Commission to examine sentencing enhancements for all Federal drug violations, including methamphetamine. The Commission's examination should include appropriate sentencing enhancements for offenders who brandished a weapon, sold to minors or pregnant women, sold drugs near schools, were involved in the importation of the illegal drugs into our country, or have previous felony drug trafficking convictions.

Finding ways to reduce drug crime is not and should not be a partisan issue. All individuals involved in this process have tried to design a blueprint to curb the spread of drug trafficking and abuse. An easy, straightforward blueprint has unfortunately proven to be elusive. Since the 1970s, Congress has been working to improve Federal sentencing policy and has routinely made necessary changes to make our sentencing structure more just and effective. The bill we introduce today seeks to remedy mistakes of the past and will provide a rational and just sentencing schedule while continuing to reflect the fundamental and befitting goals of the criminal justice system.

Mr. KENNEDY. Mr. President, I am pleased to join Senator HATCH in support of this important legislation to reduce the difference in sentencing between crack and powder cocaine. It is important to ameliorate harsh drug laws that have discriminatory consequences.

The Sentencing Reform Act was enacted over 20 years ago to reduce unwarranted disparities and assure proportionality in punishment. Instead, the severity of crack-cocaine sentencing has had a harsh impact on low-income and African-American communities and has undermined public confidence in the fairness of the criminal justice system. Unfair sentencing feeds the perception that the criminal justice system unjustly targets the poor and minority communities.

The crack powder laws were intended to punish those at the highest levels of the illegal drug trade, such as traffickers and kingpins. But the low amount needed to trigger the harsh sentences is not associated with high-level drug dealing. As the Sentencing Commission reported in 2005, only 15 percent of Federal cocaine traffickers were high-level dealers. The overwhelming majority of defendants were low-level participants, such as street dealers, lookouts, or couriers. Harsh sentencing in such cases has only a limited impact on the drug trade because they involve low level offenders who are not at the top of the drug chain. The mass incarceration resulting from these sentences has done nothing to decrease drug use. Recent data indicate that such use has actually increased over time.

When these laws were enacted, there was widespread belief in the extraordinary dangers of crack cocaine. It was viewed as highly addictive and likely to cause violent behavior. We know much more about crack cocaine now than we did 20 years ago. The rationale that crack is more dangerous or more addictive than powder is not supported by research. In fact, research has demonstrated that the effects of crack cocaine are much like the effects of powder cocaine.

Medical experts have determined that the pharmacological effects of crack were overstated. They found that crack use doesn't incite violent behavior. As with other drugs, the violence is related to the distribution of the drug.

Changes in the drug market have also called the 100-to-1 ratio into question. Demand for crack cocaine by new users has decreased significantly, and the violence associated with crack cocaine has declined. How can Congress continue to support a policy it knows is flawed? Changes are long overdue and will be an important step in reducing the disparity that plagues drug sentencing policies.

Under the current sentencing laws, the statutory ratio for powder and crack cocaine is 100 to 1. One gram of crack cocaine triggers the same penalty as 100 grams of powder cocaine. Possession of 5 grams of crack triggers a 5-year mandatory minimum penalty. It is the only drug with a mandatory prison sentence for a first-time possession offense. This disparity results from an early attempt by the Commission to incorporate congressionally mandated minimum penalties into the guidelines, even though such harsh mandatory minimums are completely inconsistent with the structure and goals of the Sentencing Reform Act.

Judges, experts, and practitioners in the Federal criminal justice system have long opposed mandatory minimums on the ground that they undermine the goals of the Sentencing Reform Act by creating unwarranted disparities, subjecting defendants with different levels of culpability to the same punishment, and adding another unnecessary layer of complexity to the sentencing process.

In its 2002 report, as well as an updated report to Congress in May, the commission has repeatedly recognized that the 100-to-1 ratio exaggerates the relative harm of crack cocaine and creates unwarranted disparities that are correlated with race and class. With a new sense of urgency, the Commission continues to call on Congress to eliminate the 100-to-1 ratio.

Senator HATCH's legislation takes two important steps toward this goal. It reduces the ratio from 100-to-1 to 20-to-1, and it eliminates the mandatory minimum sentence of 5 years for first-time possession. Under the new sentencing scheme proposed by this legislation, the amount of crack cocaine triggering a mandatory minimum sentence would be raised from 5 grams to 25 grams, an amount that targets the more serious traffickers. This change will make cocaine laws more consistent with the penalty structure for other types of drugs that require much greater amounts to trigger a mandatory minimum. For heroin and marijuana, it is 100 grams. Even for methamphetamine, the triggering amount is 10 grams. Congress must take action to support the recommendations of the Sentencing Commission.

Changing the ratio will also provide important benefits to the criminal justice system as a whole. The Sentencing Commission estimates that the 20-to-1 ratio could save over 3,000 prison beds in the Federal system over a 5-year period, with millions of dollars in savings each year. Resources for prosecution could also be redirected toward more serious drug offenders, whose prosecution may actually make a difference in drug trafficking. Adjusting the ratio will also help to restore public confidence and fairness in the criminal justice system. Currently, 5,000 people are convicted under the Federal crack cocaine laws every year. The Sentencing Commission recently proposed amended guidelines for crack cocaine by reducing sentencing ranges, a change that will affect 78 percent of Federal defendants. The commission's proposed amendment to the guideline will result in an average sentence reduction of 16 months.

Drug abuse and addiction are increasingly being recognized as public health issues, not just as crime problems. More resources must be directed at breaking the cycle of drug addiction, which often leads to involvement in crimes. More resources must also be directed toward drug courts, which provide nonviolent drug offenders with treatment, not punishment. We are currently working to reauthorize SAMSHA to improve substance abuse treatment, since punishment and incarceration only address one part of the overall drug problem.

The commission recognizes, however, that its efforts are only a partial step to eliminate unwarranted disparities in the Federal crack powder laws. It has strongly urged Congress to address the problems with the 100-to-1 ratio. It is important for us to move forward on this issue without any effort to raise penalties for powder cocaine. Current law provides for 5-year and 10-year mandatory minimum sentences for offenses involving, respectively, 500 and 5000 grams of powder cocaine. There is no evidence that existing powder-cocaine penalties are too low.

Our goal is to return to the original intent of these laws and direct our limited resources to arresting and prosecuting high level drug traffickers. Our harshest punishments should be reserved for those who truly deserve them.

By Mr. BIDEN (for himself, Mr. HAGEL, Mr. KENNEDY, and Mr. CASEY):

S. 1687. A bill to provide for global pathogen surveillance and response; to the Committee on Foreign Relations.

Mr. BIDEN. Mr. President, many have called the 20th Century ''the American century.'' The 21st Century will be one, too, provided that we understand and act on a new reality: that global interactions make each country, even the U.S., more dependent upon others. Nowhere is this more striking than in our battle against emerging infectious diseases and bioterrorism. Whether we like it or not, the very security of our Nation depends upon the capability of nations in remote regions to contain epidemics before they spread.

Today, I am introducing the Global Pathogen Surveillance Act of 2007. I am very pleased to have as original cosponsors Senator HAGEL, who is an esteemed colleague on the Foreign Relations Committee, and Senator KENNEDY, who chairs the HELP Committee. Each of these gentlemen also cosponsored earlier versions of this bill. Also cosponsoring this bill is one of my fine new colleagues on the Foreign Relations Committee, Senator CASEY.

Our action today is timely, as there is still time to prevent bioterrorist attacks on the U.S. It is urgent, because the disease surveillance capabilities in foreign countries that this act will promote are vitally needed to protect our country against not only bioterrorism, but also natural diseases such as avian influenza, which threatens to become the greatest pandemic since at least 1918. And it is long overdue, as this bill was first passed by the Senate in 2001 and was again passed in 2005. All of us hope that the third time will be the charm.

The purpose of this bill is to bolster the ability of developing countries to detect, identify and report disease outbreaks, with particular attention to outbreaks that could be the result of terrorist activity. My concern, as Chairman of the Senate Foreign Relations Committee, is that today, the many deficiencies in the capability of

developing nations to track and contain disease epidemics are the equivalent of cracks in a levee. Right now, when the epidemiological ''big one'' hits, whether it is a natural outbreak or a terrorist attack, the world simply won't be able to respond in time.

The odds of a major bioterrorism event are very low, but they are hardly zero. In 2001, the American news media, the U.S. Postal Service and this United States Senate learned first-hand what it is like to receive deadly pathogens in the mail. To this day, we do not know whether the murderous anthrax letters were just a criminal act or actually a bioterrorist attack. But we surely know that neither our military power nor our economic wealth or geographical distance affords us immunity from the risk that a deranged person or group will visit biological destruction upon us.

The odds of a major outbreak of a new, but natural, disease are much higher, and the possible consequences, while variable, are truly frightening. At the high end, an avian flu pandemic similar to the Spanish flu of 1918 could kill many millions of people and threaten social cohesion everywhere, including in the U.S. Viruses and other pathogens respect no borders. Increased contact between humans and animals, coupled with vastly increased travel of goods and people, has made it possible for a new and distant outbreak to become a sudden threat to every continent.

The SARS epidemic was a good example of this. Now the world watches nervously as avian flu spreads westward from Asia, occasionally striking poultry flocks in Europe and Africa. We wonder when it will reach the Western Hemisphere and whether, or when, it will mutate into a disease that is readily transmitted between humans, who lack any immunity to it.

Last month, a man with extensively drug-resistant tuberculosis, or XDRTB, flew across one ocean, twice, and drove across several national borders, reminding us how readily a disease can be spread in the modern world. We dodged a bullet this time; XDRTB is especially difficult to treat, but does not spread as readily as influenza or some other diseases. Authorities knew who the disease vector was, moreover, and they knew what he had. The risk with avian flu or a bioterrorism attack is heightened by the likelihood that the disease will spread before anybody even knows it's here.

As if that were not enough, recent advances in biotechnology that open the door to new cures for diseases could also lead to the development of new diseases, or new strains of old ones, with much greater virulence than in the past or with the ability to resist our current vaccines or medicines. Such man-made diseases have already been developed by accident, and there is a clear risk of their being developed on purpose.

The U.S., and this Senate, have acted to address the twin threats of bioterrorism and new pathogens. We enacted the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, introduced by Senators Frist and KENNEDY, to buttress the ability of U.S. public health institutions to deal with a bioterrorism emergency. In 2004 we enacted the Project BioShield Act to spur the development of new vaccines and medicines.

The Centers for Disease Control has a program to put electronic surveillance systems in 8 American cities as the cornerstone of an eventual national network. Delaware is developing the first State-wide, electronic reporting system for infectious diseases, which will serve as a prototype for other States. And the Department of Health and Human Services funded a 3-year, $5.4 million program, early warning infectious disease surveillance, to assist the Government of Mexico to improve its disease surveillance capabilities near the U.S. border. Other funds were provided to U.S. States on the Mexican border.

But these efforts, as vital as they are, address the threats of disease and bioterrorism only when they are inside our house or on our doorstep. We must lift our eyes and look farther, to the places around the world where diseases and terrorism so often breed. We must battle bioterrorism not just at home, but also in those countries where lax governance and the lack of public health resources could permit both strange groups and stranger diseases to get a foothold and to get out of hand. We must not treat the threat of a massive biological pandemic the way we treated the threat of a category 5 hurricane striking New Orleans. If we do not prepare to combat realistic, once-in-a-century threats, then we will be left again to pick up the pieces after enduring massive physical and social harm.

There are precedents in current programs, moreover, for promoting disease surveillance as a means to lessen the risk of bioterrorism. For example, our programs to find useful careers for former Soviet biological weapons scientists, under the leadership of the State Department's Office of Cooperative Threat Reduction, currently fund the disease surveillance activities of anti-plague institutes in six states of the former Soviet Union, which had a major pathogen surveillance program ever since tsarist days. The Department of Defense also has programs with former Soviet scientists, as well as overseas laboratories that work with doctors in developing countries.

We need to build on those programs. We must create a world-wide disease surveillance capability that matches that of the old anti-plague institutes. We must help the rest of the world gain the capability to detect, contain, and report on disease outbreaks in a timely manner, and especially to spot outbreaks that may be the result of biological terrorism.

Part of the answer to the threat of new natural diseases is to stockpile vaccines and medicines, and the means to deliver them quickly. But rapid detection and identification of an outbreak is equally necessary, wherever it occurs. Only disease surveillance can give us the lead time to manufacture vaccines and enable the world community to help control a disease outbreak where it initially occurs.

In 2005, two sets of researchers reported in the journals Nature and Science that, based on computer simulations, if an outbreak of human-to-human-transmitted avian flu occurred in a rural part of Southeast Asia, it might be possible to stem that dangerous epidemic by using anti-viral drugs to treat the tens of thousands of people who might have been exposed in the initial outbreak. One key requirement, however, was that the outbreak would have to be discovered, identified and reported very quickly; in one study, the assumption was that countermeasures were instituted when only 30 people had observable symptoms. That is a tall order for any country's disease surveillance system, let alone a poorly equipped one.

The National Intelligence Council, NIC, reported in January 2000 that developing nations in Africa and Asia have only rudimentary systems, at best, for disease surveillance. They lack sufficient trained personnel and laboratory equipment, and especially the modern communications equipment that is needed for speedy analysis and reporting of disease outbreaks. The NIC estimated that it would take at least a decade to create an effective world-wide disease surveillance system.

According to an August 2001 report by the General Accounting Office, World Health Organization officials said that more than 60 percent of laboratory equipment in developing countries was either outdated or nonfunctioning, and that the vast majority of national personnel were not familiar with quality assurance principles for handling and analyzing biological samples. Deficiencies in training and equipment meant that many public health units in Africa and Asia were simply unable to perform accurate and timely disease surveillance.

The poor sanitary conditions, poverty, close contact between people and animals, and weak medical infrastructure make developing countries ideal breeding grounds for epidemics.

So it is vital to give these countries the capability to track epidemics and to feed that information into international surveillance networks. Disease surveillance is a systematic approach that requires trained public health personnel, proper diagnostic equipment to identify viruses and pathogens, and prompt transmission of data from the doctor or clinic level all the way to national governments and the World Health Organization, Who.

The Global Pathogen Surveillance Act will offer such help to those countries that agree to give the United

States or the World Health Organization prompt access to disease outbreaks, so that we can help determine their origin. Recipients of this training will also be able to learn to spot diseases that might be used in a bioterrorist attack.

In drafting this bill, we worked closely with the Department of Defense and others, which have all supported the underlying goals of the bill. We also accepted several suggestions for improving the bill from the State Department and, in 2005, from the HELP Committee, all of which contributed to making this a better bill.

This bill targets U.S. assistance to developing nations in the following areas: Training of public health personnel in epidemiology; aquisition of laboratory and diagnostic equipment; Acquisition of communications technology to quickly transmit data on disease patterns and pathogen diagnoses to national public health authorities and to international institutions like the WHO; expansion of overseas CDC and Department of Defense laboratories engaged in infectious disease research and disease surveillance, which expansion could take the form of additional laboratories, enlargement of existing facilities, increases in the number of personnel, and/or expanding the scope of their activities; and expanded assistance to WHO and regional disease surveillance efforts, including expansion of U.S.-administered foreign epidemiology training programs.

Two years ago the Secretary of State, Dr. Condoleezza Rice, expressed her strong backing for this legislation:

> We believe that the Global Pathogen Surveillance Act will indeed help strengthen developing countries' abilities to identify and track pathogens that could be indicators of dangerous disease outbreaks—either naturally-occurring or deliberately-released. Improved disease surveillance and communication among nations are critical defenses against both bioterrorism and natural outbreaks. We look forward to working with you in support of the Global Pathogen Surveillance Act.

Secretary Rice went on to make clear that she shares the sense of urgency that Senators HAGEL, KENNEDY, CASEY and I feel on this subject:

> One of the true ''nightmare'' scenarios—of a bioterrorist attack or a naturally-occurring disease—involves a contagious biological agent moving swiftly through a crowded urban area of a densely populated developing nation. Thus, we believe that it is critical to increase efforts to strengthen the public health and scientific infrastructure necessary to identify and quickly respond to infectious disease outbreaks—and that the Global Pathogen Surveillance Act will provide valuable support in these efforts.

The WHO also shares our concern. During the SARS epidemic, Dr. Michael Heymann, who was the highest-ranking American in the WHO, stated: ''it is clear that the best defense against the spread of emerging infections such as SARS is strong national public health, national disease detection and response capacities that can identify new diseases and contain them before they spread internationally.'' He went on to highlight the important role that disease surveillance plays in combating both natural and terrorist outbreaks:

> Global partnerships to combat global microbial threats make good sense as a defense strategy that brings immediate benefits in terms of strengthened pubic health and surveillance systems. The resulting infectious disease intelligence brings dual benefits in terms of protecting populations against both naturally occurring and potentially deliberately caused outbreaks. As SARS has so vividly demonstrated, the need is urgent and of critical importance to the health of economies as well as populations.
>
> Support to developing countries such as proposed in the Global Pathogen Surveillance Act . . . will help strengthen capacity of public health professionals and epidemiologists, laboratory and other disease detection systems, and outbreak response mechanisms for naturally occurring infectious diseases such as SARS. This in turn will strengthen WHO and the world's safety net for outbreak detection and response, of which the United States is a major partner. And finally, strengthening this global safety net to detect and contain naturally occurring infectious diseases will strengthen the world's capacity to detect and respond to infectious diseases that may be deliberately caused.

The purpose of the Global Pathogen Surveillance Act is precisely to build these partnerships. And today, with the global war on terrorism an ever-present concern and with the threat of avian flu on the horizon, we have no time to waste. I urge my Senate colleagues to once again pass this bill and, with new leadership in the other body and with the support of Secretary Rice, I look forward to its speedy enactment.

By Mr. BINGAMAN (for himself and Ms. COLLINS):

S. 1689. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise in support of the Civil Rights Tax Relief Act of 2007, which I joined Senator BINGAMAN in introducing today.

The primary purpose of this bill is to continue our efforts to remedy an unintended consequence of the Small Business Job Protection Act of 1996, which made damage awards that are not based on ''physical injuries or physical sickness'' part of a plaintiff's taxable income. Because most acts of employment discrimination and civil rights violations do not cause physical injuries, this provision means that plaintiffs who succeed in proving that they have suffered employment discrimination or other intentional violations of their civil rights are taxed on the compensation they receive.

Until a few years ago, this problem was compounded by the fact that attorneys' fees awarded in successful civil rights actions were treated as the plaintiff's taxable income, despite the fact that these fees were paid over to the plaintiff's attorney, who was also taxed on the money. Back in the 108th Congress, I joined with Senator BINGAMAN in offering legislation to correct this inequity, and I am glad to say that this double taxation of attorneys' fees was eliminated as part of the JOBS Act we passed in 2004.

But more remains to be done. Plaintiffs who are successful in employment discrimination or civil rights cases often receive a lump-sum award meant to compensate them for years of employment. Unfortunately, these awards are then taxed at the highest marginal tax rates, as if the award reflected the plaintiff's normal annual salary. As if that were not bad enough, successful plaintiffs can also find themselves subject to alternative minimum tax.

Let me explain how our bill eliminates this unfair taxation. First, the bill excludes from gross income amounts awarded other than for punitive damages and compensation attributable to services that were to be performed, known as ''backpay,'' or that would have been performed but for a claimed violation of law by the employer, known as ''frontpay.'' Second, award amounts for frontpay or backpay would be included in income, but would be eligible for income averaging according to the time period covered by the award. This correction would allow individuals to pay taxes at the same marginal rates that would have applied to them had they not suffered discrimination. Our bill also ensures that these awards do not trigger the AMT.

The Civil Rights Tax Relief Act would encourage the fair settlement of costly and protracted litigation of employment discrimination claims. Our legislation would allow both plaintiffs and defendants to settle claims based on the damages suffered, not on the excessive taxes that are now levied.

This bill is a ''win-win'' for civil rights plaintiffs and defendant businesses. I invite my colleagues to join in support of this commonsense legislation.

By Ms. SNOWE (for herself, Mr. KERRY, and Mr. BENNETT):

S. 1690. A bill to establish a 4-year pilot program to provide information and educational materials to small business concerns regarding health insurance options, including coverage options within the small group market; to the Committee on Small Business and Entrepreneurship.

Ms. SNOWE. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, I have long believed that it is my responsibility and the duty of this chamber to help small businesses, as they are the driver of this Nation's economy, responsible for generating approximately 75 percent of net new jobs each year.

Today, I rise with Senators KERRY and BENNETT to introduce legislation

that would address the crisis that faces small businesses when it comes to purchasing quality, affordable health insurance. This is not a new crisis. Over 46 million Americans are currently uninsured. We have now experienced double digit percentage increases in health insurance premiums in 4 of the past 6 years. Small businesses face difficult choices in seeking to provide affordable health insurance to their employees. The time to act is now.

Study after study tells us that the smallest businesses are the ones least likely to offer insurance and most in need of assistance. According to the Employee Benefit Research Institute, of the working uninsured, who make up 83 percent of our Nation's uninsured population, 60.6 percent either work for a small business with fewer than 100 employees or are self-employed. Furthermore, many of the small businesses whom we meet with tell us how they feel like the cost and complexity of the health care system has moved health insurance far beyond their reach.

That is why today we introduce the Small Business Health Insurance Options Act of 2007. This bipartisan measure would establish a pilot, competitive matching-grant program for Small Business Development Centers, SBDCs, to provide educational resources and materials to small businesses designed to increase awareness regarding health insurance options available in their areas. Recent research conducted by the Healthcare Leadership Council has found that following a brief education and counseling session, small businesses are up to 33 percent more likely to offer health insurance to their employees.

Our bill capitalizes on the well-established national SBDC framework. SBDCs are one of the greatest business assistance and entrepreneurial development resources provided to small businesses that are seeking to start, grow, and flourish. Currently, there are over 1,100 service locations in every State and territory delivering management and technical counseling to prospective and existing small business owners.

Our legislation would require the Small Business Administration to provide up to 20 matching grants to qualified SBDCs across the country. No more than two SBDCs, one per State, would be chosen from each of the SBA's 10 regions. The grants shall be more than $150,000, but less than $300,000, and shall be consistent with the matching requirement under current law. In creating the materials for their grant programs, participating SBDCs should evaluate and incorporate relevant portions of existing health insurance options, including materials created by the Healthcare Leadership Council, the Kaiser Family Foundation, and the National Association of Insurance Commissioners.

Enacting this legislation is an important step in the right direction towards assisting small businesses as they work to strengthen themselves, remain competitive against larger businesses that are able to offer affordable health insurance, and in turn bolster the entire economy.

We encourage our colleagues to join us in supporting this bill, and to continue to work to address the issues facing the small business community.

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. 1690

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Small Business Health Insurance Options Act of 2007''.

SEC. 2. HEALTH INSURANCE OPTIONS INFORMATION FOR SMALL BUSINESS CONCERNS.

(a) DEFINITIONS.—In this section, the following definitions shall apply:

(1) ADMINISTRATION.—The term ''Administration'' means the Small Business Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Administration.

(3) ASSOCIATION.—The term ''association'' means an association established under section 21(a)(3)(A) of the Small Business Act (15 U.S.C. 648(a)(3)(A)) representing a majority of small business development centers.

(4) PARTICIPATING SMALL BUSINESS DEVELOPMENT CENTER.—The term ''participating small business development center'' means a small business development center described in section 21 of the Small Business Act (15 U.S.C. 648) that—

(A) is accredited under section 21(k)(2) of the Small Business Act (15 U.S.C. 648(k)(2)); and

(B) receives a grant under the pilot program.

(5) PILOT PROGRAM.—The term ''pilot program'' means the small business health insurance information pilot program established under this section.

(6) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632).

(7) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, and Guam.

(b) SMALL BUSINESS HEALTH INSURANCE INFORMATION PILOT PROGRAM.—The Administrator shall establish a pilot program to make grants to small business development centers to provide neutral and objective information and educational materials regarding health insurance options, including coverage options within the small group market, to small business concerns.

(c) APPLICATIONS.—

(1) POSTING OF INFORMATION.—Not later than 90 days after the date of enactment of this Act, the Administrator shall post on the website of the Administration and publish in the Federal Register a guidance document describing—

(A) the requirements of an application for a grant under the pilot program; and

(B) the types of informational and educational materials regarding health insurance options to be created under the pilot program, including by referencing materials and resources developed by the National Association of Insurance Commissioners, the Kaiser Family Foundation, and the Healthcare Leadership Council.

(2) SUBMISSION.—A small business development center desiring a grant under the pilot program shall submit an application at such time, in such manner, and accompanied by such information as the Administrator may reasonably require.

(d) SELECTION OF PARTICIPATING SMALL BUSINESS DEVELOPMENT CENTERS.—

(1) IN GENERAL.—The Administrator shall select not more than 20 small business development centers to receive a grant under the pilot program.

(2) SELECTION OF PROGRAMS.—In selecting small business development centers under paragraph (1), the Administrator may not select—

(A) more than 2 programs from each of the groups of States described in paragraph (3); and

(B) more than 1 program in any State.

(3) GROUPINGS.—The groups of States described in this paragraph are the following:

(A) GROUP 1.—Group 1 shall consist of Maine, Massachusetts, New Hampshire, Connecticut, Vermont, and Rhode Island.

(B) GROUP 2.—Group 2 shall consist of New York, New Jersey, Puerto Rico, and the Virgin Islands.

(C) GROUP 3.—Group 3 shall consist of Pennsylvania, Maryland, West Virginia, Virginia, the District of Columbia, and Delaware.

(D) GROUP 4.—Group 4 shall consist of Georgia, Alabama, North Carolina, South Carolina, Mississippi, Florida, Kentucky, and Tennessee.

(E) GROUP 5.—Group 5 shall consist of Illinois, Ohio, Michigan, Indiana, Wisconsin, and Minnesota.

(F) GROUP 6.—Group 6 shall consist of Texas, New Mexico, Arkansas, Oklahoma, and Louisiana.

(G) GROUP 7.—Group 7 shall consist of Missouri, Iowa, Nebraska, and Kansas.

(H) GROUP 8.—Group 8 shall consist of Colorado, Wyoming, North Dakota, South Dakota, Montana, and Utah.

(I) GROUP 9.—Group 9 shall consist of California, Guam, American Samoa, Hawaii, Nevada, and Arizona.

(J) GROUP 10.—Group 10 shall consist of Washington, Alaska, Idaho, and Oregon.

(4) DEADLINE FOR SELECTION.—The Administrator shall make selections under this subsection not later than 6 months after the later of the date on which the information described in subsection (c)(1) is posted on the website of the Administration and the date on which the information described in subsection (c)(1) is published in the Federal Register.

(e) USE OF FUNDS.—

(1) IN GENERAL.—A participating small business development center shall use funds provided under the pilot program to—

(A) create and distribute informational materials; and

(B) conduct training and educational activities.

(2) CONTENT OF MATERIALS.—

(A) IN GENERAL.—In creating materials under the pilot program, a participating small business development center shall evaluate and incorporate relevant portions of existing informational materials regarding health insurance options, including materials and resources developed by the National Association of Insurance Commissioners, the Kaiser Family Foundation, and the Healthcare Leadership Council.

(B) HEALTH INSURANCE OPTIONS.—In incorporating information regarding health insurance options under subparagraph (A), a participating small business development center shall provide neutral and objective information regarding health insurance options in the geographic area served by the participating small business development center,

including traditional employer sponsored health insurance for the group insurance market, such as the health insurance options defined in section 2791 of the Public Health Services Act (42 U.S.C. 300gg–91) or section 125 of the Internal Revenue Code of 1986, and Federal and State health insurance programs.

(f) GRANT AMOUNTS.—Each participating small business development center program shall receive a grant in an amount equal to—

(1) not less than $150,000 per fiscal year; and

(2) not more than $300,000 per fiscal year.

(g) MATCHING REQUIREMENT.—Subparagraphs (A) and (B) of section 21(a)(4) of the Small Business Act (15 U.S.C. 648(a)(4)) shall apply to assistance made available under the pilot program.

(h) REPORTS.—Each participating small business development center shall transmit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives, a quarterly report that includes—

(1) a summary of the information and educational materials regarding health insurance options provided by the participating small business development center under the pilot program; and

(2) the number of small business concerns assisted under the pilot program.

(i) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

(A) $5,000,000 for the first fiscal year beginning after the date of enactment of this Act; and

(B) $5,000,000 for each of the 3 fiscal years following the fiscal year described in subparagraph (A).

(2) LIMITATION ON USE OF OTHER FUNDS.—The Administrator may carry out the pilot program only with amounts appropriated in advance specifically to carry out this section.

By Mr. CARDIN (for himself, Mr. BAYH, Mrs. CLINTON, Mr. ISAKSON, Mr. KENNEDY, Mr. KERRY, Mr. LAUTENBERG, Ms. MIKULSKI, Ms. MURKOWSKI, and Mr. VITTER):

S. 1692. A bill to grant a Federal charter to Korean War Veterans Association, Incorporated; to the Committee on the Judiciary.

Mr. CARDIN. Mr. President, I rise today, on the 57th anniversary of the start of the Korean war, to introduce legislation to help honor American veterans who served our Nation during that war by granting a Federal charter to the Korean War Veterans Association, KWVA, a nonprofit fraternal veterans' organization. A companion measure is being introduced in the House by the distinguished majority leader, STENY HOYER, and Representative SAM JOHNSON, who have led this effort in previous Congresses along with my predecessor, Senator Paul Sarbanes.

The Korean war is sometimes referred to as the ''Forgotten War,'' because it has been overshadowed by World War II and the Vietnam war, and its importance has often been overlooked in American history. But for the nearly 1.2 million American veterans of the Korean war still alive today, the war is anything but forgotten. During the 3-year course of the war, some 5.7 million Americans were called to serve, under some of the most adverse and trying circumstances ever faced in wartime, for the cause of freedom. Alongside Korean and United Nations allies, our forces fought with extraordinary courage and valor. By the time the Korean Armistice Agreement was signed in July 1953, more than 36,000 Americans had died, 103,284 had been wounded, 7,140 were captured, and 664 were missing.

Granting a Federal charter to the Korean War Veterans Association would give our Nation an opportunity to honor veterans who served in that war, as well as those who have served subsequently in defense of the Republic of Korea. The KWVA is the only fraternal veterans' organization in the United States devoted exclusively to Korean war veterans and the only U.S. member of the International Federation of Korean War Veterans Associations.

Incorporated in 1985, the 20,000-member charitable association is also one of the few veterans' service organizations in America that has not been recognized with a Federal charter. These veterans are a source of strength and pride for our country. While we cannot repay the debt we owe them for the sacrifices they made, we can and should acknowledge and commemorate their service and help the association to expand its mission and further its charitable and benevolent causes.

This recognition for the KWVA is long overdue, and I am hopeful that this year, Congress will act swiftly to approve this measure. 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. 1692

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

SECTION 1. GRANT OF FEDERAL CHARTER TO KOREAN WAR VETERANS ASSOCIATION, INCORPORATED.

(a) GRANT OF CHARTER.—Part B of subtitle II of title 36, United States Code, is amended—

(1) by striking the following:

''CHAPTER 1201—[RESERVED]'';

and

(2) by inserting after chapter 1103 the following new chapter:

''CHAPTER 1201—KOREAN WAR VETERANS ASSOCIATION, INCORPORATED

''Sec.

''120101. Organization.
''120102. Purposes.
''120103. Membership.
''120104. Governing body.
''120105. Powers.
''120106. Restrictions.
''120107. Tax-exempt status required as condition of charter.
''120108. Records and inspection.
''120109. Service of process.
''120110. Liability for acts of officers and agents.
''120111. Annual report.
''120112. Definition.

''§ 120101. Organization

''(a) FEDERAL CHARTER.—Korean War Veterans Association, Incorporated (in this chapter, the 'corporation'), a nonprofit organization that meets the requirements for a veterans service organization under section 501(c)(19) of the Internal Revenue Code of 1986 and that is organized under the laws of the State of New York, is a federally chartered corporation.

''(b) EXPIRATION OF CHARTER.—If the corporation does not comply with the provisions of this chapter, the charter granted by subsection (a) shall expire.

''§ 120102. Purposes

''The purposes of the corporation are those provided in the articles of incorporation of the corporation and shall include the following:

''(1) To organize as a veterans service organization in order to maintain a continuing interest in the welfare of veterans of the Korean War, and rehabilitation of the disabled veterans of the Korean War to include all that served during active hostilities and subsequently in defense of the Republic of Korea, and their families.

''(2) To establish facilities for the assistance of all veterans and to represent them in their claims before the Department of Veterans Affairs and other organizations without charge.

''(3) To perpetuate and preserve the comradeship and friendships born on the field of battle and nurtured by the common experience of service to the United States during the time of war and peace.

''(4) To honor the memory of the men and women who gave their lives so that the United States and the world might be free and live by the creation of living memorial, monuments, and other forms of additional educational, cultural, and recreational facilities.

''(5) To preserve for the people of the United States and posterity of such people the great and basic truths and enduring principles upon which the United States was founded.

''§ 120103. Membership

''Eligibility for membership in the corporation, and the rights and privileges of members of the corporation, are as provided in the bylaws of the corporation.

''§ 120104. Governing body

''(a) BOARD OF DIRECTORS.—The composition of the board of directors of the corporation, and the responsibilities of the board, are as provided in the articles of incorporation of the corporation.

''(b) OFFICERS.—The positions of officers of the corporation, and the election of the officers, are as provided in the articles of incorporation.

''§ 120105. Powers

''The corporation has only those powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

''§ 120106. Restrictions

''(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

''(b) POLITICAL ACTIVITIES.—The corporation, or a director or officer of the corporation as such, may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

''(c) LOAN.—The corporation may not make a loan to a director, officer, or employee of the corporation.

''(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim

congressional approval, or the authority of the United States, for any activity of the corporation.

''(e) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of the State of New York.

''§ 120107. Tax-exempt status required as condition of charter

''If the corporation fails to maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986, the charter granted under this chapter shall terminate.

''§ 120108. Records and inspection

''(a) RECORDS.—The corporation shall keep—

''(1) correct and complete records of account;

''(2) minutes of the proceedings of the members, board of directors, and committees of the corporation having any of the authority of the board of directors of the corporation; and

''(3) at the principal office of the corporation, a record of the names and addresses of the members of the corporation entitled to vote on matters relating to the corporation.

''(b) INSPECTION.—A member entitled to vote on any matter relating to the corporation, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

''§ 120109. Service of process

''The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent is notice to or service on the corporation.

''§ 120110. Liability for acts of officers and agents

''The corporation is liable for any act of any officer or agent of the corporation acting within the scope of the authority of the corporation.

''§ 120111. Annual report

''The corporation shall submit to Congress an annual report on the activities of the corporation during the preceding fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101(b) of this title. The report may not be printed as a public document.

''§ 120112. Definition

''For purposes of this chapter, the term 'State' includes the District of Columbia and the territories and possessions of the United States.''.

(b) CLERICAL AMENDMENT.—The item relating to chapter 1201 in the table of chapters at the beginning of subtitle II of title 36, United States Code, is amended to read as follows:

''1201. Korean War Veterans Association, Incorporated .....120101''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 253—EXPRESSING THE SENSE OF THE SENATE THAT THE ESTABLISHMENT OF A MUSEUM OF THE HISTORY OF AMERICAN DIPLOMACY THROUGH PRIVATE DONATIONS IS A WORTHY ENDEAVOR

Mr. LUGAR (for himself and Mr. BIDEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 253

Whereas the role of diplomacy in the foreign policy of the United States deserves recognition;

Whereas the day-to-day efforts of American diplomats serving in overseas embassies and in the United States also deserve recognition;

Whereas, in 1998, the Department of State began to explore the feasibility of establishing a Museum of the History of American Diplomacy (in this resolution referred to as the ''Museum'');

Whereas the Foreign Affairs Museum Council (in this resolution referred to as the ''Council''), a 501(c)(3) charitable foundation, was created subsequently to raise funds for the Museum through donations from private sector organizations, former diplomats, and concerned citizens;

Whereas no taxpayer funds will be used for the establishment of the Museum;

Whereas former Secretaries of State Henry Kissinger, Alexander Haig, George Schultz, James Baker III, Lawrence Eagleburger, Warren Christopher, Madeleine Albright, and Colin Powell serve as Honorary Directors of the Council;

Whereas experienced and noteworthy diplomats and foreign policy experts, including Elizabeth Bagley, Keith Brown, Frank Carlucci, Elinor Constable, Leslie Gelb, William Harrop, Arthur Hartman, Herbert Hansell, Stephen Low, Thomas Pickering, Richard Solomon, and Terence Todman, serve on the Board of Directors of the Council;

Whereas former members of the Senate, including the Honorable Paul Sarbanes, and of the House of Representatives, including the Honorable Lee Hamilton, also serve on the Board of Directors of the Council;

Whereas the Honorable Charles ''Mac'' Mathias, a former Senator and member of the Committee on Foreign Relations of the Senate, is the Chairperson of the Board of Directors of the Council;

Whereas the Council has already raised over $1,300,000 through private donations; and

Whereas $300,000 has been spent to complete an initial concept design for the Museum: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the diplomats of the United States serving overseas and in the United States are in many cases the front line of our national security policy;

(2) the people of the United States deserve a better understanding of the efforts of these brave men and women;

(3) talented young people and their families should be encouraged to consider careers in foreign affairs as an important contribution to their country;

(4) the establishment of a Museum of the History of American Diplomacy that highlights the work of these men and women throughout the history of the United States is a worthy endeavor; and

(5) the current plan of the Foreign Affairs Museum Council to fund the museum through private donations is appropriate and deserves the support of the Department of State.

SENATE RESOLUTION 254—SUPPORTING EFFORTS FOR INCREASED HEALTHY LIVING FOR CHILDHOOD CANCER SURVIVORS

Mr. COLEMAN (for himself and Mr. REED) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

Whereas an estimated 9,000 children under the age of 15 will be diagnosed with cancer in the year 2007;

Whereas oncology, the study of cancer and tumors, has made significant progress in the prevention, treatment, and prognosis of many childhood cancers;

Whereas the number of survivors of childhood cancer continues to grow, with about 1 in 640 adults between the ages of 20 and 39 having a history of cancer;

Whereas despite this progress, cancer is the chief cause of death by disease in children under age 15, and the fourth leading cause of death in children ages 1 to 19;

Whereas childhood cancer varies from adult cancers in development, treatment, response to therapy, tolerance of therapy, and prognosis;

Whereas, in most cases, childhood cancer is more responsive to therapy, the child can tolerate more aggressive therapy, and the prognosis is better;

Whereas extraordinary progress has been made in improving the cure rates for childhood cancers, but this progress involves varying degrees of risks for both acute and chronic toxicities;

Whereas many childhood cancer survivors and their families have courageously won the fight against cancer, but continue to be challenged in their attempt to regain quality of life, and will never fully return to their pre-cancer life;

Whereas half of all childhood cancer survivors have long-term learning problems as a result of their cancer or the treatment of their cancer;

Whereas the prolonged absences or reduced energy levels that frequently occur during treatment may contribute to difficulties for a child;

Whereas recent scientific reports indicate that treatment for cancer during childhood or adolescence may affect cognitive and educational progress due to neurotoxic agents (such as chemotherapy or radiation);

Whereas cancer that may spread to the brain or spinal cord requires therapy that can sometimes affect cognition, attention and processing speed, memory, and other learning abilities;

Whereas children with brain tumors, tumors involving the eye or ear, acute lymphoblastic leukemia or non-Hodgkin's lymphoma face a higher risk of developing educational difficulties;

Whereas the educational challenges of a childhood cancer survivor may appear years after treatment is completed and are frequently misdiagnosed or ignored all together;

Whereas few educators are aware of the educational late effects related to cancer treatment;

Whereas childhood cancer survivors and their parents deserve and need neuropsychological testing to help them achieve academic success and have productive, hopeful futures;

Whereas some progress has been made, but a number of opportunities for childhood cancer research still remain under funded; and

Whereas increased recognition and awareness of neuropsychological testing for childhood cancer survivors can have a significant impact on the education and ultimately the quality of life and productivity of people with childhood cancer: Now, therefore, be it

Resolved, That it is the sense of the Senate that the United States Government should—

(1) support neuropsychological research and testing of childhood cancer survivors and their families;

(2) work with health care providers, educators, and childhood cancer advocacy and education organizations to encourage neuropsychological testing;

(3) recognize and reaffirm the commitment of the United States to fighting childhood cancer by promoting awareness about the causes, risks, prevention, and treatment of childhood cancer;

(4) promote new education programs about, research of, and expanded medical treatment for childhood cancer survivors;

(5) support research and expanded public-private partnerships to improve post-cancer life for childhood cancer survivors; and

(6) encourage the early diagnosis and access to high-quality care for childhood cancer patients and survivors.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1871. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1872. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1873. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1874. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1875. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1876. Mr. INHOFE (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1877. Mr. INHOFE (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1878. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1879. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1880. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1881. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1882. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1883. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1884. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1885. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1886. Mrs. DOLE submitted an amendment intended to be proposed by her to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1887. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1888. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1889. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1890. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1891. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1892. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1893. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1894. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1895. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1896. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1897. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1898. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1899. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1900. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1901. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

SA 1902. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1871. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 572, line 2, strike ''may'' and insert ''shall''.

On page 572, lines 20 and 21, strike ''by the end of the next business day''.

On page 573, line 19, strike ''or the end of the next business day, whichever is sooner''.

On page 584, line 22, strike ''may'' and insert ''shall''.

SA 1872. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 570, line 21, strike ''If, during the one-year'' and all that follows through page 571, line 2.

SA 1873. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 574, strike line 22 and all that follows through page 575, line 6.

SA 1874. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 608, strike line 3 and all that follows through ''(b)'' on line 7.

SA 1875. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, 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. ___. ALLOCATION OF FIELD AGENTS.

(a) IN GENERAL.—Section 103(f) (8 U.S.C. 1103(f)) is amended to read as follows:

''(f) MINIMUM NUMBER OF AGENTS ALLOCATED TO STATES.—

''(1) IN GENERAL.—The Secretary of Homeland Security shall allocate to each State—

''(A) not fewer than 40 full-time active duty agents of United States Immigration and Customs Enforcement to—

''(i) investigate immigration violations; and

''(ii) ensure the departure of all removable aliens; and

''(B) not fewer than 15 full-time active duty agents of United States Citizenship and Immigration Services to carry out immigration and naturalization adjudication functions.

''(2) WAIVER.—The Secretary may waive the requirement under paragraph (1) for any State with a population of fewer than 2,000,000 residents, according to the most recent information published by the Bureau of the Census.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 90 days after the date of the enactment of this Act.

SA 1876. Mr. INHOFE (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 582, strike line 11 and all that follows through page 584, line 4, and insert the following:

(I) REQUIREMENT AT FIRST RENEWAL.—At or before the time of application for the first extension of Z nonimmigrant status, an alien who is 18 years of age or older shall meet the requirements under section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1423(a)).

(II) EXCEPTION.—The requirement under subclause (I) shall not apply to any person who, on the date of the filing of the person's application for an extension of Z nonimmigrant status—

(aa) is unable to comply because of physical or developmental disability or mental impairment to comply with such requirement; or

(bb) is older than 65 years of age and has been living in the United States for periods totaling not less than 20 years.

SA 1877. Mr. INHOFE (for himself and Mr. GRASSLEY) submitted an

amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 580 between lines 7 and 8, insert the following:

(6) ENGLISH AND CIVICS.—An alien who is 18 years of age or older shall meet the requirements under section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1423(a)).

SA 1878. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 619, strike line 3 and all that follows through ''(b)'' on line 7.

SA 1879. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 580, between lines 7 and 8, insert the following:

(6) MEDICAL EXAMINATION.—An applicant for Z nonimmigrant status shall, at the alien's expense, obtain proper immunizations and undergo an appropriate medical examination that conforms to generally accepted professional standards of medical practice.

SA 1880. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 5, between 11 and 12, insert the following:

(7) STAFF ENHANCEMENTS FOR INTERIOR ENFORCEMENT.—The Assistant Secretary for Immigration and Customs Enforcement has hired not less than 2,000 additional special agents to conduct investigations, including worksite enforcement.

SA 1881. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 5, between lines 11 and 12, insert the following:

(7) USCIS ADJUDICATORS.—The Director of United States Citizenship and Immigration Service has hired 300 additional adjudicators.

SA 1882. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 685, strike lines 15 through 17 and insert the following:

''(C) Of the amounts collected under this paragraph—

''(i) 14.38 percent shall be deposited in the Treasury in accordance with section 286(aa); and

''(ii) 85.72 percent shall be deposited in the Treasury in accordance with section 286(bb).''.

(b) USE OF ADDITIONAL FEE.—Section 286 of the Immigration and Nationality Act, as amended by sections 2, 402(b), 623, and 714 of this Act, is further amended—

(1) by inserting after subsection (z), as added by section 2, the following:

''(aa) 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 14.38 percent of the fees collected under section 214(c)(15).

''(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.).''; and

(2) by redesignating subsection (x), as added by section 714, as subsection (bb), and moving such subsection to the end of section 286.

SA 1883. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 478, strike line 23 and all that follows through page 479, line 23, and insert the following:

(a) H–1B AMENDMENTS.—Section 214(g) of the Immigration and Nationality Act (8 U.S.C. 1184(g)) is amended—

(1) in paragraph (1), by amending subparagraph (A) to read as follows:

''(A) under section 101(a)(15)(H)(i)(b) may not exceed 200,000 for each fiscal year; or'';

(2) by striking paragraphs (6), (7), and (8), as redesignated by section 409(2); and

(3) in paragraph (9), as redesignated by section 409(2)—

(A) in subparagraph (B)—

(i) in clause (ii), by striking ''The annual numeric limitations described in clause (i) shall not exceed'' and inserting the following: ''Without respect to the annual numeric limitation described in clause (i), the Secretary may issue a visa or otherwise grant nonimmigrant status pursuant to section 101(a)(15)(H)(i)(b) in the following quantities:''; and

(ii) by striking clause (iv); and

(B) by striking subparagraph (D).

SA 1884. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 568, strike line 5 and all that follows through line 24, and insert the following:

(B) PENALTY.—An alien making an initial application for Z nonimmigrant status shall pay a penalty of $5,000, in addition to the processing fee required under subparagraph (A).

SA 1885. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 366, line 38, strike ''not''.

SA 1886. Mrs. DOLE submitted an amendment intended to be proposed by her to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 595, between lines 12 and 13, insert the following:

(s) DEFINITION OF AGGRAVATED FELONY AND ADDITIONAL GROUNDS FOR INELIGIBILITY FOR Z NONIMMIGRANT STATUS.—

(1) AGGRAVATED FELONY.—Section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) is amended—

(A) by striking ''and'' at the end of subparagraph (T);

(B) by striking the period at the end of subparagraph (U) and inserting ''; and'' and

(C) by adding at the end the following:

''(V) a second conviction for driving while under the influence of alcohol or drugs, regardless of the State in which the conviction occurred or whether the offense is classified as a misdemeanor or a felony under the law of that State.''.

(2) GROUNDS FOR INELIGIBILITY.—In addition to the grounds of ineligibility described in subsection (d)(1)(F), an alien shall be ineligible for Z nonimmigrant status if the alien has been convicted of driving while under the influence of alcohol or drugs, regardless of the State in which the conviction occurred or whether the offense is classified as a misdemeanor or a felony under the law of that State.

SA 1887. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 333, line 5, strike ''noncitizens'' and insert ''all citizens''.

On page 336, line 3, strike ''noncitizens'' and insert ''all citizens''.

SA 1888. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 530, between lines 2 and 3, insert the following:

(d) VISAS FOR HIGH ACHIEVING FOREIGN STUDENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of this Act, any amendment made by this Act, or any other provision of law, for each fiscal year beginning after the date of the enactment of this Act, 10,000 of the immigrant visas allocated by section 203(a)(1) of the Immigration and Nationality Act for parents of a citizen of the United States shall be made available to aliens seeking immigrant visas under section 203(b) of the Immigration and Nationality Act who—

(A) achieve a score in the top 10th percentile on the Scholastic Aptitude Test or the American College Testing placement exam administered in that fiscal year; and

(B) take the exams described in subparagraph (A) in the English language.

(2) LIMITATION.—If more than 10,000 aliens described in paragraph (1) apply for immigrant visas in a fiscal year, the 10,000 such aliens with the highest scores on the exams described in paragraph (1)(A) shall receive immigrant visas.

SA 1889. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 526, strike line 3 and all that follows through page 529, line 12, and insert the following:

''(A) The merit-based evaluation system shall initially consist of the following criteria and weights:

"Category	Description	Maximum points
"Employment	.....	**47**
Occupation	U.S. employment in specialty occupation. (as defined by the Department of Labor)–**20 pts**. U.S. employment in high demand occupation (the 30 occupations that have grown the most in the preceding 10-year period, as determined by the Bureau of Labor Statistics)–**16 pts**.	
National interest/critical infrastructure	U.S. employment in STEM or health occupation, current for at least 1 year–**8 pts** (extraordinary or ordinary).	
Employer endorsement	A U.S. employer willing to pay 50% of a legal permanent resident's application fee either 1) offers a job, or 2) attests for a current employee–**6 pts**.	
Experience	Years of work for U.S. firm–**2 pts/year**. (max 10 points)	
Age of worker	Worker's age: 25-39–**3 pts**	
"Education *(terminal degree)*	M.D., M.B.A., Graduate degree, etc.–**20 pts**. Bachelor's Degree–**16 pts** Associate's Degree–**10 pts** High school diploma or GED–**6 pts**. Completed certified Perkins Vocational Education program–**5 pts**. Completed Department of Labor Registered Apprenticeship–**8 pts**. STEM, associates and above–**8 pts**.	**28**
"English and civics	Native speaker of English or. TOEFL score of 75 or higher–**15 pts**. TOEFL score of 60-74–**10 pts**. Pass USCIS Citizenship Tests in English & Civics–**6 pts**.	**15**
"Extended family (Applied if threshold of 55 in above categories)	Adult (21 or older) son or daughter of United States citizen–**8 pts**. Adult (21 or older) son or daughter of a legal permanent resident–**6 pts**. Sibling of United States citizen or LPR–**4 pts**. If had applied for a family visa in any of the above categories after May 1, 2005–**2 pts**.	**10**
"Total	.....	**100**

''(B) The Secretary of Homeland Security, after consultation with the Secretary of Commerce and the Secretary of Labor, shall establish procedures to adjudicate petitions filed pursuant to the merit-based evaluation system. The Secretary may establish a time period in a fiscal year in which such petitions must be submitted.

''(C) The Standing Commission on Immigration and Labor Markets established pursuant to section 412 of the Secure Borders, Economic Opportunity, and Immigration Reform Act of 2007 shall submit recommendations to Congress concerning the establishment of procedures for modifying the selection criteria and relative weights accorded such criteria in order to ensure that the merit-based evaluation system corresponds to the current needs of the United States economy and the national interest.

''(D) No modifications to the selection criteria and relative weights accorded such criteria that are established by the Secure Borders, Economic Opportunity, and Immigration Reform Act of 2007 should take effect earlier than the sixth fiscal year in which aliens described in section 101(a)(15)(Z) are eligible for an immigrant visa.

''(E) The application of the selection criteria to any particular visa petition or application pursuant to the merit-based evaluation system shall be within the Secretary's sole and unreviewable discretion.

''(F) Any petition filed pursuant to this paragraph that has not been found by the Secretary to have qualified in the merit-based evaluation system shall be deemed denied on the first day of the third fiscal year following the date on which such petition was filed. Such denial shall not preclude the petitioner from filing a successive petition pursuant to this paragraph. Notwithstanding this paragraph, the Secretary may deny a petition when denial is appropriate under other provisions of law, including section 204(c).

''(G) Notwithstanding any other provision of this Act, an alien seeking Z nonimmigrant status pursuant to section 101(a)(15)(Z) shall—

''(i) be subject to the requirements of the merit-based evaluation system in the same manner and to the same extent as aliens seeking visas under this section; and

''(ii) shall be exempt from the worldwide level of merit-based, special, and employment creation immigrants provided under section 201(d).''.

SA 1890. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 603, and insert the following:

SEC. 603. ADMINISTRATIVE REVIEW, REMOVAL PROCEEDINGS, AND JUDICIAL REVIEW FOR ALIENS WHO HAVE APPLIED FOR LEGAL STATUS.

(a) ADMINISTRATIVE REVIEW FOR ALIENS WHO HAVE APPLIED FOR STATUS UNDER THIS TITLE.—Notwithstanding any other provision of this Act, any amendment made by this Act, or any other provision of law, including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, a denial, termination, or recession of benefits or status under this title may not be reviewed by any court, and no court shall have jurisdiction to hear any claim arising from, or any challenge to, such a denial, termination, or recession.

(b) REMOVAL OF ALIENS WHO HAVE BEEN DENIED STATUS UNDER THIS TITLE.—

(1) IN GENERAL.—Notwithstanding any other provision of this Act, an alien whose application for status under this title has been denied or whose status has been terminated or revoked by the Secretary shall be placed immediately in removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a).

(2) ALIENS WHO ARE DETERMINED TO BE INELIGIBLE DUE TO CRIMINAL CONVICTIONS.—

(A) AGGRAVATED FELONS.—Notwithstanding any other provision of this Act, an alien whose application for status under this title has been denied or whose status has been terminated or revoked by the Secretary under section 601(d)(1)(F)(ii) because the alien has been convicted of an aggravated felony, as defined in paragraph 101(a)(43) of the Immigration and Nationality Act, shall be placed immediately in removal proceedings pursuant to section 238(b) of such Act (8 U.S.C. 1228(b)).

(B) OTHER CRIMINALS.—Notwithstanding any other provision of this Act, any other alien whose application for status under this title has been denied or whose status has been terminated or revoked by the Secretary under clause (i), (iii), or (iv) of section 601(d)(1)(F) shall be placed immediately in removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a).

(C) FINAL DENIAL, TERMINATION, OR RESCISSION.—The Secretary's denial, termination, or rescission of the status of any alien described in subparagraph (A) or (B) shall be final for purposes of section 242(h)(3)(C) of the Immigration and Nationality Act and shall represent the exhaustion of all review procedures for purposes of sections 601(h) and 601(o).

(3) LIMITATION ON MOTIONS TO REOPEN AND RECONSIDER.—During the removal process under this subsection, an alien may file not more than 1 motion to reopen or to reconsider. The Secretary's or the Attorney General's decision whether to consider any such motion is in the discretion of the Secretary or the Attorney General.

SA 1891. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 184, line 12, strike ''(b)'' and insert the following:

(b) FEDERAL AFFIRMATION OF IMMIGRATION LAW ENFORCEMENT BY STATES AND POLITICAL SUBDIVISIONS OF STATES.—

(1) AUTHORITY.—Law enforcement personnel of a State, or a political subdivision of a State, have the inherent authority of a sovereign entity to investigate, apprehend, arrest, detain, or transfer to Federal custody (including the transportation across State lines to detention centers) an alien for the purpose of assisting in the enforcement of the immigration laws of the United States in the normal course of carrying out the law enforcement duties of such personnel. This State authority has never been displaced or preempted by Federal law.

(2) CONSTRUCTION.—Nothing in this subsection may be construed to require law enforcement personnel of a State or a political subdivision to assist in the enforcement of the immigration laws of the United States.

(c) LISTING OF IMMIGRATION VIOLATORS IN THE NATIONAL CRIME INFORMATION CENTER DATABASE.—

(1) PROVISION OF INFORMATION TO THE NATIONAL CRIME INFORMATION CENTER.—

(A) IN GENERAL.—Except as provided under subparagraph (C), not later than 180 days after the date of the enactment of this Act, the Secretary shall provide to the head of the National Crime Information Center of the Department of Justice the information that the Secretary has or maintains related to any alien—

(i) against whom a final order of removal has been issued;

(ii) who enters into a voluntary departure agreement, or is granted voluntary departure by an immigration judge, whose period for departure has expired under subsection (a)(3) of section 240B of the Immigration and

Nationality Act (8 U.S.C. 1229c), subsection (b)(2) of such section 240B, or who has violated a condition of a voluntary departure agreement under such section 240B;

(iii) whom a Federal immigration officer has confirmed to be unlawfully present in the United States; and

(iv) whose visa has been revoked.

(B) REMOVAL OF INFORMATION.—The head of the National Crime Information Center shall promptly remove any information provided by the Secretary under subparagraph (A) related to an alien who is lawfully admitted to enter or remain in the United States.

(C) PROCEDURE FOR REMOVAL OF ERRONEOUS INFORMATION.—

(i) IN GENERAL.—The Secretary, in consultation with the head of the National Crime Information Center, shall develop and implement a procedure by which an alien may petition the Secretary or head of the National Crime Information Center, as appropriate, to remove any erroneous information provided by the Secretary under subparagraph (A) related to such alien.

(ii) EFFECT OF FAILURE TO RECEIVE NOTICE.—Under procedures developed under clause (i), failure by the alien to receive notice of a violation of the immigration laws shall not constitute cause for removing information provided by the Secretary under subparagraph (A) related to such alien, unless such information is erroneous.

(iii) INTERIM PROVISION OF INFORMATION.—Notwithstanding the 180-day period set forth in subparagraph (A), the Secretary may not provide the information required under subparagraph (A) until the procedures required under this paragraph have been developed and implemented.

(2) INCLUSION OF INFORMATION IN THE NATIONAL CRIME INFORMATION CENTER DATABASE.—Section 534(a) of title 28, United States Code, is amended—

(A) in paragraph (3), by striking ''and'' at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

''(4) acquire, collect, classify, and preserve records of violations of the immigration laws of the United States; and''.

(d)

SA 1892. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 559, strike line 17 and all that follows through ''January 1, 2007'' on page 561, line 9, and insert the following:

''(Z) subject to title VI of the Secure Borders, Economic Opportunity, and Immigration Reform Act of 2007, an alien who—

''(i) is physically present in the United States, has maintained continuous physical presence in the United States since January 7, 2004, is employed, and seeks to continue performing labor, services or education;

''(ii) is physically present in the United States, has maintained continuous physical presence in the United States since January 7, 2004, and such alien—

''(I) is the spouse or parent (65 years of age or older) of an alien described in clause (i); or

''(II) was, within 2 years of the date on which the Secure Borders, Economic Opportunity, and Immigration Reform Act of 2007 was introduced in the Senate, the spouse of an alien who was subsequently classified as a Z nonimmigrant under this section, or is eligible for such classification, if—

''(aa) the termination of the relationship with such spouse was connected to domestic violence; and

''(bb) the spouse has been battered or subjected to extreme cruelty by the spouse or parent, who is a Z nonimmigrant; or

''(iii) is under 18 years of age at the time of application for nonimmigrant status under this subparagraph, is physically present in the United States, has maintained continuous physical presence in the United States since January 7, 2004, and was born to or legally adopted by at least 1 parent who is at the time of application described in clause (i) or (ii).''.

(c) PRESENCE IN THE UNITED STATES.—

(1) IN GENERAL.—The alien shall establish that the alien was not lawfully present in the United States on January 7, 2004

SA 1893. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 564, lines 13 and 14, strike ''(6)(B), (6)(C)(i), (6)(C)(ii), (6)(D), (6)(F), (6)(G), (7), (9)(B), (9)(C)(i)(I),'' and insert ''(6)(C)(i), (6)(C)(ii), (6)(D), (6)(G), (7),''.

SA 1894. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, 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 1, insert the following:

(e) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—Except as provided under paragraph (2), not later than 54 months after the date of the enactment of this Act, the Secretary shall submit a written certification to the President and Congress that—

(A) the border security and other measures described in subsection (a) are funded, in place, and in operation; and

(B) there are fewer than 1,000,000 individuals who are unlawfully present in the United States.

(2) EFFECT OF LACK OF CERTIFICATION.—If the border security and other measures described in subsection (a) are not funded, are not in place, are not in operation, or if more than 1,000,000 individuals are unlawfully present in the United States on the date that is 54 months after the date of the enactment of this Act, title VI shall be immediately repealed and the legal status and probationary benefits granted to aliens under such title shall be terminated.

SA 1895. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 570, beginning on line 21, strike ''If, during the one-year initial period'' and all that follows through page 571, line 2.

SA 1896. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 616, lines 23 and 24, strike ''or any probationary benefits based upon application for such status''.

SA 1897. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 572, strike line 15 and all that follows through page 573, line 20, and insert the following:

(1) IN GENERAL.—An alien who files an application for Z nonimmigrant status, 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) shall 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.

SA 1898. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 549, lines 18 through 23, strike ''. The requirement that the alien have a residence in a foreign country which the alien has no intention of abandoning shall not apply to an alien described in section 214(s) who is seeking to enter as a temporary visitor for pleasure''.

SA 1899. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 582, strike line 9 and all that follows through page 583, line 17, and insert the following:

(ii) ENGLISH LANGUAGE AND CIVICS.—

(I) REQUIREMENT AT FIRST RENEWAL.—At or before the time of application for the first extension of Z nonimmigrant status, an alien who is 18 years of age or older must demonstrate an attempt to gain an understanding of the English language and knowledge of United States civics by taking the naturalization test described in paragraphs (1) and (2) of section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1423(a)) and by demonstrating enrollment in or placement on a waiting list for English classes.

(II) REQUIREMENT AT SECOND RENEWAL.—At or before the time of application for the second extension of Z nonimmigrant status, an alien who is 18 years of age or older must pass the naturalization test described in such paragraphs (1) and (2) of such section 312(a).

(III) REQUIREMENT AT THIRD RENEWAL.—At or before the time of application for the

third extension of Z nonimmigrant status, an alien who is 18 years of age or older must take the Test of English as a Foreign Language (TOEFL) administered by the Educational Testing Service.

(IV) REQUIREMENT AT FOURTH RENEWAL.—At or before the time of application for the fourth extension of Z nonimmigrant status, an alien who is 18 years of age or older must retake the TOEFL and receive the lower of—

(aa) a score of not less than 70; or

(bb) a score of not less than 20 points higher than the score the alien received when the alien took the TOEFL pursuant to subclause (III).

(V) EXCEPTION.—The requirements of subclauses (I), (II), (III), and (IV) shall not apply to any person who, on the date of the filing of the person's application for an extension of Z nonimmigrant status—

SA 1900. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 570, between lines 3 and 4, insert the following:

(8) GOOD MORAL CHARACTER.—The alien shall establish that the alien has been a person of good moral character, as described in section 101(f) of the Immigration and Nationality Act (8 U.S.C. 1101(f)), for the entire period of the alien's unlawful presence in the United States.

SA 1901. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 26, strike line 6 and all that follows through page 27, line 7, and insert the following:

SEC. 113. DETENTION OF ALIENS FROM NONCONTIGUOUS COUNTRIES.

Section 236(a) of the Immigration and Nationality Act (8 U.S.C. 1226(a)) is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2)(B), by striking ''but'' at the end;

(3) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(4) may not provide the alien with release on bond or with conditional parole if the alien—

''(A) is a national of a noncontiguous country;

''(B) has not been admitted or paroled into the United States; and

''(C) was apprehended within 100 miles of the international border of the United States or presents a flight risk, as determined by the Secretary of Homeland Security.''.

SA 1902. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1639, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 602 and insert the following:

SEC. 602. ADJUSTMENT SHALL BE UNAVAILABLE FOR Z STATUS ALIENS.

Notwithstanding any other provision of this Act (or an amendment made by this Act)—

(1) a Z nonimmigrant shall not be adjusted to the status of a lawful permanent resident; and

(2) nothing in this section shall be construed to limit the number of times that a Z nonimmigrant can renew the nonimmigrant's status.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, June 28, 2007, at 9:30 a.m. in room 485 of the Russell Senate Office Building to conduct a hearing on discussion draft legislation regarding the regulation of class III gaming.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet on Monday, June 25, 2007, at 11 a.m., in order to conduct a hearing entitled ''Excessive Speculation In The Natural Gas Market.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Amber Fricke and Theresa Loth of my staff be granted the privileges of the floor for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER TO PRINT H.R. 6

Mr. DURBIN. Madam President, I ask unanimous consent that H.R. 6, as passed by the Senate on June 21, be printed as passed.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

ORDER FOR DISCHARGE AND REFERRAL—S. 1615

Mr. DURBIN. Madam President, I ask unanimous consent that S. 1615 be discharged from the HELP Committee and referred to the Committee on Banking, Housing, and Urban Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. DURBIN. Madam President, I ask unanimous consent that when Senator LUGAR is recognized to speak this evening, he be permitted to speak for up to 45 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, JUNE 26, 2007

Mr. DURBIN. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. Tuesday, June 26; that on Tuesday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders reserved for their use later in the day; that the Senate then resume en bloc the motions to proceed to H.R. 800 and S. 1639, with the time until 11:30 a.m. equally divided and controlled between Senators KENNEDY and ENZI or their designees; with the time from 11:30 to 11:40 a.m. reserved for the Republican leader, and the time from 11:40 to 11:50 to the majority leader; that at 11:50 a.m., without further intervening action, the Senate proceed to vote on the motion to invoke cloture on the motion to proceed to H.R. 800; to be followed immediately by a vote on the motion to invoke cloture on the motion to proceed to S. 1639, as provided for under a previous order; that following the conclusion of the second vote, the Senate then stand in recess until 2:15 p.m. in order to accommodate the respective conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. DURBIN. Madam President, I ask unanimous consent that following the remarks of Senator LUGAR, the Senate stand adjourned under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Indiana is recognized.

A COURSE CHANGE IN IRAQ: CONNECTING IRAQ STRATEGY TO VITAL INTERESTS

Mr. LUGAR. Mr. President, I rise today to offer observations on the continuing involvement of the United States in Iraq. In my judgment, our course in Iraq has lost contact with our vital national security interests in the Middle East and beyond. Our continuing absorption with military activities in Iraq is limiting our diplomatic assertiveness there and elsewhere in the world. The prospects that the current ''surge'' strategy will succeed in the way originally envisioned by the President are very limited within the short period framed by our own domestic political debate. And the strident, polarized nature of that debate increases the risk that our involvement in Iraq will end in a poorly planned withdrawal that undercuts our vital interests in the Middle East. Unless we recalibrate our strategy in Iraq to fit our domestic political conditions and the broader needs of United States national security, we risk foreign policy failures that could greatly diminish our influence in the region and the world.

The current debate on Iraq in Washington has not been conducive to a thoughtful revision of our Iraq policy. Our debate is being driven by partisan political calculations and understandable fatigue with bad news—including deaths and injuries to Americans. We have been debating and voting on whether to fund American troops in Iraq and whether to place conditions on such funding. We have contemplated in great detail whether Iraqi success in achieving certain benchmarks should determine whether funding is approved or whether a withdrawal should commence. I would observe that none of this debate addresses our vital interests any more than they are addressed by an unquestioned devotion to an ill-defined strategy of ''staying the course'' in Iraq.

I speak to my fellow Senators, when I say that the President is not the only American leader who will have to make adjustments to his or her thinking. Each of us should take a step back from the sloganeering rhetoric and political opportunism that has sometimes characterized this debate. The task of securing U.S. interests in the Middle East will be extremely difficult if Iraq policy is formulated on a partisan basis, with the protagonists on both sides ignoring the complexities at the core of our situation.

Commentators frequently suggest that the United States has no good options in Iraq. That may be true from a certain perspective. But I believe that we do have viable options that could strengthen our position in the Middle East, and reduce the prospect of terrorism, regional war, and other calamities. But seizing these opportunities will require the President to downsize the United States military's role in Iraq and place much more emphasis on diplomatic and economic options. It will also require Members of Congress to be receptive to overtures by the President to construct a new policy outside the binary choice of surge versus withdrawal. We don't owe the President our unquestioning agreement, but we do owe him and the American people our constructive engagement.

In my judgment, the costs and risks of continuing down the current path outweigh the potential benefits that might be achieved. Persisting indefinitely with the surge strategy will delay policy adjustments that have a better chance of protecting our vital interests over the long term.

I do not come to this conclusion lightly, particularly given that General Petraeus will deliver a formal report in September on his efforts to improve security. The interim information we have received from General Petraeus and other officials has been helpful and appreciated. I do not doubt the assessments of military commanders that there has been some progress in security. More security improvements in the coming months may be achieved. We should attempt to preserve initiatives that have shown promise; such as engaging Sunni groups that are disaffected with the extreme tactics and agenda of al-Qaida in Iraq. But three factors—the political fragmentation in Iraq, the growing stress on our military, and the constraints of our own domestic political process—are converging to make it almost impossible for the United States to engineer a stable, multi-sectarian government in Iraq in a reasonable time frame.

First, it is very doubtful that the leaders of Iraqi factions are capable of implementing a political settlement in the short run. I see no convincing evidence that Iraqis will make the compromises necessary to solidify a functioning government and society, even if we reduce violence to a point that allows for some political and economic normalcy.

In recent months, we have seen votes in the Iraqi parliament calling for a withdrawal of American forces and condemning security walls in Baghdad that were a reasonable response to neighborhood violence. The Iraqi parliament struggles even to achieve a quorum, because many prominent leaders decline to attend. We have seen overt feuds between members of the Iraqi Government, including Prime Minister Maliki and Vice President Tariq al-Hashimi, who did not speak to each other for the entire month of April. The Shia-led government is going out of its way to bottle up money budgeted for Sunni provinces. Without strident intervention by our embassy, food rations are not being delivered to Sunni towns. Iraqi leaders have resisted de-Baathification reform, the conclusion of an oil law, and effective measures to prevent oil smuggling and other corrupt practices.

Iraqi Foreign Minister Zebari has told me that various aspects of an oil law and revenue distribution could be passed by September. But he emphasized that Iraqis are attempting to make policy in a difficult environment by broad consensus—not by majority vote. He believes other policy advancements will take considerable time, but that consensus is the safest and most appropriate approach in a fledgling democracy.

This may be true, but Americans want results in months. Meanwhile, various Iraqi factions are willing to wait years to achieve vital objectives. Even if the results of military operations improve in the coming months, there is little reason to assume that this will diminish Sunni ambitions to reclaim political preeminence or Shia plans to dominate Iraq after decades of Saddam's harsh rule. Few Iraqi leaders are willing to make sacrifices or expose themselves to risks on behalf of the type of unified Iraq that the Bush administration had envisioned. In contrast, there are many Iraqi leaders who are deeply invested in a sectarian or

tribal agenda. More often than not, these agendas involve not just the protection of fellow Sunnis, Shiites, and Kurds, but the expansion of territorial dominance and economic privileges.

Even if United States negotiators found a way to forge a political settlement among selected representatives of the major sectarian factions, these leaders have not shown the ability to control their members at the local level. After an intense year-and-a-half of bloodletting, many subfactions are thoroughly invested in the violence. We have the worst of both worlds in Iraq—factional leaders who don't believe in our pluralist vision for their country and smaller subfactions who are pursuing violence on their own regardless of any accommodations by more moderate fellow sectarians. As David Brooks recently observed in the New York Times, the fragmentation in Iraq has become so prevalent that Iraq may not even be able to carry out a traditional civil war among cohesive factions.

Few Iraqis have demonstrated that they want to be Iraqis. We may bemoan this, but it is not a surprising phenomenon. The behavior of most Iraqis is governed by calculations related to their history, their personal safety, their basic economic existence, and their tribal or sectarian loyalties. These are primal forces that have constrained the vision of most ordinary Iraqis to the limits of their neighborhoods and villages.

In this context, the possibility that the United States can set meaningful benchmarks that would provide an indication of impending success or failure is remote. Perhaps some benchmarks or agreements will be initially achieved, but most can be undermined or reversed by a contrary edict of the Iraqi Government, a decision by a faction to ignore agreements, or the next terrorist attack or wave of sectarian killings. American manpower cannot keep the lid on indefinitely. The anticipation that our training operations could produce an effective Iraqi army loyal to a cohesive central government is still just a hopeful plan for the future.

I suspect that for some Americans, benchmarks are a means of justifying a withdrawal by demonstrating that Iraq is irredeemable. For others, benchmarks represent an attempt to validate our military presence by showing progress against a low fixed standard. But in neither case are benchmark tests addressing our broader national security interests.

Equally unproven is the theory voiced by some supporters of a withdrawal that removing American troops from Iraq would stimulate a grand compromise between Iraqi factions. Some Iraqi leaders may react this way. But most assume that we will soon begin to withdraw troops, and they are preparing to carry on or accelerate the fight in the absence of American forces. Iraqi militias have shown an ability to adapt to conditions on the ground, expanding or contracting their operations as security imperatives warrant.

American strategy must adjust to the reality that sectarian factionalism will not abate anytime soon and probably cannot be controlled from the top.

The second factor working against our ability to engineer a stable government in Iraq is the fatigue of our military. The window during which we can continue to employ American troops in Iraqi neighborhoods without damaging our military strength or our ability to respond to other national security priorities is closing. Some observers may argue that we cannot put a price on securing Iraq and that our military readiness is not threatened. But this is a naive assessment of our national security resources.

American Armed Forces are incredibly resilient, but Iraq is taking a toll on recruitment and readiness. In April, the Defense Department announced it would lengthen tours of duty for soldiers serving in Iraq and Afghanistan from 12 to 15 months. Many soldiers are now on their way to a third combat tour.

Last month, for the 27th consecutive year, in a ceremony witnessed by tens of thousands of Hoosiers, I swore in new military recruits on Pit Road at the Indianapolis Motor Speedway. Over the course of the weekend, I visited with the recruits, with the recruiters, and with military officials. I heard personal stories of the 70-hour work weeks put in by recruiters to meet recruiting goals. I was impressed with each of the 66 young men and women I swore in. They are joining a military at war, and each of them is showing tremendous courage and commitment to our country.

The swearing-in ceremony was preceded by a briefing from Army officials here in Washington who assured me that we are fielding the best equipped, best trained, and most capable force we have ever had. Yet, they also reported that the Army has exhausted its bench. Instead of resting and training for 3 to 12 months, brigades coming out of the field must now be ready almost immediately for redeployment.

Basic recruiting targets are being met, but statistics point to significant declines in the percentage of recruits who have high school diplomas and who score above average on the Army's aptitude test. Meanwhile, the Army has dramatically increased the use of waivers for recruits who have committed felonies, and it has relaxed weight and age standards.

The Army is asking for $2 billion more this year for recruitment incentives, advertising, and related activities. It needs $13 to $14 billion a year to reset the force to acceptable readiness ratings, and they will need that amount for up to 3 years after the end of the current operations. The Army needs $52 billion more this year to fill equipment shortages and modernize. These figures do not include the billions of dollars required to implement the planned 65,000 soldier increase in the size of the active force.

Filling expanding ranks will be increasingly difficult given trends in attitudes toward military service. This has been measured by the Joint Advertising Market Research and Studies Program, which produced a ''Propensity Update'' last September after extensive research. The study found that only 1 in 10 youths has a propensity to serve—the lowest percentage in the history of such surveys. Sixty-one percent of youth respondents report that they will ''definitely not serve.'' This represents a 7 percent increase in less than a year. These numbers are directly attributable to policies in Iraq. When combined with the Army's estimate that only 3 of 10 youths today meet basic physical, behavioral, and academic requirements for military service, the consequences of continuing to stretch the military are dire.

The United States military remains the strongest fighting force in the world, but we have to be mindful that it is not indestructible. Before the next conflict, we have much to do to repair this invaluable instrument. This repair cannot begin until we move to a more sustainable Iraq policy.

The third factor inhibiting our ability to establish a stable, multisectarian government in Iraq is the timetable imposed by our own domestic political process. The President and some of his advisors may be tempted to pursue the surge strategy to the end of his administration, but such a course contains extreme risks for United States national security. It would require the President to fight a political rearguard holding action for more than a year and a half against congressional attempts to limit, modify, or end military operations in Iraq. The resulting contentiousness would make cooperation on national security issues nearly impossible. It would greatly increase the chances for a poorly planned withdrawal from Iraq or possibly the broader Middle East region that could damage U.S. interests for decades.

The President and his team must come to grips with the shortened political timeline in this country for military operations in Iraq. Some will argue that political timelines should always be subordinated to military necessity, but that is unrealistic in a democracy. Many political observers contend that voter '' dissatisfaction in 2006 with administration policies in Iraq was the major factor in producing new Democratic Party majorities in both Houses of Congress. Domestic politics routinely intrude on diplomatic and military decisions. The key is to manage these intrusions so that we avoid actions that are not in our national interest.

We do not know whether the next President will be a Democrat or a Republican. But it is certain that domestic pressure for withdrawal will continue to be intense. A course change

should happen now, while there is still some possibility of constructing a sustainable bipartisan strategy in Iraq. If the President waits until Presidential election campaign is in full swing, the intensity of confrontation on Iraq is likely to limit United States options.

I am not implying that debate on Iraq is bad. I am suggesting what most Senate observers understand intuitively: Little nuance or bipartisanship will be possible if the Iraq debate plays out during a contentious national election that will determine control of the White House and Congress.

In short, our political time line will not support a rational course adjustment in Iraq, unless such an adjustment is initiated very soon.

In January, the Senate Foreign Relations Committee heard from former Secretary of State Henry Kissinger, who recalled a half century of U.S. involvement in the Middle East. He argued that this history was not accidental. We have been heavily involved in the region because we have enduring vital interests at stake. We may make tactical decisions about the deployment or withdrawal of forces in Iraq, but we must plan for a strong strategic position in the region for years to come.

This is not just a maxim from diplomatic textbooks. The vitality of the U.S. economy and the economies of much of the world depend on the oil that comes from the Persian Gulf. The safety of the United States depends on how we react to nuclear proliferation in the region and how we combat terrorist cells and ideologies that reside there.

The risk for decision-makers is that after a long struggle in Iraq, accompanied by a contentious political process at home, we begin to see Iraq as a set piece—as an end in itself, distinct from the broader interests that we meant to protect. We risk becoming fixated on artificial notions of achieving victory or avoiding defeat, when these ill-defined concepts have little relevance to our operations in Iraq. What is important is not the precise configuration of the Iraqi Government or the achievement of specific benchmarks, but rather how Iraq impacts our geostrategic situation in the Middle East and beyond. The President's troop surge is an early episode in a much broader Middle East realignment that began with our invasion of Iraq and may not end for years. Nations throughout the Middle East are scrambling to find their footing as regional power balances shift in unpredictable ways.

Although the Bush administration has scaled back its definition of success in Iraq, we are continuing to pour our treasure and manpower into the narrow and uncertain pursuit of creating a stable, democratic, pluralist society in Iraq. This pursuit has been the focal point of the administration's Middle East policy. Unfortunately, this objective is not one on which our future in the region can rest, especially when far more important goals related to Middle East security are languishing. I am not suggesting that what happens in Iraq is not important, but the Bush administration must avoid becoming so quixotic in its attempt to achieve its optimum forecasts for Iraq that it misses other opportunities to protect our vital interests in the Middle East.

To determine our future course, we should separate our emotions and frustrations about Iraq from a sober assessment of our fundamental national security goals. In my judgment, we should be concerned with four primary objectives:

First, we have an interest in preventing Iraq or any piece of its territory from being used as a safe haven or training ground for terrorists or as a repository or assembly point for weapons of mass destruction.

Second, we have an interest in preventing the disorder and sectarian violence in Iraq from upsetting wider regional stability. The consequences of turmoil that draws neighboring states into a regional war could be grave. Such turmoil could topple friendly governments, expand destabilizing refugee flows, close the Persian Gulf to shipping traffic, or destroy key oil production or transportation facilities, thus diminishing the flow of oil from the region with disastrous results for the world economy.

Third, we have an interest in preventing Iranian domination of the region. The fall of Saddam Hussein's Sunni government opened up opportunities for Iran to seek much greater influence in Iraq and in the broader Middle East. An aggressive Iran would pose serious challenges for Saudi Arabia, Jordan, Egypt, and other Arab governments. Iran is pressing a broad agenda in the Middle East with uncertain consequences for weapons proliferation, terrorism, the security of Israel, and other U.S. interests. Any course we adopt should consider how it would impact the regional influence of Iran.

Fourth, we have an interest in limiting the loss of U.S. credibility in the region and throughout the world as a result of our Iraq mission. Some loss of confidence in the United States has already occurred, but our subsequent actions in Iraq may determine how we are viewed for a generation.

In my judgment, the current surge strategy is not an effective means of protecting these interests. Its prospects for success are too dependent on the actions of others who do not share our agenda. It relies on military power to achieve goals that it cannot achieve. It distances allies that we will need for any regional diplomatic effort. Its failure, without a careful transition to a back-up policy would intensify our loss of credibility. It uses tremendous amounts of resources that cannot be employed in other ways to secure our objectives. And it lacks domestic support that is necessary to sustain a policy of this type.

A total withdrawal from Iraq also fails to meet our security interests. Such a withdrawal would compound the risks of a wider regional conflict stimulated by Sunni-Shia tensions. It would also be a severe blow to U.S. credibility that would make nations in the region far less likely to cooperate with us on shared interests. It would increase the potential for armed conflict between Turkey and Kurdish forces in Iraq. It would expose Iraqis who have worked with us to retribution, increase the chances of destabilizing refugee flows, and undercut many economic and development projects currently underway in Iraq. It would also be a signal that the United States was abandoning efforts to prevent Iraqi territory from being used as a terrorist base.

Moreover, advocates of an immediate withdrawal have tended to underestimate the requirements and complexities of such an operation. Gen. Barry McCaffrey testified at a Senate Foreign Relations Committee hearing on January 18, 2007, that an immediate withdrawal aimed at getting out of Iraq as fast as possible would take 6 months. A carefully planned withdrawal that sought to preserve as much American equipment as possible, protect Iraqis who have worked with us, continue anti-terrorist operations during the withdrawal period, and minimize negative regional consequences would take months longer.

Our security interests call for a downsizing and re-deployment of U.S. military forces to more sustainable positions in Iraq or the Middle East. Numerous locations for temporary or permanent military bases have been suggested, including Kuwait or other nearby states, the Kurdish territories, or defensible locations in Iraq outside of urban areas. All of these options come with problems and limitations. But some level of American military presence in Iraq would improve the odds that we could respond to terrorist threats, protect oil flows, and help deter a regional war. It would also reassure friendly governments that the United States is committed to Middle East security. A re-deployment would allow us to continue training Iraqi troops and delivering economic assistance, but it would end the U.S. attempt to interpose ourselves between Iraqi sectarian factions.

Six months ago, the Iraq Study Group endorsed a gradual downsizing of American forces in Iraq and the evolution of their mission to a support role for the Iraqi army. I do not necessarily agree with every recommendation of the Iraq Study Group, and its analysis requires some updating given the passage of time. But the report provides a useful starting point for the development of a ''Plan B'' and a template for bipartisan cooperation on our Iraq strategy.

We should understand that if the redeployment of a downsized force is to be safe and effective, our military planners and diplomats must have as much

time as possible to develop and implement the details. We will need the cooperation of the Iraqi Government and key states in the region, which will not come automatically. The logistics of a shift in policy toward a residual force will test military planners, who have been consumed with the surge. In 2003, we witnessed the costs that came with insufficient planning for the aftermath of the Iraq invasion. It is absolutely essential that we not repeat the same mistake. The longer we delay the planning for a re-deployment, the less likely it is to be successful.

The United States has violated some basic national security precepts during our military engagement in Iraq. We have overestimated what the military can achieve, we have set goals that are unrealistic, and we have inadequately factored in the broader regional consequences of our actions. Perhaps most critically, our focus on Iraq has diverted us from opportunities to change the world in directions that strengthen our national security.

Our struggles in Iraq have placed U.S. foreign policy on a defensive footing and drawn resources from other national security endeavors, including Afghanistan. With few exceptions, our diplomatic initiatives are encumbered by negative global and regional attitudes toward our combat presence in Iraq.

In this era, the United States cannot afford to be on a defensive footing indefinitely. It is essential that as we attempt to reposition ourselves from our current military posture in Iraq, we launch a multifaceted diplomatic offensive that pushes adversarial states and terrorist groups to adjust to us. The best counter to perceptions that we have lost credibility in Iraq would be a sustained and ambitious set of initiatives that repairs alliances and demonstrates our staying power in the Middle East.

The Iraq Study Group report recommended such a diplomatic offensive, stating ''all key issues in the Middle East—the Arab-Israeli conflict, Iraq, Iran, the need for political and economic reforms, and extremism and terrorism—are inextricably linked.'' The report stressed that diplomacy aimed at solving key regional issues would ''help marginalize extremists and terrorists, promote U.S. values and interests, and improve America's global image.''

A diplomatic offensive is likely to be easier in the context of a tactical draw down of U.S. troops in Iraq. A drawdown would increase the chances of stimulating greater economic and diplomatic assistance for Iraq from multilateral organizations and European allies, who have sought to limit their association with an unpopular war.

A first step is working with like-minded nations to establish a consistent diplomatic forum related to Iraq that is open to all parties in the Middle East. The purpose of the forum would be to improve transparency of national interests so that neighboring states and other actors avoid miscalculations. I believe it would be in the self-interest of every nation in the region to attend such meetings, as well as the United States, EU representatives, or other interested parties. Such a forum could facilitate more regular contact with Syria and Iran with less drama and rhetoric that has accompanied some meetings. The existence of a predictable and regular forum in the region would be especially important for dealing with refugee problems, regulating borders, exploring development initiatives, and preventing conflict between the Kurds and Turks. Just as the Six-Party talks have improved communications in northeast Asia beyond the issue of North Korea's nuclear program, stabilizing Iraq could be the occasion for a diplomatic forum that contributes to other Middle East priorities.

Eventually, part of the massive U.S. embassy under construction in Baghdad might be a suitable location for the forum. It is likely that the embassy compound will exceed the evolving needs of the United States. If this is true, we should carefully consider how best to use this asset, which might be suitable for diplomatic, educational, or governmental activities in Iraq.

We should be mindful that the United States does not lack diplomatic assets. Most regional governments are extremely wary of U.S. abandonment of the Middle East. Moderate states are concerned by Iran's aggressiveness and by the possibility of sectarian conflict beyond Iraq's borders. They recognize that the United States is an indispensable counterweight to Iran and a source of stability. The United States should continue to organize regional players—Saudi Arabia, Jordan, Egypt, Turkey, the Gulf States, and others—behind a program of containing Iran's disruptive agenda in the region.

Such a re-alignment has relevance for stabilizing Iraq and bringing security to other areas of conflict, including Lebanon and the Palestinian territories. The United States should make clear to our Arab friends that they have a role in promoting reconciliation within Iraq, preventing oil price spikes, splitting Syria from Iran, and demonstrating a more united front against terrorism.

A diplomatic offensive centered on Iraq and surrounding countries would help lift American interests in the Middle East. But credibility and sustainability of our actions depend on addressing the two elephants in the room of U.S. Middle East policy—the Arab-Israeli conflict and U.S. dependence on Persian Gulf oil. These are the two problems that our adversaries, especially Iran, least want us to address. They are the conditions that most constrain our freedom of action and perpetuate vulnerabilities. The implementation of an effective program to remedy these conditions could be as valuable to our long-term security as the achievement of a stable, pro-Western government in Iraq.

The Arab-Israeli conflict will not be easily solved. Recent combat between the Hamas and Fatah Palestinian factions that led to Hamas's military preeminence in the Gaza Strip complicates efforts to put the peace process back on track. But even if a settlement is not an immediate possibility, we have to demonstrate clearly that the United States is committed to helping facilitate a negotiated outcome. Progress in the Arab-Israeli conflict would not end the sectarian conflict in Iraq, but it could restore credibility lost by the United States in the region. It also would undercut terrorist propaganda, slow Iranian influence, and open new possibilities related to Syria.

Clearly, the United States does not have the influence to solve the Arab-Israeli conflict unilaterally. In contrast, our dependence on Persian Gulf oil is largely within our capacity to fix. Do not underestimate the impact on Iran and other nations of a concerted U.S. campaign to reduce our oil consumption. A credible well-publicized campaign to definitively change the oil import equation would reverberate throughout the Middle East. It would be the equivalent of opening a new front in Middle Eastern policy that does not depend on the good will of any other country.

Many options exist for rapid progress in reducing our Persian Gulf oil dependence, but I would emphasize two. First, President Bush or his successor could establish the national goal of making competitively priced biofuels available to every motorist in America. Such an accomplishment would transform our transportation sector and cut our oil import bill. It would require multiple elements, including ensuring that virtually every new car sold in America is a flexible fuel vehicle capable of running on an 85 percent ethanol fuel known as E–85; that at least a quarter of American filling stations have E–85 pumps; and that ethanol production from various sources is expanded to as much as 100 billion gallons a year within the next 15 to 20 years. Such a campaign could achieve the replacement of 6.5 million barrels of oil per day by volume—the rough equivalent of one-third of the oil used in America and one-half of our current oil imports. None of these goals are easy, but they are achievable if presidential advocacy and the weight of the Federal Government are devoted to their realization. Brazil already has achieved the large-scale deployment of ethanol as a national transportation fuel, and its success is a source of public pride in that country.

Second, the President could commit to a radical increase in the miles per gallon of America's auto fleet. The Federal Government has numerous tools to make this happen, from direct Federal support for research, to Government fleet purchasing, to market regulations and incentives.

Incredibly, cars in America today get less mileage per gallon than they did 20 years ago. Meanwhile, hybrids, plug-in hybrids, and fully electric cars are at or nearly at commercialization, yet there is not enough incentive for consumers to buy them or producers to make them on the mass scale necessary. For fiscal year 2008, the administration requested just $176 million for new vehicle technology research—an amount that was less than what was requested 5 years ago.

Given that other developed nations have made great strides in improving fuel economy, this is fertile ground for rapid improvement. In fact, achievements on this front largely would be a matter of generating and sustaining political will that has, thus far, been disappointing.

The issue before us is whether we will refocus our policy in Iraq on realistic assessments of what can be achieved, and on a sober review of our vital interests in the Middle East. Given the requirements of military planners, the stress of our combat forces, and our own domestic political timeline, we are running out of time to implement a thoughtful plan B that attempts to protect our substantial interests in the region, while downsizing our military presence in Iraq.

We need to recast the geo-strategic reference points of our Iraq policy. We need to be preparing for how we will array U.S. forces in the region to target terrorist enclaves, deter adventurism by Iran, provide a buffer against regional sectarian conflict, and generally reassure friendly governments that the United States is committed to Middle East security. Simultaneously, we must be aggressive and creative in pursuing a regional dialogue that is not limited to our friends. We cannot allow fatigue and frustration with our Iraq policy to lead to the abandonment of the tools and relationships we need to defend our vital interests in the Middle East.

If we are to seize opportunities to preserve these interests, the administration and Congress must suspend what has become almost knee-jerk political combat over Iraq. Those who offer constructive criticism of the surge strategy are not defeatists, any more than those who warn against a precipitous withdrawal are militarists. We need to move Iraq policy beyond the politics of the moment and reestablish a broad consensus on the role of the United States in the Middle East. If we do that, the United States has the diplomatic influence and economic and military power to strengthen mutually beneficial policies that could enhance security and prosperity throughout the region. I pray that the President and the Congress will move swiftly and surely to achieve that goal.

IRAQ

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I would like to say a word about the remarks just made by my colleague from Indiana, Senator LUGAR. It has been my honor to serve with Senator LUGAR now for 11 years. I count him as a friend, as a valued colleague, as a neighbor in the Midwest.

I believe the speech which he has just made on the floor of the Senate is in the finest tradition of the Senate, like its author. Senator LUGAR's speech was thoughtful, thorough, and honest. It was a challenge to all of us on both sides of the aisle, Democrat and Republican alike: To step back from the debate on Iraq, take an inventory of where we are, make an honest appraisal, and move forward.

I think it is a challenge to all Senators. I am sorry it was delivered at the time of night when few of our colleagues were here, but if we are fortunate some followed it on C–SPAN as Senator LUGAR presented it.

I made notes during the course of the speech. I am sure I have missed some valuable and important things that Senator LUGAR said, but I will just tell you that I do not disagree with his conclusion. I believe, as he does, that the factionalism in Iraq has reached catastrophic proportions, that it is doubtful they will be able to patch together in the near term the goverment which we had hoped for.

I agree with Senator LUGAR completely about the fatigue of our military. We have the greatest military in the world, the best and bravest, not only in Indianapolis but in Springfield, IL, and all across the Nation. We are so proud of these men and women and what they fight for and the representation of our great Nation.

I think Senator LUGAR hit the nail on the head when he said the strongest fighting force in the world is not indestructible. We are pushing them to the absolute limit, and that is a reality.

His third point about the timetable of our debate is a valuable one. Some wonder if there are members of the administration who are waiting for the clock to run out, the day to come when they leave Washington to turn this issue over to another. That would be a serious mistake, because in the meantime we know that American lives will be lost and opportunities may be squandered.

That point was made very effectively by Senator LUGAR this evening. I made some notes of things he said that I believe summarize our situation so effectively. He said that a course change should happen now. He called for a sustainable, bipartisan strategy in dealing with Iraq. He called for a rational course adjustment that must be initiated very soon. He said that far more important than just Iraq are our Middle Eastern goals that are languishing because of our current strategy.

I could not agree with him more on the four points he set out as our Middle Eastern objectives to keep Iraq from becoming a terrorist haven, to stop Iraq from spreading instability into the region, to prevent Iranian dominance of the region, and to limit the loss of U.S. credibility in the region as a result of this war.

I think he is correct in his analysis. He said that the current surge strategy is not effective. He believes, as I do, at this moment in time total withdrawal is not consistent with our regional goals. I want to bring American troops home as quickly as possible, as many as possible.

We have said from the beginning on the Democratic side that there are certain responsibilities we must still accept in that region: To stop the spread of al-Qaida terrorism, to make certain the Iraqis, as best we can, are prepared to fight this battle, and to protect our own forces during the withdrawal.

He called for downsizing to more sustainable positions, to put our troops in a position where they can respond if necessary. He called for attempts to end imposing our forces between sectarian warring factions. That, I believe, is our highest priority. To think that our men and women in uniform are now caught in the crossfire of a civil war with its origins 14 centuries ago in a sectarian battle is just unacceptable.

He said the longer we delay plans for redeployment, the less likely it will be successful. I could not agree with him more. He called for a tactical drawdown of U.S. troops to make diplomatic efforts more likely to succeed.

I agree with Senator LUGAR when he said we are running out of time; we have to move the Iraqi policy between the politics of the moment. He said the administration and Congress must suspend knee-jerk political combat over Iraq.

Forty years ago as a law school student, I came and sat in that gallery in a chair and watched as Senator Robert Kennedy came to the floor to give a speech on Vietnam. He walked through those doors with his brother, Senator TED KENNEDY. Their families were in the gallery. He stood on this floor, again, in the evening hours after most Senators had gone home. He spoke about bringing the war in Vietnam to a close. It was an important speech in the history of our Nation and certainly in the history of the Senate, and I think it made a difference. I believe the speech that was given tonight by my colleague from Indiana, Republican Senator RICHARD LUGAR, is that kind of speech. I think it is the starting point for a meaningful debate, a debate which looks at the Middle East in a new context and in a realistic context, and realizes that it is time to change direction in our course in Iraq.

I salute my colleague. I hope every Member of the Senate tomorrow will ask for a copy of the speech from the CONGRESSIONAL RECORD, read it carefully, and then come to this floor when we return after the Fourth of July break and begin our debate over the Defense authorization bill, and realize

that during the course of that debate we can reach across the aisle on a bipartisan basis and make a difference.

I thank Senator LUGAR for his contribution to this most important issue which challenges us today.

Madam President, I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Thereupon, the Senate, at 8:48 p.m., adjourned until Tuesday, June 26, 2007, at 10 a.m.

NOMINATIONS

Executive nomination received by the Senate June 25, 2007:

EXECUTIVE OFFICE OF THE PRESIDENT

JIM NUSSLE, OF IOWA, TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, VICE ROBERT J. PORTMAN.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on June 25, 2007 withdrawing from further Senate consideration the following nomination:

WILLIAM W. MERCER, OF MONTANA, TO BE ASSOCIATE ATTORNEY GENERAL, VICE ROBERT D. MCCALLUM, JR, WHICH WAS SENT TO THE SENATE ON JANUARY 9, 2007.

EXTENSIONS OF REMARKS

CONGRATULATING FRAZIER LOCKART

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to an exemplary constituent and public steward, Mr. Frazer Lockart of Evergreen, Colorado. Mr. Lockart is a finalist for the 2007 Service to America Medals, a prestigious national awards program designed to pay honor to those individuals who have demonstrated great accomplishment in public service. Presented by the Partnership for Public Service, these awards highlight the successes of Federal employees who have made significant contributions to the country. This year, Mr. Lockart's achievements in completing the first successful cleanup of a former nuclear weapons production facility are commended.

Rocky Flats, located near Denver, Colorado, was a nuclear weapons production facility which closed in 1989 after Federal investigators discovered grave amounts of radioactive pollutants in surrounding soil and water sources. The extent of the pollution was so severe some officials deemed the facility beyond the point of recovery, even suggesting the site should be abandoned outright. A 1995 cleanup estimate of the facility was projected at $35 billion over a 70-year span.

Mr. Lockart, managing an intergovernmental and private-sector contingent, began work to clean and restore the site. It took just 10 years and $7 billion to complete. To date, the Rocky Flats project is the largest and most successful Federal cleanup, with over 95% of formerly contaminated land now reopened for public use. In fact, Congress passed the Rocky Flats National Wildlife Refuge Act of 2001, setting aside 6,400 acres for protection and public enjoyment. None of this would have been possible without the efforts of Mr. Lockart.

The ability to effectively and efficiently handle this great undertaking is a profile to Mr. Lockart's abilities and vision. Through his efforts, all Americans are now able to enjoy the natural beauty of Colorado, and local residents now live in a healthy environment. In addition, his management style and leadership abilities have become prime examples for the success of future restoration projects.

Madam Speaker, please join me in paying tribute and congratulating Mr. Lockart for his great contribution to this Nation.

A TRIBUTE TO NIA ELENA HENRY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. TOWNS. Madam Speaker, I rise today to honor the 16th birthday of Nia Elena Henry. Nia was born in Brooklyn, NY, and attended pre-school at the Montessori Academy in Park Slope. She stayed at the Montessori Academy throughout elementary school, after which she attended the Crown School for Law and Journalism.

At the Crown School Nia discovered her affinity for filmmaking. She demonstrated an ability to lead, and was selected to be a ''Prefect'' of a community service team. While serving this position, Nia orchestrated a project in which she visited and delivered gifts from her schoolmates and New York Assemblyman Clarence Norman to a disabled woman.

During the summer of seventh grade, Nia enrolled in a cultural arts program called Ifetayo. Through the program, Nia was able to take African and Modern Dancing classes, as well as participate in a program called ''Rites of Passage,'' which she continues to attend. Nia was able to apply her filming abilities in order to make a movie about the death of her grandfather. She also volunteered to complete a cinematic project about Guatemala.

Ms. Henry currently attends the Benjamin Banneker Academy for Community Development where she became a student of the Chinese language during her freshman year. She also helped to complete a school movie made for media communications. Nia is a student with broad horizons and great ambitions. Her desire to help others is reflected in her ultimate career goal, which is to become a doctor.

Madam Speaker, I would like to recognize the 16th birthday of Nia Elena Henry, who has achieved much more in 16 years than most are able to accomplish in a lifetime.

Madam Speaker, I urge my colleagues to join me in paying tribute to Nia Elena Henry.

HONORING DR. ALBERT J. SIMONE

HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. REYNOLDS. Madam Speaker, with great appreciation and delight I rise today to honor a distinguished and dedicated leader, educator, administrator, and neighbor who for a decade and a half has moved his institution and his community forward.

As President of Rochester Institute of Technology, RIT, Dr. Albert J. Simone has left a lasting and profound mark not only on his professional school, but on the region it calls home. At RIT, Dr. Simone brought innovation, energy, vision and success after success to a school with 15,500 students from all across America and the world, helping make it one of the Nation's leading career-oriented universities.

The effect of his leadership has been felt well beyond campus limits and will be felt for generations to come in Rochester and western New York. A believer in education through collaboration, Dr. Simone has been indispensable in cultivating enriching relationships with local and federal government, western New York businesses, the local community, and nations across the globe. Whether he was engaging students in college classrooms or becoming the first American university president to officially visit North Korea and Vietnam when these regions were largely closed to the United States, Dr. Simone has understood the importance of reaching out, connecting, and working together.

Ever since arriving in Rochester from Hawaii in 1992, Dr. Simone has immersed himself and RIT in the western New York community. Involved in countless organizations—including the Rochester Business Alliance, the Center for Governmental Research, the Executive Committee of Upstate Partners, and High Technology of Rochester, just to name a few—Dr. Simone has put his characteristic zeal and intelligence to work to make Rochester work. Although an incomparable educator at heart, having taught at MIT, Northeastern University, Boston College, and others, Dr. Simone has become a regional leader as much as an educational leader.

Thus, Madam Speaker, in recognition of the indelible mark Dr. Simone has left on RIT, Rochester and western New York, his remarkable educational and administrative accomplishments, and his spirit to make his community a better place, I ask that this honorable body join me in honoring Dr. Albert J. Simone.

THE DEPARTMENT OF STATE, FOREIGN OPERATIONS AND RELATED PROGRAMS APPROPRIATIONS ACT, 2008

SPEECH OF

HON. BILL SALI

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 21, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2764) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes:

Mr. SALI. Mr. Chairman, I am dismayed by last week's votes on issues related to abortion and foreign aid.

I joined with all but 12 of my colleagues on my side of the aisle and 25 Members of the Majority in voting against legislation that would overturn what commonly is known as the ''Mexico City'' policy.

First enacted by President Reagan and sustained by the first President Bush, this policy has been, for the past 6 years, the policy of our country under our current President. Put simply, the policy says this: Federal resources provided to international family planning organizations cannot be used by them to pay for abortion or efforts to overturn pro-life laws in the countries where such groups operate.

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

This is entirely consistent with the Hyde Amendment, which prohibits the use of American taxpayer dollars to pay for abortions in our own country.

Yet now, only 6 months into the new Congress, the majority has decided that tying federal funding of abortions in other countries to family planning assistance is somehow acceptable.

Moreover, my friends across the aisle have enacted within the Foreign Operations Appropriations bill a provision that would make optional the requirement that 33 percent of all prevention funding be used for abstinence and marital fidelity programs.

Mr. Chairman, abstinence and faithfulness to your spouse are the only sure ways of preventing the spread of HIV/AIDS and a large number of sexually transmitted diseases. Yet now we are giving programs and groups that work against such diseases the opportunity to rely more on condoms than common sense and commitment to sexual probity.

Additionally troubling is that the State/Foreign Operations bill contained $2.4 billion for the State of Israel. This funding is especially imperative given the fact that Hamas has just gained control of the Gaza Strip.

I voted against the Foreign Operations bill because of its strange insistence that American taxpayers fund overseas abortions. That's morally wrong. It affronts the convictions of tens of millions of our fellow citizens. It is an expression of ideology, not sound foreign policy.

Mr. Chairman, Israel has no stronger supporter in Congress than me. I have cosponsored legislation to counter Iran's efforts to obtain nuclear weapons and another measure recognizing the 40th anniversary of the reunification of Jerusalem and calling upon the President to begin the process of relocating the United States Embassy in Israel to Jerusalem. I have worked closely with my friends in Idahoans United for Israel and am proud of my association with supporters of Israel across the political spectrum.

Mr. Chairman, I urge you to bring a clean bill to the House floor so that my colleagues and I can vote for Israel and for funding for our State Department and its vital mission and for so many other important foreign relations-related programs.

The American people are weary of the legislative process being used to score political points. Both sides are guilty of this kind of maneuver and it needs to change. Support for Israel is too important for it to be held up by the vagaries of domestic politics. Let's have a clean bill and a clean vote.

SBA VETERANS' PROGRAMS ACT OF 2007

SPEECH OF

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 18, 2007

Mr. RANGEL. Mr. Speaker, I rise in support of the H.R. 2366, Small Business Administration (SBA) Veterans' Programs Act of 2007, an act to reauthorize and invest in the veterans entrepreneurial development programs of the Small Business Administration.

As a Korean War veteran, I appreciate the sacrifices the brave men and women who defend our country make and how great a challenge it can be to return successfully to civilian life. I can relate to their struggle to obtain employment and start businesses after their service. I am supporting this act not only because it reminds me of the sacrifices of these veterans, but because legislation like this sends America a message that Congress believes in supporting and giving the necessary tools to our veterans to help them in their transition when they return from war. With this act, veterans will have the means and information to compete and participate in our economy. It is imperative that Congress let them know that we care about the sacrifices they have made and hardships that they have endured for this Nation.

Further, this act will benefit healthy veterans, disabled veterans, military units, federal agencies and veterans organizations by providing them the information required through an advertising campaign to promote awareness and education of the services available at the centers. Providing knowledge through the use of technology-assisted online counseling and distance learning technology to overcome impediments that veterans and Armed Forces service members can face enables veterans to access vital information.

Finally, it is up to Congress to do everything it can to ensure the most comprehensive service is given to all our service members. We will be taking one more step to accomplish that by supporting this act. We have the best military in the world. The best soldiers in the world. Let's have the best benefits for our soldiers. They deserve no less. Like General Douglas MacArthur said, ''the soldier who is called upon to offer his life for his country, is the noblest development of mankind.''

A TRIBUTE TO DARNELL P. SMITH

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to the work and achievements of Darnell P. Smith. Darnell began to demonstrate his leadership abilities at a very young age. While attending Brooklyn Technical High School, he was named President of the 81st Precinct Youth Council. Darnell went on to attend Hampton University, where he earned the admiration and respect of his peers by founding the African Studies Cluster of Hampton University, and serving as Vice President of the Student Government Association.

Darnell Smith continued to serve his community as a probation officer and the founder of WeCare2Cure Inc. He still works with WeCare2Cure Inc, where he is committed to providing education, employment and affordable healthcare opportunities throughout the community of Brooklyn.

Madam Speaker, I would like to recognize the selfless efforts of Darnell P. Smith, who continues to work to improve the lives of the residents of Brooklyn.

Madam Speaker, I urge my colleagues to join me in paying tribute to Darnell P. Smith.

HONORING SERGEANT GREGORY J. RUDOLPH

HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. REYNOLDS. Madam Speaker, with great pride and appreciation I rise today to honor a dedicated, determined and now highly acclaimed law enforcement officer who has stopped at nothing to serve his country and his neighbors.

Today I am delighted to join the chorus of well-deserved praise for Sergeant Gregory J. Rudolph, an officer who has led a life deeply committed to making his Wyoming County community a better and safer place. This year, Sgt. Rudolph was honored by both the New York State Sheriff Association and then the National Sheriff's Association as Deputy of the Year, an award reflecting Sgt. Rudolph's supreme service as an officer.

Yet more than any awards can show, Sgt. Rudolph is a true hero—a selfless individual who has risked his own life to protect the lives of others. And more than my words can demonstrate, Sgt. Rudolph is an inspiration to those in Wyoming County and beyond—a survivor who has overcome each and every challenge with a positive attitude and a steadfast strength of will.

After graduating from Genesee Community College, Sgt. Rudolph began his career of service in 1994 by enlisting in the United States Navy. While serving admirably as a Front Line Supervisor for 3 years, Sgt. Rudolph was confronted with an enemy beyond the scope of his military training—the onset of cancer. It was a battle that Sgt. Rudolph would wage with characteristic resolve and dignity, and it was a battle he would win, surviving a horrible disease and continuing on even stronger than before.

After his honorable discharge in 1997, Sgt. Rudolph returned to Wyoming County to serve in a different capacity, as a substitute teacher at Attica Central School. While teaching, he would begin his law enforcement career at the Attica Police Department in 1997, and 4 years later joined the Wyoming County Sheriff's Office as a deputy sheriff. Described as reliable, loyal, unselfish and sincere by fellow officers, Rudolph was promoted to sergeant in 2005.

Sgt. Rudolph's well-known qualities were never more apparent than on March 15, 2006, when he would again summon his tremendous willpower to serve and protect to the best of his abilities. Responding to a call of an armed man threatening suicide, Sgt. Rudolph was struck in the face by shotgun blasts after the occupant of the house opened fire without warning or provocation. Despite his injuries, Sgt. Rudolph maintained communication with other officers and provided invaluable information, eventually leading to the peaceful arrest of the gunman and saving other officers and innocent civilians from any further injuries. Sgt. Rudolph would soon fully recover and in remarkable time return to work. A partial pellet still left lodged in his face, Sgt. Rudolph today supervises the 3 to 11 p.m. shift, a survivor yet again and a role model to us all.

Thus, Madam Speaker, in recognition of his tremendous and selfless service, as a serviceman, an educator, an officer, and a Wyoming County neighbor, I ask that this honorable

body join me in honoring a hero and a survivor, Sergeant Gregory J. Rudolph.

TRIBUTE TO MR. ROBERT WARREN, JR.

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Ms. CORRINE BROWN of Florida. Madam Speaker, I rise today to pay tribute and honor the life of Mr. Robert Warren, Jr.

Mr. Warren was born in Jacksonville, FL, on September 18, 1940 to Robert and Alma Moore Warren and passed away on June 14, 2007. As a child he was affectionately tagged with the name Bobo, a selective and endearing form of Robert. Mr. Warren was spiritually nurtured in the Historic Metropolitan AME Church in Washington, DC but remained a life long member of the Historic Mount Zion AME Church in Jacksonville, FL.

Robert attended school in Jacksonville and graduated from New Stanton Senior High School in 1958. While at New Stanton, Robert was a member of the National Honor Society, the Foreign Language Club, and the New Stanton High School Marching and Concert Bands.

In August 1958, Robert left Jacksonville to attend Florida Agricultural and Mechanical University, FAMU, in Tallahassee, FL. While at FAMU, Robert was a member of the world famous ''Marching 100'' and served in the Beta Nu chapter of Alpha Phi Alpha Fraternity, Inc. Robert was also active with the French club, the NAACP, YMCA, and graduated in 1962 with a bachelor of science degree with a major in French and a minor in Spanish.

Robert moved to Washington, DC to earn a master's degree in French from Catholic University of America in 1970. Also, he was a fellow at the Sorbonne University in Paris, France, and studied at several other institutions of higher learning including the Universite de Basancon in France and Howard University in Washington, DC. Robert taught in the public schools of the District of Columbia and influenced many young minds throughout his career at home and abroad.

Since moving to the DC area, Robert remained supportive of his university and became a life member of the FAMU National Alumni Association. He continued to serve his fraternity by participating in events sponsored by all three Washington, D.C. alumni chapters.

Robert was an avid swimmer and won various swimming meets sponsored by the Golden Dolphin Senior Citizens Olympics. He was a lifetime member of the Anthony Bowen YMCA.

Mr. Robert Warren will not only be missed throughout the entire Jacksonville, Washington, DC, Florida A&M University, and Alpha Phi Alpha fraternity communities but many more across this Nation.

Madam Speaker, today I ask that you join me in honoring the life of a man who leaves behind a record of service that speaks volumes about his life.

A TRIBUTE TO ANALEITHA E. SIMPSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to the work and achievements of Analeitha E. Simpson. As a child growing up in St. Mary, Jamaica, Analeitha's parents instilled in her the values of hard work and dedication. Analeitha was quick to take the lessons learned from her parents, and communicate them to her peers in St. Mary.

Analeitha became deeply involved in her community while attending high school. As a teenager, she provided food and basic necessities to both the sick and prison inmates in Jamaica through the help of her local church. She was instrumental in forming an after school program at her house where she created a study group for her fellow high school classmates. The program also provided a homework assistance program for younger students, including an initiative for the donation of used text books for those who could not afford to purchase new ones.

Analeitha spent 1 year at the University of the West Indies after graduating high school. During that time she entered a leadership program that helped to create a state of the art recreational center for students at The August Town Primary School. Analeitha says that her time at the university allowed her to lay the foundation of who she was and what she would become.

Analeitha moved to New York City in 1999. Following the move, she became a liaison for patients and family members at the Critical Care Department of New York's Presbyterian Hospital. She later moved on to the Department of Neurological Surgery at Weill Cornell Medical College—New York Presbyterian Hospital, where she established several departmental policies and practices that have helped to facilitate patient care in an effective and timely manner.

Analeitha's drive to help others has resulted in her current enrollment in nursing school at Medgar Evers College. She is now developing a program to help promote healthy lifestyles for the elderly.

Madam Speaker, I would like to recognize the selfless efforts of Analeitha E. Simpson to improve the health, education, and general welfare of all who cross her path.

Madam Speaker, I urge my colleagues to join me in paying tribute to Analeitha E. Simpson.

PERSONAL EXPLANATION

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Ms. LORETTA SANCHEZ of California. Madam Speaker, on Thursday, June 21, 2007, I was unavoidably detained due to a prior obligation.

Had I been present and voting, I would have voted as follows:

Rollcall No. 527 ''no'' (on agreeing to the Diaz-Balart Amendment to H.R. 2764).

Rollcall No. 528 ''no'' (on agreeing to the Wolf Amendment to H.R. 2764).

Rollcall No. 529 ''yes'' (on agreeing to the Shays Amendment to H.R. 2764).

Rollcall No. 530 ''no'' (on agreeing to the Garrett (NJ) Amendment to H.R. 2764).

Rollcall No. 531 ''no'' (on agreeing to the Foxx Amendment to H.R. 2764).

Rollcall No. 532 ''no'' (on agreeing to the Pitts Amendment to H.R. 2764).

Rollcall No. 533 ''yes'' (on agreeing to the Lowey Amendment to H.R. 2764).

Rollcall No. 534 ''no'' (on agreeing to the Smith (NJ) Amendment to H.R. 2764).

Rollcall No. 535 ''no'' (on agreeing to the Boustany Amendment to H.R. 2764).

Rollcall No. 537 ''no'' (on agreeing to the Jordan Amendment to H.R. 2764).

Rollcall No. 538 ''no'' (on agreeing to the Price (GA) Amendment to H.R. 2764).

Rollcall No. 539 ''no'' (on agreeing to the Musgrave Amendment to H.R. 2764).

Rollcall No. 540 ''yes'' (on agreeing to the Pence Amendment to H.R. 2764).

Rollcall No. 541 ''no'' (on agreeing to the King (IA) Amendment to H.R. 2764).

Rollcall No. 542 ''yes'' (on Final Passage of H.R. 2764).

IN ETHIOPIA, FEAR AND CRIES OF ARMY BRUTALITY

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. PAYNE. Madam Speaker, I would like to submit for the RECORD an excellent article written by Mr. Jeffrey Gettleman of The New York Times June 18, 2007 entitled ''In Ethiopia, Fear and Cries of Army Brutality.'' It is about the forgotten people of the Ogaden and accurately describes in great detail the systematic abuses against civilians by the Ethiopian government security forces.

IN THE OGADEN DESERT, ETHIOPIA.—The rebels march 300 strong across the crunchy earth, young men with dreadlocks and AK–47s slung over their shoulders.

Often when they pass through a village, the entire village lines up, one sunken cheekbone to the next, to squint at them.

''May God bring you victory,'' one woman whispered.

This is the Ogaden, a spindle-legged corner of Ethiopia that the urbane officials in Addis Ababa, the capital, would rather outsiders never see. It is the epicenter of a separatist war pitting impoverished nomads against one of the biggest armies in Africa.

What goes on here seems to be starkly different from the carefully constructed up-and-coming image that Ethiopia—a country that the United States increasingly relies on to fight militant Islam in the Horn of Africa—tries to project.

In village after village, people said they had been brutalized by government troops. They described a widespread and long-standing reign of terror, with Ethiopian soldiers gang-raping women, burning down huts and killing civilians at will.

It is the same military that the American government helps train and equip—and provides with prized intelligence. The two nations have been allies for years, but recently they have grown especially close, teaming up last winter to oust an Islamic movement that controlled much of Somalia and rid the region of a potential terrorist threat.

The Bush administration, particularly the military, considers Ethiopia its best bet in the volatile Horn—which, with Sudan, Somalia and Eritrea, is fast becoming intensely violent, virulently anti-American and an incubator for terrorism.

But an emerging concern for American officials is the way that the Ethiopian military operates inside its own borders, especially in war zones like the Ogaden.

Anab, a 40-year-old camel herder who was too frightened, like many others, to give her last name, said soldiers took her to a police station, put her in a cell and twisted her nipples with pliers. She said government security forces routinely rounded up young women under the pretext that they were rebel supporters so they could bring them to jail and rape them.

''Me, I am old,'' she said, ''but they raped me, too.''

Moualin, a rheumy-eyed elder, said Ethiopian troops stormed his village, Sasabene, in January looking for rebels and burned much of it down. ''They hit us in the face with the hardest part of their guns,'' he said.

The villagers said the abuses had intensified since April, when the rebels attacked a Chinese-run oil field, killing nine Chinese workers and more than 60 Ethiopian soldiers and employees. The Ethiopian government has vowed to crush the rebels but rejects all claims that it abuses civilians.

''Our soldiers are not allowed to do these kinds of things,'' said Nur Abdi Mohammed, a government spokesman. ''This is only propaganda and cannot be justified. If a government soldier did this type of thing they would be brought before the courts.''

Even so, the State Department, the European Parliament and many human rights groups, mostly outside Ethiopia, have cited thousands of cases of torture, arbitrary detention and extrajudicial killings—enough to raise questions in Congress about American support of the Ethiopian government.

''This is a country that is abusing its own people and has no respect for democracy,'' said Representative Donald M. Payne, Democrat of New Jersey and chairman of the House Foreign Affairs subcommittee on Africa and global health.

''We've not only looked the other way but we've pushed them to intrude in other sovereign nations,'' he added, referring to the satellite images and other strategic help the American military gave Ethiopia in December, when thousands of Ethiopian troops poured into Somalia and overthrew the Islamist leadership.

According to Georgette Gagnon, deputy director for the Africa division of Human Rights Watch, Ethiopia is one of the most repressive countries in Africa.

''What the Ethiopian security forces are doing,'' she said, ''may amount to crimes against humanity.''

Human Rights Watch issued a report in 2005 that documented a rampage by government troops against members of the Anuak, a minority tribe in western Ethiopia, in which soldiers ransacked homes, beat villagers to death with iron bars and in one case, according to a witness, tied up a prisoner and ran over him with a military truck.

After the report came out, the researcher who wrote it was banned by the Ethiopian government from returning to the country. Similarly, three New York Times journalists who visited the Ogaden to cover this story were imprisoned for five days and had all their equipment confiscated before being released without charges.

ETHIOPIA'S TIANANMEN SQUARE

In many ways, Ethiopia has a lot going for it these days: new buildings, new roads, low crime and a booming trade in cut flowers and coffee. It is the second most populous country in sub-Saharan Africa, behind Nigeria, with 77 million people.

Its leaders, many whom were once rebels themselves, from a neglected patch of northern Ethiopia, are widely known as some of the savviest officials on the continent. They had promised to let some air into a very stultified political system during the national elections of 2005, which were billed as a milestone on the road to democracy.

Instead, they turned into Ethiopia's version of Tiananmen Square. With the opposition poised to win a record number of seats in Parliament, the government cracked down brutally, opening fire on demonstrators, rounding up tens of thousands of opposition supporters and students and leveling charges of treason and even attempted to kill top opposition leaders, including the man elected mayor of Addis Ababa.

Many opposition members are now in jail or in exile. The rest seem demoralized.

''There are no real steps toward democracy,'' said Merera Gudina, vice president of the United Ethiopian Democratic Forces, a leading opposition party. ''No real steps toward opening up space, no real steps toward ending repression.''

Ethiopian officials have routinely dismissed such complaints, accusing political protesters of stoking civil unrest and poking their finger into a well/known sore spot. Ethiopia has always had an authoritarian streak. This is a country, after all, where until the 1970s rulers claimed to be direct descendants of King Solomon. It is big, poor, famine/stricken, about half/Christian and half/Muslim, surrounded by hostile enemies and full of heavily armed separatist factions. As one high/ranking Ethiopian official put it, ''This country has never been easy to rule.''

That has certainly been true for the Ogaden desert, a huge, dagger/shaped chunk of territory between the highlands of Ethiopia and the border of Somalia. The people here are mostly ethnic Somalis, and they have been chafing against Ethiopian rule since 1897, when the British ceded their claims to the area.

The colonial officials did not think the Ogaden was worth much. They saw thorny hills and thirsty people. Even today, it is still like that. What passes for a town is a huddle of bubble-shaped huts, the movable homes of camel-thwacking nomads who somehow survive out here. For roads, picture Tonka truck tracks running through a sandbox. The primary elements in this world are skin and bone and sun and rock. And guns. Loads of them.

Camel herders carry rifles to protect their animals. Young women carry pistols to protect their bodies. And then there is the Ogaden National Liberation Front, the machine-gun-toting rebels fighting for control of this desiccated wasteland.

REBELS LIVE OFF THE LAND

Lion. Radio. Fearless. Peacock. Most of the men have nicknames that conceal their real identities. Peacock, who spoke some English, served as a guide. He shared the bitter little plums the soldiers pick from thorn bushes—''Ogaden chocolate,'' he called them. He showed the way to gently skim water from the top of a mud puddle to minimize the amount of dirt that ends up in your stomach—even in the rainy season this is all there is to drink.

He pointed out the anthills, the coming storm clouds, the especially ruthless thorn trees and even a graveyard that stood incongruously in the middle of the desert. The graves—crude pyramids of stones—were from the war in 1977–78, when Somalia tried, disastrously, to pry the Ogaden out of Ethiopia's hands and lost thousands of men. ''It's up to us now,'' Peacock said.

Peacock was typical of the rebels. He was driven by anger. He said Ethiopian soldiers hanged his mother, raped his sister and beat his father. ''I know, it's hard to believe,'' he said. ''But it's true.''

He had the hunch of a broken man and a voice that seemed far too tired for his 28 years. ''It's not that I like living in the bush,'' he said. ''But I have nowhere else to go.''

The armed resistance began in 1994, after the Ogaden National Liberation Front, then a political organization, broached the idea of splitting off from Ethiopia. The central government responded by imprisoning Ogadeni leaders, and according to academics and human rights groups, assassinating others. The Ogaden is part of the Somali National Regional State, one of nine ethnic-based states within Ethiopia's unusual ethnic-based federal system. On paper, all states have the right to secede, if they follow the proper procedures. But it seemed that the government feared that if the Somalis broke away, so too would the Oromos, the Afar and many other ethnic groups pining for a country of their own.

The Ethiopian government calls the Ogaden rebels terrorists and says they are armed and trained by Eritrea, Ethiopia's neighbor and bitter enemy. One of the reasons Ethiopia decided to invade Somalia was to prevent the rebels from using it as a base.

The government blames them for a string of recent bombings and assassinations and says they often single out rival clan members. Ethiopian officials have been pressuring the State Department to add the Ogaden National Liberation Front to its list of designated foreign terrorist organizations. Until recently, American officials refused, saying the rebels had not threatened civilians or American interests.

''But after the oil field attack in April,'' said one American official who spoke on the condition of anonymity, ''we are reassessing that.''

American policy toward Ethiopia seems to be in flux. Administration officials are trying to increase the amount of nonhumanitarian aid to Ethiopia to $481 million next year, from $284 million this year. But key Democrats in Congress, including Mr. Payne, are questioning this, saying that because of Ethiopia's human rights record, it is time to stop writing the country a blank check.

In April, European Commission officials began investigating Ethiopia for war crimes in connection to hundreds of Somali civilians killed by Ethiopian troops during heavy fighting in Mogadishu, Somalia's capital.

WOMEN ARE SUFFERING THE MOST

In the Ogaden, it is not clear how many people are dying. The vast area is essentially a no-go zone for most human rights workers and journalists and where the Ethiopian military, by its own admission, is waging an intense counterinsurgency campaign.

The violence has been particularly acute against women, villagers said, and many have recently fled.

Asma, 19, who now lives in neighboring Somaliland, said she was stuck in an underground cell for more than six months last year, raped and tortured. ''They beat me on the feet and breasts,'' she said. She was freed only after her father paid the soldiers ransom, she said, though she did not know how much.

Ambaro, 25, now living in Addis Ababa, said she was gang-raped by five Ethiopian soldiers in January near the town of Fik. She said troops came to her village every night to pluck another young woman.

''I'm in pain now, all over my body,'' she said. ''I'm worried that I'll become crazy because of what happened.''

Many Ogaden villagers said that when they tried to bring up abuses with clan chiefs or local authorities, they were told it was better to keep quiet.

The rebels said that was precisely why they attacked the Chinese oil field: to get publicity for their cause and the plight of their region (and to discourage foreign companies from exploiting local resources). According to them, they strike freely in the Ogaden all the time, ambushing military convoys and raiding police stations.

Mr. Mohammed, the government spokesman, denied that, saying the rebels ''will not confront Ethiopian military forces because they are not well trained.''

Expert or not, they are determined. They march for hours powered by a few handfuls of rice. They travel extremely light, carrying only their guns, two clips of bullets, a grenade and a tarp. They brag about how many Ethiopians they have killed, and every piece of their camouflage, they say, is pulled off dead soldiers. They joke about slaughtering Ethiopian troops the same way they slaughter goats.

Their morale seems high, especially for men who sleep in the dirt every night. Their throats are constantly dry, but they like to sing.

''A camel is delivering a baby today and the milk of the camel is coming,'' goes one campfire song. ''Who is the owner of this land?''

A TRIBUTE TO LEONA WILLIAMSON MOSLEY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to Ms. Leona Williamson Mosley of Brooklyn, NY, on her 100th birthday. Ms. Williamson Mosley is a woman deeply committed to family and faith. She was born on June 23, 1907, in Clinton, NC. She is one of eight children born to her parents, Lewis and Hattie Williamson. Ms. Williamson Mosley grew up in a crowded household and worked hard to help her family. She spent many years working in her family's tobacco fields.

Ms. Williamson Mosley married Daniel Webster Mosley and moved to New York to start their lives together. From this union came six children—three boys and three girls—which included one set of twins. She worked odd jobs while raising her children, however, once they became teenagers she went to work full time at Brooklyn Hospital where she retired in 1969.

Ms. Williamson Mosley keeps the church as a constant in her life. She joined the Concord Baptist Church in the 1940's and to date is a fixture in that very same church. She has made tremendous contributions to her community with her tireless work through her church.

Ms. Williamson Mosley's legacy will continue to live on in her extended family. She has 17 grandchildren, 34 great-grandchildren, 5 great-great-grandchildren and one great-great-great grandchild. She currently resides with her namesake, her daughter Leona who is her last living child.

Madam Speaker, it is with pleasure that I recognize and honor Ms. Williamson Mosley as she celebrates her 100th birthday.

Madam Speaker, I urge my colleagues to join me in paying tribute to Leona Williamson Mosley, a true national treasure.

IN HONOR OF HOLY CROSS LUTHERAN SCHOOL AND THEIR EFFORTS TO PROMOTE SUN SAFETY

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. SESSIONS. Madam Speaker, I rise to acknowledge Holy Cross Lutheran School and their recognition by the United States Environmental Protection Agency. Recently the Achievements in Stratospheric Ozone Protection: Progress Report, a publication by the United States Environmental Protection Agency, highlighted the school's assistance in encouraging Sun safety.

The United States Environmental Protection Agency raises awareness about the effects of ozone depletion on public health. It also works to educate young children about the harmful effects of ultraviolet rays and how to reduce the risk of skin cancer as a result from over exposure to the Sun. The efforts of the United States Environmental Protection Agency would not be possible without the volunteer assistance of schools like Holy Cross Lutheran School.

I know I speak for all of Dallas when I say that we are very proud to have such an outstanding school in the 32nd District of Texas. The school is an example to all and I wish to thank them here on the floor of the U.S. House of Representatives for all of their hard work.

CONGRATULATING SACRED HEART CATHOLIC CHURCH OF WACO ON THEIR 50TH ANNIVERSARY

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. EDWARDS. Madam Speaker, on June 24, 2007, the parishioners and community of Waco celebrate the 50th anniversary of the Sacred Heart Catholic Church, a cornerstone of our central Texas community.

Like many Spanish Franciscan churches in this great Nation, Sacred Heart Parish had a very humble beginning. In 1946, the priests of St. Francis Church established three catechetical centers: Hernandez at 2306 Bagby Avenue; Gonzalez at 2224 James Street; and Rosas at 2313 Bagby Avenue. On June 30, 1957, in what became known as a very moving ceremony, the Most Reverend Louis J. Reicher, Bishop of Austin dedicated the Sacred Heart Catholic Church.

Several outstanding and dedicated pastors have demonstrated their devotion and commitment to the growth and development of the Sacred Heart Catholic Church over the past 50 years including Father Francisco Dols, Father Miguel Rigo, Reverend Anthony Ferrer, Father Gonzalo Ferrer, and presently Father Lawrence Soler.

Under the leadership of Father Lawrence Soler, the Sacred Heart Church has impacted the lives of many people. Father Soler, recognized for over 50 years in the priesthood, has a history of unselfish devotion to others, and a legacy of personal achievement as well as an unwavering commitment to his faith.

The profound words of Father Lawrence spoken during the 25th anniversary of the Sacred Heart Catholic Church best describe the impressive past, as well as the bright future of the Sacred Heart Catholic Church: ''From a few scattered families it has grown into a closely knit community of faith, pooling its talents, coordinating its efforts for more effectiveness, so that God may be glorified and mankind served. Our greatest strength in the future will be, as it was in the past, our Faith, our Hope, and our Love.''

With this compelling mission of faith and the spiritual message of serving others to guide them, the people of Sacred Heart Catholic Church of Waco have touched countless lives. On their 50th anniversary, I rise to honor the moral leadership, dedication to community, and generous spirit of Sacred Heart Catholic Church, and extend my warmest wishes for continued blessings in the years ahead.

RECOGNIZING THE ACCOMPLISHMENTS OF LINDA HOLLOWAY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize Linda Holloway for being honored as the 2007 Southern District Elementary School Physical Educator of the Year by the National Association for Sport and Physical Education, NASPE.

As a National Board Certified Teacher in Physical Education, Linda has dedicated 34 years of faithful service teaching in the Okaloosa County public school system. She received both her bachelor's and master's degrees from the University of West Florida.

Out of her passion for teaching and her love for children, Linda encourages all of her students to set and actively pursue personal goals that focus on healthy lifestyle behaviors that promote physical wellness.

Throughout her career, Linda has maintained active membership in numerous professional organizations. These include the National Association for Sport and Physical Education/American Alliance for Health, Physical Education, Recreation, and Dance, NASPE/AAHPERD; the Florida Alliance of Health, Physical Education, Recreation, and Dance, FLAHPERD; and the United States Tennis Association.

As an extraordinary educator, Linda's leadership and knowledge have helped to create a better life for the youth of the community by giving them the confidence, knowledge, and inspiration needed to succeed.

When discussing her teaching techniques, the award-winning physical educator explains, ''I offer positive experiences in my classes that encourage students to succeed and enjoy physical activity. By devoting time to skills instruction, it increases the chances that students will use the skills throughout life and will maintain health and fitness.''

Madam Speaker, on behalf of the United States Congress, I am proud to recognize Linda Holloway for exemplary service in Physical Education at Valparaiso Elementary School and wish her continued success throughout her career.

PERSONAL EXPLANATION

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. NUNES. Madam Speaker, on the legislative day of Friday, June 22, 2007, I was unavoidably detained and was unable to cast a vote on a number of rollcall votes. Had I been present, I would have voted: rollcall 543, ''nay''; rollcall 544, ''nay''; rollcall 545, ''aye''; rollcall 546, ''aye''; rollcall 547, ''aye''; and rollcall 548, ''nay.''

CONGRATULATING THE CHESTNUT LOG MIDDLE SCHOOL READING TEAM

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. SCOTT of Georgia. Madam Speaker, I rise to honor a great accomplishment by students in my Congressional district. I offer my congratulations to members of the Chestnut Log Middle School Reading Team of Douglasville, GA, for winning the Helen Ruffin Reading Bowl. This competition was held at the University of Georgia in Athens on April 21, 2007.

Students read from a statewide book list and answered questions from the novels in order to earn points and win the contest. To be eligible for the State competition, Chestnut Log students first won the Douglas County Reading Bowl in February, then a regional competition at West Georgia University in Carrollton in March. In April, they became State champions.

I want to recognize the members and coaches of the Chestnut Log Middle School Reading Team. These individuals are Seth Blair, Isaac Carter, Zachary Fowler, Will Gay, Patrick Ray, and Caroline Wesson. Special recognition goes to coaches Jan Easterwood, Margaret Robbins, and Susan Bissell for their guidance of this team and devotion to fostering good reading habits among youth.

In closing, Madam Speaker, I want to commend these students for their great accomplishment. As an avid reader, I wish to persuade all of my constituents, no matter young or old, to read and to encourage reading within their communities.

RECOGNITION OF MARGO PELLEGRINO'S 2,000-MILE JOURNEY FROM MIAMI TO MAINE

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. PALLONE. Madam Speaker, I proudly rise today to pay tribute to Margo Pellegrino for her remarkable Journey from Miami, FL to Camden, ME. On Monday, May 7, 2007 Margo Pellegrino, a 40-year-old mother of two, with limited training, began paddling her 20-foot outrigger canoe up the Intracoastal Waterway, ICW, and along the Atlantic coast. Her reason? To highlight the importance of coastal issues up and down the coast.

Ms. Pellegrino's efforts are an inspiration to us all. During her 11 week trip she will make 74 stops along the East Coast in her personal quest to help save our oceans from pollution, overfishing, and habitat destruction.

She understands that we need responsible management of our rich coastal resources. Margo Pellegrino is doing her part to ensure that our Nation's coastal beauty can continue to be enjoyed by both present and future generations. She shares my commitment of improving the quality of our coastal environment while enhancing the interests of those who live and work in America's coastal communities. Her efforts will help achieve those goals.

As Ms. Pellegrino paddles her 40 miles a day she has encountered endangered reefs and dredged beaches—problems that she wants to bring to light throughout her journey. One of Margo's major concerns is dwindling fish populations. Overfishing is largely responsible for the rapid decrease in fish populations and has put our oceans in peril.

It is important to note that Ms. Pellegrino is not a professional athlete. She is a mother and an environmentalist who is showing her children how to make a difference in the world and inspire others to take an active role in the stewardship of our oceans.

This week, she paddles along the coast of New Jersey. As she continues her journey up through New England to Maine, I wish her the best. And I once again ask my colleagues to join me in recognizing Margo Pellegrino for her exceptional journey from Miami to Maine to bring attention to our coastal environment.

MARKING THE CENTENNIAL OF THE LIMA CHAPTER OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. JORDAN of Ohio. Madam Speaker, I am honored to pay special tribute to the outstanding women of the Lima Chapter of the Daughters of the American Revolution. The chapter marked its 100th anniversary with a special reception on June 3, 2007.

Chartered on April 10, 1907, the Lima Chapter has served the people of Lima in countless ways through the years. From their work in support of servicemembers and veterans to their committed work with the youth of Allen County, Ohio, the women of the Lima DAR have compiled a long and distinguished record of service in times of war and peace.

Fifty-two women have served the Lima Chapter as Regent, starting with Mrs. Clara Paine Ohler. The chapter's membership through the years has included women from all walks of life who have distinguished themselves in numerous ways through their service.

The Lima DAR is especially noted for its work in local schools to promote civic education, reflecting the group's love of country and its high regard for the gift of freedom that we all enjoy. They are true examples of the DAR's high calling to ''cherish, maintain, and extend the institutions of American freedom.''

Madam Speaker, I invite all of my colleagues to join me in paying tribute to the Lima Chapter of the Daughters of the American Revolution. Our Nation is better served through their hard work and diligence. We wish them all the best at their centennial celebration.

IN TRIBUTE TO FRANCES SWIGART

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Ms. MOORE of Wisconsin. Madam Speaker, I rise today to recognize an outstanding citizen, community leader, and world traveler of the 4th Congressional District, Frances Swigart. Fran Swigart passed away on June 17, 2007.

Fran served in leadership roles on many non-profit boards: Interchange, UWM Board of Visitors, the Volunteer Center of Greater Milwaukee, League of Women Voters, MATA Community Media, Future Milwaukee, Discovery World at Pier Wisconsin, and the City of Milwaukee Ethics Committee. She was the Executive Director of Future Milwaukee for 9 years, preparing community leaders. Fran was president of the MacMurray College (Jacksonville, IL) Alumni Board, serving two terms.

Fran was a member and leader in the League of Women Voters organization and believed strongly in people's right to exercise their franchise. She proudly served as an election site supervisor for 6 years. Fran facilitated numerous political candidate debates for the League of Women Voters throughout Milwaukee County. She also helped eliminate the bureaucratic barriers that prevented the League of Women Voters from registering new citizens to vote immediately following their swearing in ceremonies. Fran was a candidate for Wisconsin State Representative in the 22nd Assembly District, in 1992. Fran served as a panelist at my ''Citizenship Day'' events explaining why it was important to register and vote.

In her spare time, Fran loved traveling; in fact, she reached every continent but Australia. She was also a 30-year member of a gourmet cooking group. Fran devotedly served her church, Immanuel Presbyterian, as an elder, deacon, trustee, and mission worker.

Madam Speaker, Milwaukee has suffered a great loss with the passing of Fran Swigart, and we celebrate her life and her many contributions to the life of our community.

THE DEPARTMENT OF STATE, FOREIGN OPERATIONS AND RELATED PROGRAMS APPROPRIATIONS ACT, 2008

SPEECH OF

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 21, 2007

The House in Committee of the Whole House on the State of the Union had under consideration the bill—(H.R. 2764) making appropriations for the Department of State,

foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes:

Ms. LEE. Mr. Chairman, I rise in support of the Payne amendment and thank my colleague for working with Chairwoman LOWEY in drafting this amendment.

Over the last month the entire country has awakened to the threat of XDR–TB (Extensively Drug Resistant Tuberculosis). The simple fact of the matter is that we can prevent XDR–TB and the less dangerous MDR–TB (Multi-drug resistant TB) with better TB control programs that ensure that people who are taking drugs for TB stay on their medicines, and avoid developing drug resistance.

XDR–TB has already been found in over 37 countries around the world. However, due to inadequate lab facilities around the world we don't truly know how far XDR–TB has spread.

Additional funding provided by the Payne amendment would help us address some of these issues. I want to again thank my colleague Representative PAYNE for offering this amendment and for working with Chairwoman LOWEY to ensure that we increase funding for Tuberculosis programs in the State-Foreign Ops bill this year.

I look forward to continuing to work with both of my colleagues and the committee to ensure that TB continues to get the funding and attention it deserves.

KOREAN WAR VETERANS ASSOCIATION FEDERAL CHARTER

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. HOYER. Madam Speaker, today on the 22nd anniversary of its founding, I rise to offer legislation that would grant the Korean War Veterans Association a Federal Charter, enabling the Association to expand its mission and further its charitable and benevolent causes. The Association, comprised exclusively of Korean War veterans, has over 25,000 members and is one of the few such organizations of its size without a Federal Charter.

Being awarded such a charter will afford the Korean War Veterans Association the same status as other major veterans' organizations and allow it to participate as part of select committees with other congressionally chartered veterans and military groups. A Federal Charter—at no cost to the government—will also accelerate the Association's accreditation with the Department of Veterans Affairs, enabling its members to assist in processing veterans' claims.

More than 50 years have passed since the war-weary men and women who served in Korea returned home. Half a century later, history has revealed that the sacrifices made by these brave soldiers stemmed the expansion of communism and effectively contributed to a more peaceful world.

Granting this Federal Charter is a small expression of our appreciation for the extraordinary courage and sacrifice of our forces in Korea. This bipartisan legislation is an opportunity to express our gratitude and respect for our military, past and present, and to give Korean War veterans the long-awaited recognition they deserve to ensure that the "forgotten war" is forgotten no more.

TRIBUTE TO SOLDIERS OF THE KOREAN WAR

HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. WALZ of Minnesota. Madam Speaker, 57 years ago today, on June 25, 1950, the Korean war began when North Korean forces invaded South Korea. Two days later, President Truman sent U.S. forces to support South Korea and the United Nations followed suit. This initial conflict led to a 3-year war in which American forces defended South Korean territory against Communist invaders from North Korea and China. The United States and our allies suffered numerous successes and setbacks, engaging in a difficult struggle for terrain on the Korean peninsula. In the end, over 54,000 American service members died during the Korean War and over 100,000 were wounded.

We are still living with the legacy of the Korean war today. Thousands of American servicemembers remain on guard on the Korean peninsula along the Demilitarized Zone. While the Korean war is sometimes called the "Forgotten War," it is certainly not forgotten in the 110th Congress. I am proud to honor the commitment and service of those soldiers who fought in Korea and those who continue to stand watch at their posts on the peninsula today. On this day, the 57th anniversary of the start of the Korean war, we honor the sacrifice and service of America's Armed Forces and pledge to continue to work on their behalf in this Congress and beyond.

TURNING THE BATTLE AROUND

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. CUMMINGS. Madam Speaker, I rise today to proudly honor, but sadly send away, one of Baltimore's finest citizens and leaders: Dr. Stanley F. Battle, who recently left his post as the President of Coppin State University, located in my district.

Dr. Battle is a man of vision—and true to his name, he turned the battle around to achieve victory for thousands of college students, faculty and the entire Baltimore community.

When Dr. Battle took the helm of this great historically black liberal arts institution in March 2003, Coppin was at a different place than it is today.

Then classified as a college, Coppin was severely underfunded—a situation further escalated by budget cuts to higher education institutions, and a slow economy.

Yet, where critics saw dark clouds—Dr. Battle saw sunlight.

One of his most notable accomplishments was to establish the campus as the first completely wireless campus in the University System of Maryland.

Through Dr. Battle's leadership, Coppin pioneered the Tegrity Campus, which combines digital audio and video recording of the class lectures with electronic note-taking and computer usage. These technological innovations were noticed by the prestigious U.S. News & World Report magazine, which ranked Coppin as one of the top 50 U.S. colleges and universities with absolute wireless capacity.

Then, within 1 year and 1 month of Dr. Battle's tenure as president, Coppin received university status for the first time in its history.

The following academic year, enrollment increased by 11 percent.

Dr. Battle's innovation reached beyond the campus—as he created several initiatives to uplift children in Baltimore City Schools, and empower them to attend college. One such initiative was the Academic Enrichment Academy that offers a free SAT Camp.

Another project he spearheaded was the Talented Ten African American Male Mentoring Program. He also collaborated with Baltimore Public Schools to create several programs to uplift children.

He continued building strong relationships with Baltimore's faith-based community.

Joining with the Coppin Heights Community Development Corporation, Dr. Battle also helped bring together members of the university and the neighbors of the campus to redevelop and revitalize the area surrounding Coppin. He further facilitated the campus's growth from 38 to 52 acres.

In terms of research expansion, Dr. Battle facilitated increased external research grants and established the Raymond V. Haysbert Research Center.

As the Congressman representing Coppin, I was proud to work with Dr. Battle as I helped secure a grant for a major research project, and other funding for educational and transportation programs.

On July 1, 2007, Dr. Battle will begin his role as the Chancellor at North Carolina Agricultural and Technical University in Greensboro, NC.

It is a great loss for the Baltimore community and for Coppin State University.

However, he leaves behind a legacy that has forever changed us—and made an impact on the future leaders of America.

Nevertheless, as a strong believer in expanding high quality education to all Americans, I am joyful that the community of North Carolina A&T University is receiving a great gift as Dr. Battle as its chancellor.

Dr. Battle's legacy of turning around battles will continue to reverberate throughout Maryland for years to come.

RECOGNIZING THE ADA, OKLAHOMA CEMENT PLANT FOR A CENTURY OF CONTINUOUS OPERATION, AND CONGRATULATING THE HOLCIM (US) ADA PLANT FOR ITS USE OF RECYCLED MATERIALS, AND DIRECTING DISTRIBUTION

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. COLE of Oklahoma. Madam Speaker, today I rise to honor the Holcim (US) cement plant in Ada, OK, for ensuring a century of continuous cement operations, for its use of

recycled materials and for directing distribution. The Holcim plant in Ada provides jobs to over 100 employees, and many of their families have worked at the plant for two generations.

Madam Speaker, since 1921 the Holcim plant has produced more than 33 million tons of cement used in the construction of roads, highways, airports, homes, and oil wells throughout Oklahoma. As such, this plant has been a dependable business in the region, a great example of American ingenuity and technology, and a leader in Oklahoma's industrial revolution.

Madam Speaker, companies like this are rare. When so many have moved to other States and Nations, we are truly fortunate and blessed that Holcim has remained in place. I truly believe that this is testament not only to the company, but to the workers and the larger community of Ada, OK. Companies can only be faithful to a community if a community reciprocates. Ada's demonstrated dedication and its people reveal the pride we all have in our hearts for Holcim.

Madam Speaker, I ask my colleagues to join me in congratulating the Holcim cement plant in Ada, OK for a century of continuous service. The plant is a part of the fabric that makes up present-day Oklahoma, and is an integral part of the economy for Ada by providing jobs and opportunities for our citizens. During Oklahoma's centennial year I want to salute Holcim (US) for the company's contributions to this State.

TRIBUTE TO STS–117

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. UDALL of Colorado. Madam Speaker, I rise today to commemorate the success of NASA's latest mission to the International Space Station. I also wish to celebrate the safe return of the STS–117 *Atlantis* crew and honor the accomplishments of the astronauts, including Colorado's very own Steven Swanson.

From a distinguished member of the Phi Kappa Phi Honor Society to a recipient of the NASA Exceptional Achievement Medal, Mission Specialist Swanson's path to space is paved with miles of achievements. Long before he took in the majestic sights of our galaxy, a young Swanson was in search of new heights of adventure amidst our Rocky Mountains. After whetting his appetite for sky-high ventures in Steamboat Springs, Mr. Swanson went on to graduate from the University of Colorado with a bachelor's degree in engineering physics. A year after he received a master of applied science in computer systems from Florida Atlantic University, Steve Swanson joined NASA.

As a systems engineer in the Aircraft Operations Division of Johnson Space Center, JSC, Swanson worked on the Shuttle Training Aircraft, eventually earning both the JSC Certificate of Accommodation and the Flight Simulation Engineering Award. After earning a doctorate in computer science from Texas A&M University in 1998, Swanson was selected as an Astronaut Candidate and successfully completed intensive training to eventually become a member of the crew on STS–117.

Building on the lessons and mission objectives of the two previous NASA shuttle missions, STS–115 and STS–116, the STS–117 mission focused on further construction of the International Space Station. The seven-astronaut crew, under the command of Marine Colonel Rick Sturckow and the piloting of Air Force Colonel Lee Archambault, successfully installed a large truss needed to expand the orbiting space research facility and added third pair of solar wings to power the station. The STS–117 mission represented the 28th flight of the space shuttle *Atlantis* and NASA's 118th shuttle mission.

As the 18th graduate of the University of Colorado to fly in space for NASA, Steve Swanson's safe return not only reaps great pride for his family and friends but the entire state of Colorado as well. Colorado has a rich history of accomplished space pioneers as the state has the second highest private aerospace employment concentration in the country. Swanson serves as a great embodiment of the determination and fearless pursuit of adventure found so deeply ingrained in the American West.

In fact, the entire *Atlantis* crew embodies the very best of the American ingenuity and limitless capacity for human achievement that make this country great. I join my fellow Members of Congress in celebrating and honoring the fine astronauts of STS–117 and the accomplishments of the National Aeronautics and Space Administration.

MOURNING THE LOSS OF RUTH GRAHAM

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 25, 2007

Mr. SHULER. Madam Speaker, I rise today in honor of the memory of Ruth Bell Graham, wife of the Reverend Billy Graham. On Thursday, June 14, 2007, Ruth Graham passed away, after being bed-ridden for several months with pneumonia, surrounded by her husband and all five of her children. She may be best known as the wife of the world-famous evangelist Reverend Billy Graham, but Ruth made her own mark on the world as an author, poet, mother, and spiritual leader in her own right.

Ruth Bell, the second child of five children, grew up in China where her parents were missionaries. They instilled in her the dependence on the Bible for strength and guidance. Reverend Billy Graham would later confide in her, relying on her knowledge of the Scripture and her strength of character as guidance.

Due to her husband's travels, she bore major responsibility for raising the couple's five children: Franklin (William Franklin III), Nelson, Virginia, Anne, and Ruth.

Ruth Graham was the author or co-author of 14 books, including collections of poetry and the autobiographical scrapbook ''Footprints of a Pilgrim.''

In 1996, the Grahams were each awarded the Congressional Gold Medal for ''outstanding and lasting contributions to morality, racial equality, family, philanthropy, and religion.''

She helped establish the Ruth and Billy Graham Children's Health Center in Asheville, and the Billy Graham Training Center near Montreat.

I am honored to have Reverend and Mrs. Graham as two of my constituents in Western North Carolina. The Grahams moved to Montreat many decades ago, and have made an indelible mark on the area. I have the utmost respect for Reverend Graham.

Madam Speaker, the legacy of Ruth Graham will live on long after she is gone. Ruth Bell Graham has served her Lord for a lifetime, and it is an honor to have served Ruth Graham in the United States Congress.

I ask my colleagues to join me in expressing remorse for the loss of Ruth Graham and may God bless and comfort the family and friends she has left behind.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 26, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 27

9:30 a.m.

Judiciary

Constitution Subcommittee

To hold an oversight hearing to examine the federal death penalty.

SD–226

Veterans' Affairs

Business meeting to markup pending legislation; to be immediately followed by a full committee hearing to examine the nomination of Charles L. Hopkins, of Massachusetts, to be an Assistant Secretary of Veterans Affairs (Operations, Preparedness, Security and Law Enforcement).

SD–562

10 a.m.

Finance

To hold hearings to examine the Stealth Tax, focusing on how to stop the alternative minimum tax from sneaking up on unsuspecting taxpayers.

SD–215

Health, Education, Labor, and Pensions

Business meeting to consider S. 793, to provide for the expansion and improvement of traumatic brain injury programs, and S. 1011, to change the name of the National Institute on Drug Abuse to the National Institute on Diseases of Addiction and to change the

name of the National Institute on Alcohol Abuse and Alcoholism to the National Institute on Alcohol Disorders and Health, original bills entitled, ''Biologics Price Competition and Innovation Act'', ''Wired for Health Care Quality Act'', and other pending calendar business.

SD–628

Environment and Public Works

Transportation Safety, Infrastructure Security, and Water Quality Subcommittee

To hold hearings to examine protecting water quality at America's beaches.

SD–406

10:30 a.m.

Aging

To hold hearings to examine the relationship between doctors and the drug industry.

SD–106

11 a.m.

Joint Economic Committee

To hold hearings to examine the economic case for early care and education.

SH–216

11:15 a.m.

Foreign Relations

Business meeting to consider pending calendar business.

S–116, Capitol

11:30 a.m.

Homeland Security and Governmental Affairs

To continue hearings to examine violent Islamist extremism, focusing on the European experience.

SD–342

2 p.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine the nominations of Jill E. Sommers, of Kansas, to be a Commissioner of the Commodity Futures Trading Commission for the remainder of the term expiring April 13, 2009, and Bartholomew H. Chilton, of Delaware, to be a Commissioner of the Commodity Futures Trading Commission for the remainder of the term expiring April 13, 2008.

SR–328A

2:30 p.m.

Commerce, Science, and Transportation

Business meeting to consider S. 704, to amend the Communications Act of 1934 to prohibit manipulation of caller identification information, S. 950, to develop and maintain an integrated system of coastal and ocean observations for the Nation's coasts, oceans, and Great Lakes, to improve warnings of tsunami, hurricanes, El Nino events, and other natural hazards, to enhance homeland security, to support maritime operations, to improve management of coastal and marine resources, S. 1650, to establish a digital and wireless network technology program, and S. 1661, to communicate United States travel policies and improve marketing and other activities designed to increase travel in the United States from abroad, and promotion lists in the United States Coast Guard.

SR–253

Energy and Natural Resources

To hold hearings to examine S. 1171, to amend the Colorado River Storage Project Act and Public Law 87–483 to authorize the construction and rehabilitation of water infrastructure in Northwestern New Mexico, to authorize the use of the reclamation fund to fund the Reclamation Water Settlements Fund, to authorize the conveyance of certain Reclamation land and infrastructure, to authorize the Commissioner of Reclamation to provide for the delivery of water.

SD–366

JUNE 28

9:30 a.m.

Indian Affairs

To hold hearings to examine draft legislation regarding the regulation of class III gaming.

SR–485

10 a.m.

Environment and Public Works

To hold hearings to examine global warming issues in the power plant sector.

SD–406

Judiciary

Business meeting to consider S. 1145, to amend title 35, United States Code, to provide for patent reform, and S. 1060, to reauthorize the grant program for reentry of offenders into the community in the Omnibus Crime Control and Safe Streets Act of 1968, to improve reentry planning and implementation.

SD–226

Commerce, Science, and Transportation

Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee

To hold an oversight hearing to examine the President's proposed budget request for fiscal year 2008 for the National Oceanic and Atmospheric Administration.

SR–253

2 p.m.

Appropriations

Business meeting to markup proposed legislation making appropriations for State, Foreign Operations, and Related Programs, Commerce, Justice, Science, and Related Agencies, and Energy and Water Development for the fiscal year ending September 30, 2008.

SH–216

2:30 p.m.

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH–219

3 p.m.

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine financial management systems modernization at the Department of Homeland Security, focusing on systems and processes needed to support the Department's mission and operations.

SD–342

JULY 9

2:30 p.m.

Homeland Security and Governmental Affairs

Investigations Subcommittee

To continue hearings to examine excessive speculation in the natural gas market.

SD–342

JULY 10

10 a.m.

Health, Education, Labor, and Pensions

To hold hearings to examine community services and support, focusing on planning across the generation.

SD–106

JULY 11

10 a.m.

Judiciary

To continue hearings to examine the Department of Justice politicizing the hiring and firing of United States Attorneys, focusing on preserving prosecutorial independence (Part VI).

SD–226

JULY 17

2:30 p.m.

Veterans' Affairs

To hold an oversight hearing to examine Department of Veterans Affairs and Department of Defense education issues.

SD–562

JULY 18

10 a.m.

Judiciary

To continue oversight hearings to examine the Department of Justice.

SH–216

JULY 25

9:30 a.m.

Veterans' Affairs

To hold an oversight hearing to examine Department of Veterans Affairs health care funding.

SD–562

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8315–S8376

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 1685–1692, and S. Res. 253–254. **Page S8356**

Measures Reported:

S. 1686, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2008. (S. Rept. No. 110–89) **Page S8356**

Measures Considered:

Employee Free Choice Act: Senate resumed consideration of the motion to proceed to consideration of H.R. 800, to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts.

Pages S8316–27, S8328–51

A unanimous-consent-time agreement was reached providing that at approximately 10 a.m. on Tuesday, June 26, 2007, Senate continue consideration of the motion to proceed to consideration of H.R. 800 and resume consideration of S. 1639, to provide for comprehensive immigration reform, en bloc; that the time until 11:30 a.m. be equally divided and controlled for debate between Senator Kennedy and Senator Enzi, or their designees; that the time from 11:30 a.m. until 11:40 a.m. be reserved for the Republican Leader and the time from 11:40 a.m. until 11:50 a.m. be reserved for the Majority Leader; provided further, that Senate vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 800, and that, following said vote, Senate vote on the motion to invoke cloture on the motion to proceed to consideration of S. 1639, pursuant to the order of Thursday, June 21, 2007; and that following the conclusion of the second vote, Senate stand in recess until 2:15 p.m. **Page S8371**

The information relative to H.R. 6, CLEAN Energy Act, that appeared in the Digest of Friday, June 22, 2007 was incomplete. The permanent Record has been changed to reflect the following:

Clean Energy Act—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding, the June 21, 2007 passage of H.R. 6, to move the United States towards greater energy independence and security, to increase the production of clean renewable fuels, to protect consumers from price gouging, to increase the energy efficiency of products, buildings, and vehicles, to promote research on and deploy greenhouse gas capture and storage options, and to improve the energy performance of the Federal Government, that the following amendment be agreed to:

Reid (for Bingaman) Amendment No. 1867 (to the title of H.R. 6), to amend the title of the bill.

Swearing in of Senator Barrasso: Senator John Barrasso, of Wyoming, was sworn in to fill the unexpired term, until the vacancy of that term, caused by the death of Senator Craig Thomas, is filled by election as provided by law. **Pages S8327–28**

Nursing Home Fire Safety Act–Referral: A unanimous-consent agreement was reached providing that S. 1615, to provide loans and grants for fire sprinkler retrofitting in nursing facilities, be discharged from the Committee on Health, Education, Labor, and Pensions and referred to the Committee on Banking, Housing, and Urban Affairs.

Pages S8356, S8370

Nomination Received: Senate received the following nomination:

Jim Nussle, of Iowa, to be Director of the Office of Management and Budget. **Page S8376**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

William W. Mercer, of Montana, to be Associate Attorney General, which was sent to the Senate on January 9, 2007. **Page S8376**

Additional Cosponsors: **Pages S8356–58**

Statements on Introduced Bills/Resolutions: **Pages S8358–65**

Additional Statements: **Pages S8355–56**

Amendments Submitted: **Pages S8365–69**

Notices of Hearings/Meetings: **Page S8369**

Authorities for Committees to Meet: Page S8369

Privileges of the Floor: Page S8369

Text of H.R. 6 as previously passed: Pages S8369–70

Adjournment: Senate convened at 1 p.m. and adjourned at 8:48 p.m., until 10 a.m. on Tuesday, June 26, 2007. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8371.)

Committee Meetings

(Committees not listed did not meet)

EXCESSIVE SPECULATION IN THE NATURAL GAS MARKET

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations held a hearing to examine excessive speculation in the natural gas market, receiving testimony from Arthur Corbin, Municipal Gas Authority of Georgia, Kennesaw, on behalf of the American Public Gas Association; Paul Cicio, Industrial Energy Consumers of America, Washington, D.C.; Sean Cota, New England Fuel Institute, Watertown, Massachusetts; Vincent Kaminski, Rice University Jesse H. Jones Graduate School of Management, Houston, Texas; Michael Greenberger, University of Maryland School of Law, Baltimore; and Shane Lee, former Natural Gas Trader, Amaranth Advisors LLC, Calgary, Alberta, Canada.

Committee will continue hearings on July 9, 2007.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 12 public bills, H.R. 2844–2855; 1 private bill, H.R. 2856; and 3 resolutions, H. Res. 513, 515–516 were introduced. Pages H7069–70

Additional Cosponsors: Pages H7070–71

Reports Filed: Reports were filed today as follows:

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. Rept. 110–209);

H.R. 2669, to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008, with an amendment (H. Rept. 110–210); and

H. Res. 514, providing for consideration of the bill (H.R. 2643) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2008 (H. Rept. 110–211). Page H7069

Speaker: Read a letter from the Speaker wherein she appointed Representative Lincoln Davis to act as Speaker Pro Tempore for today. Page H7013

Recess: The House recessed at 12:32 p.m. and reconvened at 2 p.m. Page H7013

Suspensions: The House agreed to suspend the rules and pass the following measures:

Robert E. Coyle United States Courthouse Designation Act: S. 801, to designate a United States courthouse located in Fresno, California, as the ''Robert E. Coyle United States Courthouse''—clearing the measure for the President; Pages H7013–14

Recognizing the innumerable contributions of the recreational boating community and the boating industry to the continuing prosperity and affluence of the United States: H. Res. 505, to recognize the innumerable contributions of the recreational boating community and the boating industry to the continuing prosperity and affluence of the United States; Pages H7014–15

George Howard, Jr. Federal Building and United States Courthouse Designation Act: 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''; Pages H7015–17

Expressing the sense of the House of Representatives regarding the public service of Tony Blair, Prime Minister of the United Kingdom: H. Res. 416, to express the sense of the House of Representatives regarding the public service of Tony Blair, Prime Minister of the United Kingdom; Pages H7017–19

Recognizing and honoring Jack Valenti and expressing the condolences of the House of Representatives to his family on his death: H. Res. 361, amended, to recognize and honor Jack Valenti and express the condolences of the House of Representatives to his family on his death; **Pages H7019–22**

Expressing the sense of the House of Representatives that a "Welcome Home Vietnam Veterans Day" should be established: H. Res. 189, to express the sense of the House of Representatives that a "Welcome Home Vietnam Veterans Day" should be established, by a ⅔ yea-and-nay vote of 381 yeas with none voting "nay", Roll No. 549; **Pages H7022–24, H7050–51**

Expressing the sense of the Congress that there should be established a National Pet Week: H. Con. Res. 142, amended, to express the sense of the Congress that there should be established a National Pet Week; **Pages H7024–25**

FHA Manufactured Housing Loan Modernization Act of 2007: H.R. 2139, amended, to modernize the manufactured housing loan insurance program under title I of the National Housing Act; **Pages H7025–27**

Recognizing National Homeownership Month and the importance of homeownership in the United States: H. Res. 477, to recognize National Homeownership Month and the importance of homeownership in the United States; **Pages H7027–30**

Nonadmitted and Reinsurance Reform Act of 2007: H.R. 1065, to streamline the regulation of nonadmitted insurance and reinsurance; **Pages H7030–33**

Bail Bond Fairness Act of 2007: H.R. 2286, to amend title 18, United States Code, and the Federal Rules of Criminal Procedure with respect to bail bond forfeitures; **Pages H7033–36**

Ernest Childers Department of Veterans Affairs Outpatient Clinic Designation Act: H.R. 366, to designate the Department of Veterans Affairs Outpatient Clinic in Tulsa, Oklahoma, as the "Ernest Childers Department of Veterans Affairs Outpatient Clinic"; **Pages H7036–37**

Charles George Department of Veterans Affairs Medical Center Designation Act: H.R. 2546, to designate the Department of Veterans Affairs Medical Center in Asheville, North Carolina, as the "Charles George Department of Veterans Affairs Medical Center", by a ⅔ yea-and-nay vote of 381 yeas with none voting "nay", Roll No. 550; **Pages H7037–39, H7051**

Oscar G. Johnson Department of Veterans Affairs Medical Facility Designation Act: H.R. 2602, to name the Department of Veterans Affairs medical facility in Iron Mountain, Michigan, as the "Oscar G. Johnson Department of Veterans Affairs Medical Facility"; **Pages H7039–41**

Raymond G. Murphy Department of Veterans Affairs Medical Center Designation Act: S. 229, to redesignate a Federal building in Albuquerque, New Mexico, as the "Raymond G. Murphy Department of Veterans Affairs Medical Center"—clearing the measure for the President; **Pages H7041–43**

Deceptive Practices and Voter Intimidation Prevention Act of 2007: H.R. 1281, amended, to amend title 18, United States Code, to prohibit certain deceptive practices in Federal elections; and **Pages H7043–48**

Supporting the goals and ideals of National Save for Retirement Week: H. Res. 513, to support the goals and ideals of National Save for Retirement Week **Pages H7049–50**

Authorizing appropriations for the San Gabriel Basin Restoration Fund—Committee Referral: Agreed that the Committee on Transportation and Infrastructure be discharged from consideration of the bill H.R. 123, to authorize appropriations for the San Gabriel Basin Restoration Fund, and that the bill be re-referred to the Committee on Natural Resources. **Page H7017**

Recess: The House recessed at 5:50 p.m. and reconvened at 6:00 p.m. **Page H7050**

Senate Message: Message received from the Senate today appears on page H7013.

Senate Referrals: S. 1099 was referred to the Committee on Oversight and Government Reform and S. Con. Res. 40 was held at the desk. **Pages H7068–69**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H7071–78.

Quorum Calls Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H7050–51 and H7051. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 8:58 p.m.

Committee Meetings

POST 9/11 AIR QUALITY

Committee on the Judiciary: Subcommittee on Constitution, Civil Rights and Civil Liberties held a hearing on the alleged substantive due process violations arising from the EPA's handling of air quality issues following the Terrorist Attacks of September 11, 2001. Testimony was heard from Christine Todd Whitman, former Administrator, EPA; Tina

Kreisher, Communications Director, Department of the Interior; and public witnesses.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FISCAL YEAR 2008

Committee on Rules: Granted, by a voice vote, an open rule providing for consideration of H.R. 2643, the Interior, Environment, and Related Agencies Appropriations Act, 2008. The rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the Congressional Record. The rule provides one motion to recommit with or without instructions. Finally, the rule permits the Chair, during consideration of the bill in the House, to postpone further consideration of the bill to a time designated by the Speaker.

Joint Meetings

PIPELINE POLITICS

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine pipeline politics, focusing on conflict prevention and the security of supply and transit of oil and natural gas, after receiving testimony from Gregory Manuel, Special Advisor to the Secretary and International Energy Coordinator, Steven R. Mann, Principal Deputy Assistant Secretary for South and Central Asian Affairs, and Matthew Bryza, Deputy Assistant Secretary for European Affairs, all of the Department of State; Alan Hegburg, Deputy Assistant Secretary of Energy for Policy and International Affairs; Yasar Aliyev, Ambassador to the United States, Republic of Azerbaijan; Mikhail Khvostov, Ambassador to the United States, Republic of Belarus; Keith C. Smith, Center for Strategic and International Studies, Washington, D.C.; and Pierre Noel, University of Cambridge Judge Business School, Cambridge, England.

COMMITTEE MEETINGS FOR TUESDAY, JUNE 26, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies, business meeting to mark up proposed legislation making appropriations for Commerce, Justice, Science and Related Agencies for the fiscal year ending September 30, 2008, 2:30 p.m., SD–124.

Subcommittee on Energy and Water Development, business meeting to mark up proposed legislation making appropriations for Energy and Water Development for the fiscal year ending September 30, 2008, 3 p.m., SD–192.

Committee on Armed Services: to receive a closed briefing from the Joint Improvised Explosive Device Defeat Organization (JIEDDO), 9:30 a.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing, Transportation and Community Development, to hold hearings to examine ending mortgage abuse, focusing on safeguarding homebuyers, 2:30 p.m., SD–538.

Committee on the Budget: to continue hearings to examine health care and the budget, focusing on the Healthy Americans Act and other options for reform, 9:30 a.m., SD–608.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the impact of media violence on children, 10 a.m., SR–253.

Committee on Energy and Natural Resources: to hold an oversight hearing to examine the preparedness of the federal land management agencies for the 2007 wildfire season and efforts to contain the costs of wildfire management activities, 10 a.m., SD–366.

Committee on Rules and Administration: to hold hearings to examine Smithsonian Institution governance reform, focusing on a report by the Smithsonian's Independent Review Committee, 10 a.m., SR–301.

Committee on Small Business and Entrepreneurship: business meeting to consider original bills entitled, ''Entrepreneurial Development Act of 2007'', ''Small Business Venture Capital Act of 2007'', and other pending calendar business, 10 a.m., SR–428A.

Select Committee on Intelligence: closed business meeting to mark up S. 1547, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and S. 1548, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, to prescribe military personnel strengths for such fiscal year, 1:30 p.m., SH–219.

Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Armed Services, hearing on structure, process and tools for improving Department of Defense Management, 10 a.m., 2118 Rayburn.

Subcommittee on Military Personnel, hearing on findings of the Independent Review Group and an in-progress review of actions at Walter Reed, 1 p.m., 2218 Rayburn.

Subcommittee on Seapower and Expeditionary Forces, hearing on the Expeditionary Fighting Vehicle Program, 4 p.m., 2212 Rayburn.

Committee on the Budget, hearing on Foreign Holdings of U.S. Debt: Is Our Economy Vulnerable? 2 p.m., 210 Cannon.

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing entitled "Predatory Sales Practices in Medicare Advantage," 10 a.m., 2123 Rayburn.

Committee on Financial Services, to consider the following measures: H.R. 2547, FDIC Enforcement Enhancement Act; H. Con. Res. 140, Recognizing the low presence of minorities in the Financial services industry and minorities and women in upper level positions of management, and expressing the sense of the Congress that active measures should be taken to increase the demographic diversity of the financial services industry; and H.R. 2786, Native American Housing Assistance and Self-Determination Reauthorization Act of 2007, 10 a.m., and to hold a hearing entitled "A Review of Investor Protection and Market Oversight With the Five Commissioners of the Securities and Exchange Commission," 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, to mark up the following measures: H.R. 176, Shirley A. Chisholm United States-Caribbean Educational Exchange Act of 2007; H.R. 1400, Iran Counter-Proliferation Act of 2007; Food Security and Agricultural Development Act of 2007; H.R. 2003, Ethiopia Democracy and Accountability Act of 2007; H. Res. 121, Expressing the sense of the House of Representatives that the Government of Japan should formally acknowledge, apologize, and accept historical responsibility in a clear and unequivocal manner for its Imperial Armed Force's coercion of young women into sexual slavery, known to the world as "comfort women," during its colonial and wartime occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II; H.R. 2798, To reauthorize the programs of the Overseas Private Investment Corporation; H.R. 2293, To require the Secretary of State to submit to Congress a report on efforts to bring to justice the Palestinian terrorists who killed John Branchizio, Mark Parson, and John Marin Linde; the Library of Congress Public Diplomacy Collection Act of 2007; S. 377, U.S.-Poland Parliamentary Youth Exchange Act of 2007; H. Res. 208, Honoring Operation Smile in the 25th anniversary year of its founding; H. Res. 287, To celebrate the 500th anniversary of the first use of the name "America," H. Res. 294, Commending the Kingdom of Lesotho, on the occasion of International Women's Day, for the enactment of a law to improve the status of married women and ensure the access of married women to property rights; H. Res. 378, Honoring World Red Cross Red Crescent Day; H. Res. 380, Resolution commending Idaho on winning the bid to host the 2009 Special Olympics World Winter Games; H. Res. 426, Recognizing 2007 as the Year of the Rights of Internally Displaced Persons in Colombia, and offering support for efforts to ensure that the internally displace people of Colombia receive the assistance and protection they need to rebuild their lives successfully; H. Res. 427, Urging the Government of Canada to end the commercial seal hunt; H. Res. 457, Calling on the Russian Federation to withdraw its military forces, armaments, and ammunition stockpiles from the sovereign territory of the Republic of Moldova; H. Res. 467, Condemning the decision by the University and College Union of the United Kingdom to support a boycott of Israeli academia; H. Res. 482, Expressing support for the new power-sharing government in Northern Ireland; H. Res. 497, Expressing the sense of the House of Representatives that the Government of the People's Republic of China should immediately release from custody the children of Rebiya Kadeer and Canadian citizen Huseyin Celil and should refrain from further engaging in acts of cultural, linguistic, and religious suppression directed against the Uyghur people; H. Res. 500, Expressing the sense of the House of Representatives in opposition to efforts by major natural gas exporting countries to establish a cartel or other mechanism to manipulate the supply of natural gas to the world market for the purpose of setting an arbitrary and nonmarket price or as an instrument of political pressure; and H. Con. Res. 136, Expressing the sense of Congress regarding high level visits to the United States by democratically-elected officials of Taiwan; and H. Con. Res. 139, Expressing the sense of the Congress that the United States should address the ongoing problem of untouchability in India, 10 a.m., 2172 Rayburn.

Subcommittee on Western Hemisphere, hearing on Violence in Central America, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, hearing on the National Football League's System for Compensating Retired Players: An Uneven Playing Field? 1 p.m., 2141 Rayburn.

Subcommittee on the Constitution, Civil Rights and Civil Liberties, oversight hearing on Habeas Corpus and Detention at Guantanamo Bay, 2 p.m., 2237 Rayburn.

Subcommittee on Crime, Terrorism and Homeland Security, hearing on Mandatory Minimum Sentencing Laws—the Issues, 9:30 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Fisheries, Wildlife and Oceans, hearing on The Bird and The Bees: How Pollinators Help Maintain Healthy Ecosystems, 1 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Domestic Policy, hearing on Adequacy of Labor Law Enforcement in New Orleans, 2 p.m., 2247 Rayburn.

Subcommittee on Information Policy, Census, and National Archives, hearing on 2010 Census: Improving Local Government Participation in LUCA, 2 p.m., 2154 Rayburn.

Committee on Rules, to consider H.R. 2829, making appropriations for financial services and general government

for the fiscal year ending September 30, 2008, 2 p.m., H–313 Capitol.

Committee on Science and Technology, Subcommittee on Technology and Innovation, hearing on SBIR and STTR—How Are the Programs Managed Today? 2 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, to mark up the following bills: H.R. 2722, Integrated Deepwater Reform Act; and H.R. 2830, Coast Guard Authorization Act of 2007, 2 p.m., 2167 Rayburn.

Subcommittee on Railroads, Pipelines and Hazardous Materials, hearing on Benefits of Intercity Passenger Rail, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Health, hearing on Safe and Sensible: Ensuring Kidney Patients Receive Safe and Appropriate Anemia Management Care, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, to consider Member Requests, 5:30 p.m., H–405 Capitol.

Subcommittee on Oversight and Investigations, executive, briefing on the Office of the Department of Defense Inspector General, 2:30 p.m., H–405 Capitol.

Subcommittee on Technical and Tactical, executive, hearing on Technical Programs, 4 p.m., H–405 Capitol.

Next Meeting of the SENATE

10 a.m., Tuesday, June 26

Senate Chamber

Program for Tuesday: Senate will continue consideration of the motion to proceed to consideration of H.R. 800, Employee Free Choice Act, and resume consideration of the motion to proceed to consideration of S. 1639, Comprehensive Immigration Reform, en bloc, and following a period of debate, vote on the motion to invoke cloture on H.R. 800; following which, Senate may vote on the motion to invoke cloture on the motion to proceed to consideration of S. 1639.

(Senate will recess from the conclusion of the second vote until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Tuesday, June 26

House Chamber

Program for Tuesday: Consideration of H.R. 2643—Department of the Interior, Environment, and Related Agencies Appropriations Act, 2008 (Subject to a Rule).

Extensions of Remarks, as inserted in the House

HOUSE

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Cole, Tom, Okla., E1407
Cummings, Elijah E., Md., E1407
Edwards, Chet, Tex., E1405
Hoyer, Steny H., Md., E1407
Jordan, Jim, Ohio, E1406
Lee, Barbara, Calif., E1406
Miller, Jeff, Fla., E1405
Moore, Gwen, Wisc., E1406
Nunes, Devin, Calif., E1406
Pallone, Frank, Jr., N.J., E1406
Payne, Donald M., N.J., E1403
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Reynolds, Thomas M., N.Y., E1401, E1402
Sali, Bill, Idaho, E1401
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Tancredo, Thomas G., Colo., E1401
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Udall, Mark, Colo., E1408
Walz, Timothy J., Minn., E1407

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