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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 24, 2007.

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

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

RECESS

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

Accordingly (at 9 o'clock and 3 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. DAVIS of California) at 10 a.m.

PRAYER

Reverend Galen E. Hahn, Evangelical United Church of Christ, Portsmouth, Ohio, offered the following prayer:

Laus Deo. Praise be to God. Our elected Representatives, O God, work diligently on this day to represent the interests and the needs of the many peoples of this land. Holding a people together as one has been a challenge to former leaders of this land.

May our congressional leaders be guided throughout their many efforts this day by the words of Washington's prayer that we all be disposed to do justice, to love mercy, and to walk humbly before You, O God.

Saving grace, we know, is not simply a personal attainment apart from community responsibility. It is also community accomplishment expressed in thankfulness to the Source from which it comes.

Bless our leaders this day with thankfulness in their hearts. May their lives and their leadership give praise to You, O God. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. DUNCAN led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

S. 1856. An act to amend title 18, United States Code, to make technical corrections to the new border tunnels and passages offense.

WELCOMING REVEREND GALEN HAHN

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

Mrs. SCHMIDT. Madam Speaker, I rise today to recognize my friend Reverend Galen Hahn, who is serving as guest chaplain for the House of Representatives today.

Reverend Hahn is the pastor of the Evangelical United Church of Christ, located in my district in Portsmouth, Ohio. Reverend Galen Hahn graduated from Frederick High School in Maryland. As a high school student, Reverend Hahn led youth in contributing to the building of the President John F. Kennedy Library and served as an usher on the Presidential Reviewing Stand of Lyndon B. Johnson. After high school Reverend Hahn went on to graduate from Yale Divinity School in Connecticut and was ordained a minister in the United Church of Christ.

Reverend Hahn has pastored throughout the country. He has offered ordained Christian service to the Moravian Church and the United Methodist Church in North Carolina and started a Montessori preschool in Illinois, which continues to this day. He has led scouts in worship on the battlefields of Monocacy, Antietam, and Gettysburg, and has held a memorial service at the

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grave site of President George Washington.

Galen's wife Sandy has led worship at Camp David for President and Mrs. George Herbert Walker Bush. Today Galen and Sandy are celebrating their 36th wedding anniversary as well as their oldest daughter Whitney's 30th birthday.

Reverend Hahn has invested his life's energy in service to God and country and the oneness of these two entities.

Madam Speaker, I ask all my colleagues to join me in welcoming Reverend Galen Hahn to the House of Representatives as our guest chaplain.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the House that on July 24, 1998, at 3:40 p.m., Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police were killed in the line of duty defending the Capitol against an intruder armed with a gun.

At 3:40 p.m. today, the Chair will recognize the anniversary of this tragedy by observing a moment of silence in their memory.

THE FARM BILL

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

Mr. BLUMENAUER. Madam Speaker, the farm bill in its current form is a missed opportunity to strengthen family farms while reforming American agriculture. The bill coming out of committee is absolutely the least that can be done.

Long overdue support for specialty crops is welcome, but a relative drop in the bucket in terms of overall agricultural spending. Conservation is honored more in word than deed, and the massive payments to the wealthiest few farmers are virtually unrestricted. The new adjusted gross income limit of $900,000 is almost meaningless, the proof being that it only saves a few million dollars. There is no meaningful limit on rice and cotton farmers, and it sweetens the outrageous deal for Big Sugar. It is sad that it continues to shortchange the family farm, forcing them to compete with heavily subsidized large operators who will continue to buy them out, making it harder for most farmers to make a living.

Luckily for people who eat and people who farm, there still is a chance for reform. And I urge my colleagues to carefully examine the bipartisan amendment from Congressmen KIND, FLAKE, and RYAN.

CONCRETE PROGRESS IN NORTH KOREA

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

Mr. WILSON of South Carolina. Madam Speaker, last Tuesday the Post and Courier of Charleston, South Carolina, editorialized: ''After more than 5 years of impasse and hostility, the patient multinational diplomacy launched by President Bush has borne its first fruit in North Korea. The intricate deal reached last spring for a path to a nuclear-free Korean Peninsula is advancing with the shutdown of a reactor that produces plutonium for the dictatorship's nuclear weapons program.

''It signals that North Korea is committed, so far, to a step-by-step bettering of relations with its neighbors and particularly with the United States. The shutdown was confirmed by the International Atomic Energy Agency.''

In 2003, I participated in a rare delegation visiting Pyongyang, and I am grateful that ''the six-nation framework devised by Mr. Bush and ably hosted by China . . . has led to the current progress.'' I saw firsthand where North Korea can benefit by opening its economy.

In conclusion, God bless our troops, and we will never forget September the 11th and the Glasgow airport attack.

THE WORKERS OF THE GREATER NEW ORLEANS AREA AND THE MINIMUM WAGE INCREASE

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

Mr. JEFFERSON. Madam Speaker, the workers of the greater New Orleans area, in large part, are hospitality industry workers. These hardworking men and women greet the world with wide smiles and warm embraces as they welcome millions of tourists and conference attendees to the metropolitan New Orleans area. These workers make sure that the hotel rooms, the restaurants, and other places of rest and recreation are clean, safe, and comfortable.

But behind this public veneer lies another story, a story of the difficult lives of the working poor. These hardworking people never have a chance to take a vacation for themselves, or attend a conference, or benefit from the delights that they make it possible for their city and region to offer. Their wages never crack the poverty level. They are not unionized and have few, if any, job benefits.

So I rise today to applaud the work of this Congress, this new majority, for taking a big step in the right direction by increasing the minimum wage. For the low-wage workers in my area, it means that the nightmare of the single longest stretch in our Nation's history without a minimum wage increase is ending. It means that many of the workers in our area will have a little more food on the table, a little more in the way of resources to house and care for their families, and a lot more dignity.

For this, we thank this Congress.

PLANNED DEFEAT

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

Mr. POE. Madam Speaker, the war in Iraq is the most difficult and important issue facing our Nation today. The stakes there are simply too high for us to ignore the consequences of failure. Most military analysts agree that an arbitrary immediate withdrawal from Iraq would spiral that country and the surrounding region into chaos.

Failing to secure Iraq will provide a fertile ground for terrorist actions that affect not only Iraq, but America and the rest of the free world. Extremist organizations will tout an American retreat as a major victory for terrorism. Once again saying that America doesn't ever have the stomach to finish a war. Terrorist leaders will make use of a fractured Iraq to train, equip, and provide sanctuary for their forces in much the same way that Afghanistan provided a haven for the Taliban and al Qaeda. Radicals will exploit the anarchy and abandon Iraq and will seek to spread jihadist movements to moderate Arab States. Arbitrary withdrawal will only encourage our enemy.

War is hard, but a planned defeat by retreat is hardly an answer to success.

And that's just the way it is.

SCHIP

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

Mr. EMANUEL. Madam Speaker, Republicans and Democrats throughout the Nation agree no child in our Nation should go without health care. In States across the country, Democratic and Republican Governors have supported strengthening the Children's Health Insurance Program. In the Senate, Republicans have come forward and said they support the Democratic plan to give millions of children health care.

Now the only question is whether our Republican colleagues here in the House will join our effort to give 10 million children the care they need and deserve. Remember, this is the same guarantee our own children have. The kids of Congress men and women get the health care they need and the health care they deserve. The question is are we going to provide that for our constituents' children?

The Children's Health Insurance Program has broad bipartisan political support, and we are on the brink of providing 10 million children that quality care. That is millions of children who will be able to see a doctor they deserve when they are sick. And it is millions of children and their families who aren't interested in our political battles or political posturing that won't heal a sick child or give them comfort when they are ill.

Republican Senators have stepped forward. Now the children across America and their parents are waiting on this Congress to act. And the question is, will this Congress give our constituents' children the same health care that their own children have?

DUTY CALLS US TO BE MORE THAN ''SUNSHINE PATRIOTS''

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

Mr. AKIN. Madam Speaker, during the War of Independence, Paine said: ''These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from service of their country . . .''

America is again at war, and duty calls us to be more than sunshine patriots.

I have been to Iraq. My son is a Marine captain who has been in Fallujah.

We have heard on the Armed Services Committee from scores of witnesses, liberals and conservatives and everything in between, and no one has offered a plan that is better than what we are currently executing in Iraq, and everyone agrees that a rapid withdrawal of troops will result in civil war and a regional conflict.

If the Democrats have a better plan, let them offer it. Otherwise, let our troops get the job done.

It is politically popular to sound retreat and to play the sunshine patriot, but duty, honor, and country demand that America stand for freedom once again. We must accept nothing less.

URGING REAUTHORIZATION OF SCHIP

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

Mr. ALTMIRE. Madam Speaker, today House Democrats unveiled the Children's Health and Medicare Protection Act. It was endorsed by the National Governors Association, a bipartisan group of our Nation's Governors, who just last week asked us for urgent action to reauthorize the Children's Health Insurance Program.

The SCHIP program that we are reauthorizing will ensure that millions of children have access to high-quality, cost-effective health insurance, and it will protect and strengthen the Medicare Trust Fund.

Now, while the President's budget underfunded this program, knocking 1 million children off of the rolls of the SCHIP program, I ask my colleagues on both sides of the aisle to join us in a bipartisan effort to show support for the SCHIP program and reauthorize and support the Children's Health and Medicare Protection Act.

□ 1015

PROTECT LAKE MICHIGAN FROM BP DUMPING

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

Mr. KIRK. Today, bipartisan Representatives from Illinois will meet with Bob Malone, the chairman of BP North America. Why? Because Mr. Malone and his team want to increase their dumping of ammonia and suspended solids in our drinking water, Lake Michigan.

BP hired a consultant who told them what they wanted to hear, that despite being one of the most profitable companies on Earth and spending $3 billion to upgrade their Indiana refinery, they can't find the space to prevent dumping in Lake Michigan.

This morning, the House will take up a bipartisan resolution condemning BP's plan to dump in Lake Michigan. I hope that BP will tell us today that they are reconsidering their plans. I hope they hear the voices of 2,700 Americans in my district that signed a petition against the BP dumping plan. I hope they hear the voice of 19 Republicans and Democrats that asked the EPA to pull the permit.

BP should hear the voice of the House this morning. If not, BP has to understand that our action this morning is only the opening step by action in the Congress to protect Lake Michigan.

DEMOCRATS' EFFORT TO INCREASE MINIMUM WAGE IS PART OF BROADER ECONOMIC AGENDA

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

Mr. ARCURI. Madam Speaker, today marks the first time in a decade that those hardworking workers who earn minimum wage will receive a pay raise. Today, around the Nation, workers who have been paid $5.15 for 10 years will finally get a boost in their pay. This wage increase will directly benefit low-income workers who need it most.

We should never forget that most minimum wage workers are adults who work to support themselves and their families, and many are single mothers who must work several jobs to make ends meet. And while some at the very top are primarily benefiting from the supposed economic recovery, most workers have seen very little economic progress. Average real wages are lower today than they were in 2001, even though productivity is up by 13 percent.

Madam Speaker, this wage increase is a great concrete step by the new Democratic-led Congress toward a broader agenda that will help us not only grow our economy, but ensure that every American benefits from that growth.

HONORING CHASKA, MINNESOTA FOR BEING NAMED ONE OF TOP TEN BEST PLACES TO LIVE

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

Mr. KLINE of Minnesota. Madam Speaker, I rise today to honor and congratulate the community of Chaska, located southwest of the Twin Cities, and a town I'm proud to say is part of Minnesota's Second Congressional District.

Money magazine confirmed what many of us in the great State of Minnesota already knew by naming Chaska as one of the top 10 best places to live in America. Money magazine accurately describes Chaska as having both beauty and brains. A stroll downtown Chaska by City Square Park brings to life images from Norman Rockwell paintings, depicting all that is good about small town America. Chaska's small 19th-century downtown quickly yields to open fields, farmland and the Minnesota River. It is also home to innovation, with more than a dozen technology and biotech companies. It is no wonder why this town is a magnet for families who can find reasonably priced homes, low taxes and quality schools.

Congratulations again to the entire community of Chaska for earning this prestigious distinction. We in Minnesota's Second District are proud.

RAISING THE MINIMUM WAGE

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

Mr. YARMUTH. Madam Speaker, in this body, where we often discuss proposals to allocate millions or billions of dollars, it can become easy to lose sight of what just a few thousand dollars a year can do. But the increase in the minimum wage, the first part of which takes effect today, will make a major difference in the lives of America's working families. The extra $4,400 per year that these families will bring home to their families will have a very tangible impact on their lives.

For families who have struggled too long without a raise, $4,400 a year translates into 15 months of groceries, 19 months of paid utility bills, 20 months of child care, or well over 2 years of employer-provided health care. The extra money could even pay for 30 months of tuition at a public 2-year college, allowing these parents to get additional education or to help their children achieve their dream of attending college.

Madam Speaker, thanks to the Federal minimum wage increase passed by this Democratic Congress, nearly 13 million working Americans and more than 6 million children will have a chance at a better life. This fair and long overdue pay raise is an important first step in moving our Nation in a new economically healthy direction.

ARBITRARY FUEL STANDARDS COST JOBS—DON'T SAVE ENERGY

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

Mrs. MILLER of Michigan. Madam Speaker, 30 years ago, Congress established CAFE standards to lower our dependence on foreign oil. And the cost? Hundreds of billions of dollars to comply with the regulation, hundreds of thousands of auto jobs lost, and dependence on foreign oil has gone up over 100 percent.

CAFE has not worked. It's an antiquated model, and we should be pursuing new technologies instead. But Democratic leaders are pushing even more stringent CAFE. Democrats are telling auto companies to produce more hybrids and other unprofitable vehicles to comply with new regulations.

A recent JD Power survey shows consumer demand is dropping for hybrids, forcing costly incentives to move these expensive vehicles. Even Honda is discontinuing its Accord hybrid because of poor sales.

If we worked with the domestic auto industry to develop leap-ahead technologies and make them affordable for all consumers instead of overregulating, we could achieve breakthroughs to reach our goals and to protect American jobs, but instead, the Democratic leadership has made a conscious decision to bankrupt Michigan.

RAISING THE MINIMUM WAGE

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

Mr. HALL of New York. Madam Speaker, when the Democrats won control of Congress in November, we committed to raising the minimum wage for the first time in 10 years and to provide tax relief to our small businesses.

Today's increase in the Federal minimum wage marks a concrete step that this new Congress is taking to provide greater opportunity and prosperity for all working Americans. The considerable small business tax relief that was passed along with the minimum wage increase reflects a broader American agenda to expand our economy and give small businesses more room to grow and succeed. This relief includes allowing small businesses larger tax reductions, making it easier to expand and provide better services, and specific relief from the AMT.

I am proud that the State of New York has already been a leader in providing workers with a living wage, and the raise that goes into effect today will put our businesses in New York on a level playing field with the rest of the country.

HONORING MARYVILLE INTERMEDIATE SCHOOL SIXTH GRADE WIND ENSEMBLE BAND

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

Mr. DUNCAN. Madam Speaker, I rise today to honor a fine group of sixth graders from my district in Tennessee. The Maryville Intermediate School Sixth Grade Wind Ensemble Band from Maryville, Tennessee, is headed to Chicago for the prestigious 2007 Midwest Clinic, an international band and orchestra concert.

The event is known in band and orchestra circles as one of the highest honors a musical group can receive. They were chosen to participate only after an extensive audition process in which they competed against other bands and orchestras from high schools, communities, colleges and universities and militaries from around the world.

This is certainly a great achievement in and of itself. But the Maryville band is special in another way; they are the first sixth grade band in the Clinic's 61-year history to be invited to participate. It is an honor that the close-knit community of Maryville can be proud of, and just another example of the incredible spirit of the people of east Tennessee.

Madam Speaker, in closing, I urge my colleagues to join me as I salute Maryville Intermediate School's Wind Ensemble Band and its directors, George Hayden and RoAnn Romines, on this much-deserved accomplishment. I wish them many more musical scores to come.

RAISING THE MINIMUM WAGE

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

Mr. WILSON of Ohio. Madam Speaker, today, for the first time in a decade, America's minimum wage workers are getting a pay raise.

The minimum wage increase would never have happened had not congressional Democrats made it one of their top priorities when we came to Capitol Hill at the beginning of this year.

During our first 100 hours, House Democrats passed this much-deserved pay raise with the support of 82 congressional Republicans. As health care and groceries and energy and housing costs skyrocket for the average consumer, for many years these needs were ignored for millions of Americans.

And every day the minimum wage was not raised, it lost its value. As a matter of fact, the minimum wage was at its lowest level in inflation-adjusted terms since 1955. This is simply not fair, and that's why the new Democratic Congress has made increasing the minimum wage one of its top priorities. And with this increase today, Madam Speaker, Democrats are delivering on the promise that we made to the American people.

PROVIDING A SECURE ENERGY FUTURE

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

Mr. BARRETT of South Carolina. Madam Speaker, we must find ways to be less reliant on foreign supplies of oil and gas. And this is more than an energy issue; this is a national security issue. We cannot be beholden to our enemies for our energy supply. But the good news is we're making progress domestically to find a diverse energy supply using alternative energy sources.

South Carolina, which is becoming a front-runner in alternative energy for the Nation, received $1 million to fund cellulosic ethanol process development. These funds will support a bioethanol project that Clemson University, SC Bio, Savannah River National Lab and the Queensland University of Technology collaborated on using novel technology.

The time is now to provide a secure energy future for generations to come. And fortunately, we are working domestically to ensure that ethanol technology here at home is a permanent fix to solving our dependency on foreign energy sources.

MILITARY FAMILIES AND THE MINIMUM WAGE

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

Mr. BUTTERFIELD. Madam Speaker, today, many American families will finally receive a long overdue pay raise when phase one of the Federal minimum wage increase takes effect.

It has been 10 long years since American workers have seen an increase in the Federal minimum wage, the longest gap in the history of the law. Over that decade, inflation has all but erased the effect of the last increase, leaving millions of families, including military families, struggling to survive.

Currently, Madam Speaker, 10 percent of military spouses earn between $5.15 and $7.25 an hour. These 50,000 military families are part of the nearly 13 million Americans who will benefit from the Federal minimum wage increase that takes effect today.

Madam Speaker, increasing the minimum wage is just one part of a broader American agenda to strengthen the economy and help working families. Democrats believe that all Americans, not just the privileged few, deserve to make a living wage.

I am proud that we passed this legislation, and especially glad that it will help so many of our military families.

''HOLD ON TO YOUR WALLET CONGRESS'' IS AT IT AGAIN

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

Mrs. BLACKBURN. Madam Speaker, I know this is beginning to sound like a broken record, but the ''Hold on to Your Wallet Congress'' is at it again.

In today's latest episode, the liberal leadership has proposed another spending bill that will most likely be dead on arrival when it hits the President's desk because it shows disrespect for the taxpayers' dollar.

The Democrat Transportation-HUD spending bill provides for a whopping $104.4 billion in spending for the next fiscal year, which is more than $4 billion in new spending and more than $2.8 billion above what the President requested.

The legislation increases spending for earmarks. And it does fail to address the very real solvency issues of the highway trust fund, which will face a $4 billion shortfall in 2009.

The bill is irresponsible, sets the wrong priorities, and adds to the already staggering level of additional new spending in the 110th Congress.

The current Congress pledged to curb runaway spending, but instead they have moved it to the fast lane and they've set the pedal to the metal to see how fast they can spend your dollar.

INCREASE IN MINIMUM WAGE

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

Mr. PAYNE. Madam Speaker, as a senior member of the House Education and Labor Committee, I am proud that today many Americans will receive their first pay raise in a decade because the Fair Minimum Wage Act passed by the Democratic Congress goes into effect.

These hardworking Americans, 40 percent of whom are minorities, will receive a 70-cents-per-hour raise today, which will be followed by two more 70-cent increases in July 2008 and July 2009. This will result in a total of $2.10 increase, or $4,400 a year. This boost in pay will make a significant difference in the lives of these American families who are trying to survive on a minimum wage that has reached its lowest effective level in more than half a century. It means more food on their tables, better health care for their families, and a shot at sending their children to college.

Everyone who works full time should have the chance to achieve these pieces of the American Dream. And with this increase in minimum wage which begins today, they can.

I am proud to be a part of the Democratic Congress that passed this long overdue pay raise for millions of hardworking Americans. I want to note that my home State of New Jersey led the way in an increase in minimum wage. Our minimum wage is already $7.15 an hour, and that rate was effective since October 2006.

AUTHORIZING PRINTING OF CERTAIN PUBLICATIONS

Mr. BRADY of Pennsylvania. Madam Speaker, I send a concurrent resolution (H. Con. Res. 190) to the desk and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

□ 1030

Mr. EHLERS. Madam Speaker, reserving the right to object, will the gentleman explain the resolution, please.

Mr. BRADY of Pennsylvania. Madam Speaker, this concurrent resolution provides for printing additional copies of three congressional publications that our constituents frequently request from us and of which supplies are nearly exhausted. Two of the publications are about the U.S. Constitution. With Constitution Day, September 17, approaching fast, we need to replenish our supplies so that Members can fulfill the requests from schools, civic organizations and others.

Madam Speaker, I know of no controversy and urge an ''aye'' vote.

Mr. EHLERS. Madam Speaker, under my reservation, I would simply comment that these are remarkably good documents. We make great use of them in the United States. Frankly, I would like to see the dollar limit removed, because these are very valuable documents for students in the schools. I know we receive many, many requests for them, frequently more than we can handle.

Madam Speaker, I strongly support the resolution with the one reservation that I wish we could increase the allocation; however, I don't want to stop the flow of democracy here.

Madam Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 190

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

SECTION 1. HOW OUR LAWS ARE MADE.

(a) IN GENERAL.—An edition of the brochure entitled ''How Our Laws Are Made'', as revised under the direction of the Parliamentarian of the House of Representatives in consultation with the Parliamentarian of the Senate, shall be printed as a House document under the direction of the Joint Committee on Printing.

(b) ADDITIONAL COPIES.—In addition to the usual number, there shall be printed the lesser of—

(1) 550,000 copies of the document, of which 440,000 copies shall be for the use of the House of Representatives, 100,000 copies shall be for the use of the Senate, and 10,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies of the document as does not exceed a total production and printing cost of $479,247, with distribution to be allocated in the same proportion as described in paragraph (1), except that in no case shall the number of copies be less than 1 per Member of Congress.

SEC. 2. DOCUMENT-SIZED, ANNOTATED UNITED STATES CONSTITUTION.

(a) IN GENERAL.—The 2007 edition of the document-sized, annotated version of the United States Constitution shall be printed as a House document under the direction of the Joint Committee on Printing.

(b) ADDITIONAL COPIES.—In addition to the usual number, there shall be printed the lesser of—

(1) 550,000 copies of the document, of which 440,000 copies shall be for the use of the House of Representatives, 100,000 copies shall be for the use of the Senate, and 10,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies of the document as does not exceed a total production and printing cost of $535,853, with distribution to be allocated in the same proportion as described in paragraph (1), except that in no case shall the number of copies be less than 1 per Member of Congress.

SEC. 3. POCKET VERSION OF THE UNITED STATES CONSTITUTION.

(a) IN GENERAL.—The 23rd edition of the pocket version of the United States Constitution shall be printed as a House document under the direction of the Joint Committee on Printing.

(b) ADDITIONAL COPIES.—In addition to the usual number, there shall be printed the lesser of—

(1) 550,000 copies of the document, of which 440,000 copies shall be for the use of the House of Representatives, 100,000 copies shall be for the use of the Senate, and 10,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies of the document as does not exceed a total production and printing cost of $188,462, with distribution to be allocated in the same proportion as described in paragraph (1), except that in no case shall the number of copies be less than 1 per Member of Congress.

The current resolution was agreed to.

A motion to reconsider was laid on the table.

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 the motion 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.

Any record vote on the postponed question will be taken later today.

EXPRESSING THE SENSE OF CONGRESS REGARDING THE DUMPING OF INDUSTRIAL WASTE INTO THE GREAT LAKES

Mr. OBERSTAR. Madam Speaker, I move to suspend the rules and agree to

the concurrent resolution (H. Con. Res. 187) expressing the sense of Congress regarding the dumping of industrial waste into the Great Lakes.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 187

Whereas the Great Lakes are the largest surface freshwater system on the planet;

Whereas the Great Lakes account for 95 percent of the United States' surface fresh water and about 21 percent of the world's supply;

Whereas the Great Lakes provide drinking water for more than 30 million Americans;

Whereas, on May 18, 2004, President George W. Bush said ''the Great Lakes are a national treasure'';

Whereas Congress has expressed its commitment to protecting the Great Lakes from pollutants and contaminants through the Clean Water Act and subsequent legislation;

Whereas the United States Environmental Protection Agency (EPA) and Environment Canada joined together in promulgating the Great Lakes Binational Toxics Strategy to eliminate the presence of persistent toxic substances in the Great Lakes basin;

Whereas the ''mixing zones'' that dilute toxic chemicals discharged into the Great Lakes system have been controversial as a possible threat to humans, fish and wildlife;

Whereas the Great Lakes are plagued by pollutants such as mercury, PCBs, ammonia, DDT, alkylated lead, hexachlorobenzene, TCDD, toxaphene, and others;

Whereas high amounts of ammonia can cause algae blooms that threaten fish and water quality;

Whereas the Indiana Department of Environmental Management recently issued a permit to BP PLC to allow their facility in Whiting, IN, to release 54 percent more ammonia and 35 percent more total suspended solids into Lake Michigan each day;

Whereas the BP Whiting facility will now be allowed to dump an average of 1,584 pounds of ammonia and 4,925 pounds of total suspended solids daily into Lake Michigan;

Whereas the Great Lakes already face myriad challenges from chemicals and pollutants, including a steep increase in fish consumption warnings and record numbers of beach closures; and

Whereas Congress has a clear role in protecting the Great Lakes as an entity that spans across State and international boundaries: Now, therefore, be it

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

(1) Congress expresses its disapproval of the Indiana Department of Environmental Management's issuance of a permit allowing BP to increase their daily dumping of ammonia and total suspended solids into Lake Michigan;

(2) Congress urges the State of Indiana to reconsider issuance of a permit allowing BP to increase their daily dumping of ammonia and total suspended solids into Lake Michigan;

(3) Congress should take action to protect and restore the Great Lakes;

(4) the United States Environmental Protection Agency's actions in the Great Lakes basin should be consistent with the goal of preserving and restoring the Great Lakes; and

(5) the United States Environmental Protection Agency should not allow increased dumping of chemicals and pollutants into the Great Lakes.

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

The Chair recognizes the gentleman from Minnesota.

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

Madam Speaker, we are gathered here to commemorate two extraordinary events. Forty years ago, the Cuyahoga River en route to Lake Erie caught fire and galvanized the attention of a Nation and the action of Congress to strengthen the Federal Water Pollution Control Act resulting in the Clean Water Act of 1972.

You would have thought that the Nation had learned its lesson with the Cuyahoga River incident and the other tragedies that befell the Great Lakes over the years; the invasion of lamprey eel and subsequent nonindigenous invasive species, and other tragedies, such as industrial dumping, that nearly resulted in the death of Lake Erie.

But here we are gathered, 40 years later, to face a report from the Chicago Tribune that the regulators in the State of Indiana have given permission for BP, one of the world's largest energy companies, to release half more ammonia than they are and one-third more sludge into Lake Michigan each day.

The gentleman from Illinois (Mr. EMANUEL) sprang to the defense of Lake Michigan, as have numerous of our colleagues that are gathered here with us today, and mobilized a resolution that we have under consideration today.

Madam Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Madam Speaker, I thank my colleague from Minnesota, who has been a leader on the Great Lakes issue, and also my colleagues on the other side of the aisle, because this issue is not a Democratic or a Republican issue; it is an issue between right and wrong.

British Petroleum, who is now seeking to expand their refinery capacity in Indiana, has run advertising campaigns all over the country that they are ''beyond petroleum.'' If they are allowed to dump more ammonia and mercury and other metals into the Great Lakes, BP's ''beyond petroleum'' will become standard for ''big polluter.''

I say that not just as a way to embarrass them, although I hope it accomplishes that goal. They have the capacity to live up to what they are advertising; that they are a company that is sensitive to the environment.

Thirty-seven million Americans now get their daily drinking water from the Great Lakes. It is the largest body of fresh water in North America. It contains 20 percent of the world's freshwater supply. It is the economic heart of the Midwest.

As my colleague Mr. OBERSTAR noted, the fire at the Cuyahoga River and on Lake Erie galvanized the country. When I was growing up, prior to that bill, we used to run past the dead fish, dive into Lake Michigan, and swim 30 or 40 feet past all the dead fish to pop up. The Clean Water Act improved dramatically the environmental standard of Lake Michigan, Lake Erie, Lake Superior, Lake Ontario and all the Great Lakes. The question here is, are we going to move forward, or are we going to go back?

What is ironic about all of this is that this issue isn't about technology. They can do the refining to clean up and make sure that we don't dump ammonia and mercury and other environmental hazards into the lake. The question here is not technology or money. They are spending $3.8 billion to expand this facility, which is a good thing to do, because it will help on the energy supply.

The question is they said they don't have the land mass to deal with it. They have 2.6 square miles there. If you look on the Google map, you can see the size of what they have. It is 1,600 acres. They have the land capacity to do this.

Now, I compliment British Petroleum on one other issue. They brought Democrats and Republicans together on a single issue. They are a uniter, not a divider. Usually we are divided here on other issues, so I want to compliment BP for having brought Democrats and Republicans together in a unique act of bipartisanship realizing that Lake Michigan and other Great Lakes deserve our support.

We have made great progress. The question before us is whether BP will live not only up to their advertising, but what this Congress has committed to do, and every Congress has committed to do for the last 30 years, is that when it comes to our lakes, our drinking waters, whether we are going to go forward or backward.

I would hope that BP would take this notion that what they are seeing today on the floor is the beginning of a pressure, and that they realize that the decision they make, they can do the right thing. I think every one of us knows that if they made a decision to expand their refinery with the environmental qualities, every one of us would put a resolution on the floor the next day praising them for that decision.

So they have the choice: We will join them and say that they are right. They are a company that literally puts their money where their mouth is. Are they ''beyond petroleum,'' or will they be the company known as the ''big polluter''? They have a choice.

I want to thank my colleague from Minnesota for having this resolution on the floor and taking the leadership and the time to commit to this.

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

Madam Speaker, this issue before us first came to my attention 9 days ago in a July 15 story published in the Chicago Tribune entitled ''BP Gets Break

Dumping in Lake.'' Shortly after that I went into a meeting which Mr. OBERSTAR was chairing, and I alerted him to the issue, because I know he loves the Great Lakes as much as I do.

That article highlighted the wastewater discharge permit granted by the State of Indiana to British Petroleum for its refinery facility in Whiting, Indiana, on the shores of Lake Michigan. The new permit allows BP to discharge an average of 1,584 pounds of ammonia per day, up from 1,030 pounds per day, a 54 percent increase above the old limit. The new permit also allows BP to discharge 4,925 pounds of total suspended solids per day, up from 3,646 pounds per day, a 35 percent increase. This level of discharge is extremely disconcerting to me and the entire Great Lakes region.

Let me provide a little background information. The BP facility in Whiting was built in 1889 by John D. Rockefeller's Standard Oil Company. Today, it is the fourth largest refinery in the country. It employs 1,700 people and supports another 1,500 contract workers in producing gasoline, diesel and jet fuel. It is a major, major refining operation not just in northwest Indiana, but, indeed, the entire Midwest.

BP plans to spend more than $3 billion in upgrading and expanding the facility so it can process more heavy crude from Canada. I support the expansion of refinery capacity to help address our immediate and pressing need for fuel in the Midwest, but I know that the switch to refining more Canadian crude will inevitably lead to more waste from the facility.

No one is accusing BP of subverting the regulatory process. The permit went through the regular public comment period, although I must say that the time between the notice and the final issuance seems to me a very short period for a project of this magnitude. According to the Indiana Department of Environmental Management, the permit was issued in full accordance and compliance with State and Federal environmental laws. If that is true, and I don't doubt that it is, there is something wrong with State and Federal environmental laws.

The benefits of this project should not come at the expense of our most precious natural resource. The Great Lakes are the world's largest freshwater system and serve as a source of drinking water, food, jobs and recreation for more than 40 million Americans. It is critical that we enhance our restoration efforts for this vital resource. It is already polluted enough, and we certainly do not want to degrade the condition of the lakes even further.

All the communities and States around the lakes have tried to improve their practices. My own town, my city of Grand Rapids, Michigan, has spent several hundred million dollars improving its wastewater treatment system to help clean up the lake, and that is the story in many cities around the lakes.

President Bush 2 years ago issued an Executive Order calling together the mayors and the Governors of the Great Lakes regions, the Members of Congress, the environmentalists and the tribes to work together to develop a solution to the pollution in the lakes. Over 1,500 policymakers and stakeholders came together in a collaborative process to develop a long-term strategic action plan for protecting and restoring the environmental health of the Great Lakes. I was proud to participate in that process as the congressional representative, and I have a bill in process which will make the collaborative's recommendations come into law.

The discharge of harmful pollutants that is proposed by BP and permitted by the State of Indiana is totally inconsistent with the goals of Great Lakes restoration. Ammonia and TSS, suspended solids, promote algae blooms that can suffocate fish, destroy fish habitat, deprive plants of sunlight and oxygen, and trigger beach closings. We cannot allow for more of these kinds of problems in the lake.

For these reasons, Madam Speaker, I would urge both the EPA and the State of Indiana to take a second look at this permit and find a better means of disposal. I also urge BP to look at other means of disposal. Certainly if they can afford to pipe crude oil from Canada thousands of miles through pipelines, they certainly should be able to find a better solution for disposal of wastes.

I urge my colleagues to support this bipartisan resolution.

Madam Speaker, I reserve the balance of my time.

Mr. OBERSTAR. Madam Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. VISCLOSKY), the distinguished chairman of the Energy and Water Appropriations Subcommittee.

Mr. VISCLOSKY. Madam Speaker, I thank the gentleman for yielding. I rise in support of the resolution.

Ever since the author Rachel Carson ushered in the advent of environmental awareness with her book ''The Silent Spring,'' Americans have understood that we owe it to future generations to be good stewards of the planet and the environment. As in the case with every problem, we should work toward a solution not by asking how little must be done, but rather by asking what is the right thing to do?

As the chairman of the Energy and Water Appropriations Subcommittee, I feel I have a unique perspective on the issues contained in this resolution.

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As chairman of the Energy Subcommittee on Appropriations, I respect BP's foresight. Their investment of a half billion dollars, in collaboration with the University of California-Berkeley and the University of Illinois, Champaign-Urbana to increase energy production through renewable biofuels is a worthwhile goal. These fuels have the potential to increase our domestic fuel capabilities and strengthen our national security by reducing our dependency on foreign oil.

As chairman of the Water Subcommittee on Appropriations, I also fully appreciate the treasure that is the Great Lakes system, including the potable, clean fresh drinking water, and its venues for recreation and refreshment. I also appreciate that the Federal Government has made a commitment to the Great Lakes States over several generations to improve water quality and reduce pollution.

It is my hope that, while it appears BP has the legal authority to potentially increase discharged materials into Lake Michigan, they will act responsibly, refrain from doing so, and reconsider their permit.

Mr. EHLERS. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Madam Speaker, I thank the gentleman for yielding, and I rise in strong support of H. Con. Res. 187.

Madam Speaker, throughout my career as a public servant, a principal advocacy of mine has always been to improve the quality of our precious Great Lakes, our magnificent Great Lakes, which are actually 20 percent of the fresh water supply of the entire planet. That is one-fifth of all of the fresh water in the entire world.

We have seen efforts at the local and State and Federal levels to prevent industrial pollution, to stop water diversion, to eliminate sewage discharges and to fight invasive species so that future generations can enjoy the beauty of our magnificent Great Lakes.

In fact, this House has passed many important bills that have helped make those goals a reality. And though we have made tremendous progress, there are still so many challenges facing the Great Lakes. We need to continue to fight to protect the Great Lakes.

Unfortunately, Madam Speaker, it seems not everyone shares this vision. As has been discussed, the Indiana Department of Environmental Management recently issued a wastewater permit to a British Petroleum refinery on the coast of Lake Michigan which will actually allow BP to increase the amount of ammonia and total suspended solids discharged into Lake Michigan. This is crazy. This is nuts.

This permit flies in the face of everything that we in this body, and numerous individuals in groups outside of this body, have attempted to achieve. Instead of increasing our efforts in creating more stringent regulations, this permit marks a huge step backwards in our efforts to keep our Great Lakes clean.

And although BP might argue that they have followed the law in this process to secure their permit, I would say it does not make their actions right.

The resolution before us expresses Congress's disapproval of this permit and urges the EPA to reject increased

dumping of chemicals and pollutants into our Great Lakes. This Congress must speak up for the Great Lakes. We owe it to our children, to our grandchildren, and for every generation that will follow. I urge my colleagues to support this resolution.

Mr. OBERSTAR. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Madam Speaker, I rise today in support of this resolution and in support of protecting one of America's most critical natural treasures, the Great Lakes. I thank Chairman OBERSTAR, Mr. EMANUEL, and Mr. EHLERS for their work on this issue in helping to protect the lakes.

Through Federal regulations and State and local cooperation, we have made great strides in cleaning up the Great Lakes. Right now we cannot step back. I am deeply troubled by BP's plan to significantly increase their dumping of ammonia and other pollutants into Lake Michigan. All of these pollutants can cause harm to the environment and to public health. Over 40 million people in the Chicago area get their drinking water from Lake Michigan, and it is critical to tourism, recreation and the fishing industry. We should not be doing less to protect the Great Lakes. We should be doing more, such as passing legislation I introduced with MARK KIRK to stop municipalities from dumping waste into the lakes.

While it is good to increase our national energy security and to create new jobs, this cannot come at the expense of public health and the quality of our environment. That is why BP must do everything possible to lower pollution emissions into Lake Michigan. BP talks the talk about protecting the environment. It is time for BP to walk the walk and protect the lake. The step forward today is to pass this resolution and send BP this message.

Mr. EHLERS. Madam Speaker, this issue extends throughout the entire United States in terms of its concern, and I am pleased to yield 2 minutes to the gentleman from Illinois (Mr. KIRK) as someone who lives very near this particular facility.

Mr. KIRK. I thank the gentleman and I want to thank Congressman EMANUEL and Congressman EHLERS for bringing this resolution to the floor.

Ten days ago, Michael Hawthorne of the Chicago Tribune broke the story that British Petroleum planned to increase its dumping into the source of our drinking water, Lake Michigan. It was a stunning mistake. BP, a pretend friend of the environment, should have not done this.

Tony Hayward, BP's chief, claims he is ''Beyond Petroleum'' when he plans to actually become a ''Bad Polluter.''

Governor Daniels of Indiana also made a big mistake. His State EPA failed in their duty to protect the public and authorized the first new dumping in the lake in a decade. Now 19 Republicans and Democrats joined with Congressman LIPINSKI and me calling on the U.S. EPA to pull this permit; and 2,700 of my constituents signed the petition condemning BP's plan to increase its dumping in the lake.

Congressman LIPINSKI and I authored bipartisan legislation moving us to a time in which all dumping in the Great Lakes ends. Twenty-four billion gallons of raw sewage are dumped into the lake each year, and 12 billion gallons of raw sewage are dumped in the Great Lakes by the city of Detroit alone. But that is current dumping which should definitely end. We cannot allow new dumping by BP.

Later today we will meet with the head of BP North America, and given the legislative tsunami we are preparing, we should simply be discussing BP's terms of surrender on their lake-dumping plan. BP, millions spent in the ''Beyond Petroleum'' campaign, but we know it stands for ''Bad Polluter.'' Hopefully, BP will back down and be a better partner in protecting Lake Michigan.

Mr. OBERSTAR. Madam Speaker, I yield 3 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Madam Speaker, I thank the gentleman for yielding to me.

Let me just give you a few numbers here: 30 million, that's the number of people who depend on the Great Lakes for our drinking water; 20 percent, that's the percent of fresh surface water on the entire planet that is represented by the Great Lakes; $6 billion, that's the amount of money that BP earned in the last quarter. BP is one of the most profitable companies on the entire planet, and a company that has spent a considerable amount of money promoting its green image.

I want to quote to you from a Chicago Tribune Voice of the People article that was written by a BP Whiting Refinery individual, and he talks about, he minimizes the problem. He says: ''Of the 23 substances regulated in the permit, ammonia and total suspended solids are the only two limits that will increase when compared to the current permit.'' No problem, only two out of 23.

And later, consistent with BP's bragging about its environmental excellence says about itself: ''This is just one of the ways we have demonstrated our focus on continual improvement in environmental performance. Our commitment to continuous improvement will carry on as we modernize the refinery.'' Meantime, increasing the amount of ammonia and the amount of total suspended solid waste.

What's the consequence of those emissions? The health consequences can't be understated. Dumping ammonia represents a direct threat to the health of millions of Americans living in the Great Lakes region. For example, ammonia in the water promotes algae blooms that can kill fish and trigger beach closings. So here is another number: 1,585 pounds of ammonia, a 54-percent increase every day, every day into our precious Lake Michigan. And 4,925 pounds of liquid waste consisting of suspended particulate matter, a 35-percent increase every day into Lake Michigan.

In addition to putting our health at risk, the decision to allow BP to increase their dumpage also puts the lake ecosystem in jeopardy. Increasing the amount of liquid waste consisting of suspended particulate matter dumped into the lake each day endangers the marine life by making the water cloudy, thereby making it more difficult for fish to find ample amounts of oxygen.

This is a big deal. This is a serious problem, and it is incredible that the Environmental Protection Agency and BP and the State of Indiana would allow it. It is an outrage. We can stop it.

Mr. EHLERS. Madam Speaker, I yield 2 minutes to another member of the Fighting Illini, the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. Madam Speaker, when you come here and represent the Great Lakes and you meet Representatives from all across the country, you meet folks from the east coast and the west coast, you begin having conversations about the water that surrounds their districts. I talk to Californians and people from Oregon and South Carolina, and they are very proud of their coastlines, as they should be. And as a Member who represents a Western district, you try and describe the Great Lakes to them, and it is really difficult to describe. And then you have someone come and visit and they look at Lake Michigan and they look at Lake Superior and Huron and Ontario and Lake Erie, and it takes their breath away because these are beautiful bodies of water.

Lake Michigan is so big and so significant that my almost entire congressional district gets its drinking water from Lake Michigan. So you can imagine the sense of pause and outrage and deep concern that many of us felt when we heard of this plan that BP had that was approved by the State of Indiana to move forward and dump these pollutants into Lake Michigan.

Madam Speaker, my district counts on the fact that drinking water is going to be as pure and clear as this cup when they open up the tap, and I think it is incumbent upon us on both sides of the aisle to stand today and to say this will not stand.

Madam Speaker, my predecessor, Congressman Hyde, had a great line. He said there is one thing worse than gridlock when it comes to government, and that is the greased chute of decision-making. Our role in Congress today is to stand up and to suggest and demand of the Environmental Protection Agency and demand of the State of Indiana that they rescind this order. With that, I am pleased to support the resolution.

Mr. OBERSTAR. Madam Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. DONNELLY).

□ 1100

Mr. DONNELLY. Madam Speaker, I rise today to express my deep concern regarding the Indiana Department of Environmental Management's decision to permit significant increases in allowable discharges of ammonia and total suspended solids into Lake Michigan, and I fully support H. Con. Res. 187.

For communities in my district, and I suspect most Americans, Lake Michigan is a national treasure. Not only does the lake serve as a source of drinking water and natural habitat and recreation, it is one of the greatest reminders of our responsibility to be good stewards of the environment.

One component in our strategy to achieve independence from foreign oil will need to be increased refining capacity here at home. I would like to support this project, but first, BP can do better and must do better. Their corporate image is marketed worldwide as an energy company seriously committed to providing modern energy solutions that value our environment; however, BP's wrong-headed decision here to increase discharges in a lake and in a region trying to overcome decades of environmental neglect will not stand.

I do not believe the health of our environment and the growth of our economy are mutually exclusive goals. My congressional district in Indiana features miles of beautiful Lake Michigan shoreline, Porter County, Michigan City, Long Beach. I note the next speaker, Congressman UPTON, whose district is next to mine, he has beautiful Lake Michigan shoreline and has done a great job protecting that resource, and I know he will do that again today.

The goals of energy independence and protection in the Great Lakes are not mutually exclusive. BP just has to conclude that they have to do this in the right way, and the right way is not to damage Lake Michigan.

Mr. EHLERS. Madam Speaker, I am pleased to yield 2½ minutes to a colleague from Michigan (Mr. UPTON).

Mr. UPTON. Madam Speaker, I commend the remarks by my colleagues from every State that adjoins Lake Michigan, whether they be from Minnesota, Wisconsin, Illinois, Indiana, and obviously in my State, the great State of Michigan.

My district does abut Lake Michigan, and I'm a member of the Great Lakes Caucus, with a long record of protecting our Great Lakes body. The Great Lakes are the world's largest body of fresh water, and our job here is to be good stewards. We know that, and we were stunned by the announcement that was made just a little bit more than a week ago with regard to the new refinery that's being built and expanded in Indiana.

Tremendous efforts have been made in this region to protect the Great Lakes, but we see it in other places around the country, the Chesapeake Bay, and it's a disgrace that the mighty Potomac is in the shape that it is. We don't want the Great Lakes to take a step back. It needs to be improved. The last thing that we need to see is that the Great Lakes take a step back in terms of the protection that we have.

I travel in my district in southwest Michigan to Chicago quite a bit, and I can remember as a young boy going through Gary, Indiana, and some of those places there, and it was awful in terms of the pollution. And to their credit, they've done a much better job.

But I've got to say it's my understanding that for the State of Indiana to issue an exemption to its own State law that prohibits mixing zones is wrong. This will result in a serious setback in the efforts to clean up the Great Lakes, especially at a time when this outdated mixing zone practice is slated to be eliminated altogether, and yet we're seeing an exemption to have it continue. It, in essence, rolls back the clock for sound environmental policy.

Last week I picked up the phone and I called Governor Daniels of Indiana. I told him that we had a hornet's nest in southern Lake Michigan, and that they ought to reexamine exactly what the State of Indiana was allowing. The State of Indiana needs to reexamine this.

We don't want industrial waste to be increased. We don't want raw sewage to be increased. We've had our beaches closed enough. I don't care what side of the lake you live on, no new dumping ought to be the mandate that we impose on every municipality, every State in the Great Lakes. We should not be adding pollution. Instead, we should be subtracting to make sure that this resource stays a treasure for every family, for every community, for generations to come.

Mr. OBERSTAR. Madam Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Minnesota has 6 minutes. The gentleman from Michigan has 6½ minutes.

Mr. OBERSTAR. We have one speaker remaining on our side. I would ask the gentleman to conclude.

Mr. EHLERS. I have one speaker, and then I would like to make some comments again.

Mr. OBERSTAR. So conclude with your two speakers, and then we'll conclude on our side.

Mr. EHLERS. Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Madam Speaker, I cautiously come to the floor today, but I'm troubled by the process here.

I come from a Great Lakes State, Pennsylvania. We cherish the Great Lakes, but we're passing a resolution today because of a newspaper article, a column, and we have legislation without any hearings. This is why we don't have refinery capacity in America.

In light of recent attention given to the Indiana Department of Environmental Management's permit to the BP refinery, I would like to provide the facts and clear up misunderstandings, says the Department of Environmental Management in Indiana.

The BP wastewater permit was issued in accordance with State and Federal environmental laws which are protective of human health and environment. The State coordinated with EPA during the permitting process to ensure that the final permit was compliant with the Clean Water Act. On April 5, 2007, EPA issued a letter that they had no objections to the permit being issued pursuant to the Clean Water Act.

There are many inaccuracies in the recent media reports. They have given no exceptions to environmental conditions for this facility. The wastewater treatment permit meets all State laws and regulations that apply to the facility and project. Many of the limits placed in the permit are actually more protective than required by Federal law.

We need to deal with these issues with the facts, not newspaper reports. We can't build refineries in America. We blame the refineries. This happens every time they try.

I'm not for pollution in Lake Erie, but I would like to have had a hearing where Indiana could have had its case heard. We shouldn't be here on the floor debating this with very little knowledge and hysteria.

The future of refining in America, the future of energy availability in America, we must have clean water and clean air, but if we are going to have a political reaction without the hearings, without the information, we shouldn't make these kind of decisions on the floor of the House.

I'm for cleaning up the Great Lakes. I have a bill on the outer continental shelf to produce natural gas that will give $21 billion to Great Lakes cleanup. That's a bill that will help us get rid of the sludge of the past.

I just wish this wasn't before us without adequate process and hearings so we could understand what's really happened there, where we have a real knowledge of information, because we desperately need the capacity they're talking about.

Mr. EHLERS. Madam Speaker, I will be pleased to offer some comments to close, particularly in view of the previous speaker.

As I said in my earlier comments, I emphasized I was not condemning British Petroleum for their actions; although, I wish they had taken the lead in demonstrating the environmentalism that they often advertise that they have. But I do deplore that the State of

Indiana was willing to give them a permit. I do deplore that the Environmental Protection Agency was willing to give them a permit.

This is contrary to everything that we have been trying to do to clean up the Great Lakes, at huge expense. All over the Great Lakes, communities have tried to clean it up, and my preference would be not only that BP does not add to the load they're putting in the lake, I would prefer that they say, we're going to find a different method, and we're not even going to dump in the lake what we're dumping in now, because they are already dumping a substantial amount in.

The goal here is not to drive BP away. It's not to stop the refinery project. I'd emphasize that over and over. The goal is to make sure that we can maintain the purity and cleanliness of the Great Lakes. And Lake Michigan, of course, drains into three of the other Great Lakes and with a smattering going into Lake Superior. So this is a very important issue.

The gentleman talked a minute ago about drinking water out of the lakes. Forty million Americans draw their water out of the Great Lakes, their drinking water. That is a huge number of people. We are very worried about cleaning up the mercury that already exists in the lake, also the toxaphene and other contaminants, because people are drinking that water, and they are getting ill.

The goal here is not to stop BP. The goal here is to make certain they find an alternative method of disposing of the ammonia and the total suspended solids that they are proposing to dump in the lake, and I would hope they also, while they're doing that, stop dumping what they are dumping, and make sure all the ammonia, all of the total suspended solids get disposed of elsewhere. Perhaps they can use a waste landfill, perhaps something else, but certainly we do not want them to be dumping any additional contaminants into the Great Lakes system.

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

Mr. OBERSTAR. Madam Speaker, I yield myself 2 minutes.

We're not here reacting to and debating a newspaper story. The report of the planned dumping of highly toxic, highly residual elements into Lake Michigan has been documented. We will have a hearing in the Subcommittee on Water Resources in due course, but this is an emergency that called out and cried out for immediate action to lay a line down in front of the State of Indiana and British Petroleum to let them know that their proposed indifference, slap in the face, to clean water, this precious resource, will not be tolerated by the American public.

They will go ahead and build their refinery, but on that property, they have plenty of room for appropriate disposal of these wastes. They ought to know, they ought to understand, water is more precious than oil.

The slow flushing action of Lake Michigan, it'll be 300 years before water turns over in that lake. It means that whatever they put in that lake is going to stay there for generations to come. They know that. So does the State of Indiana. Protect that lake.

There are alternatives to dumping every colossal waste that industry can sum up into the lake. There are other alternatives. They have to explore those alternatives.

GENERAL LEAVE

Mr. OBERSTAR. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill pending before us.

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

There was no objection.

Mr. OBERSTAR. Madam Speaker, I yield the balance of our time to the gentleman from Illinois.

Mr. EMANUEL. Madam Speaker, there's a sad irony on this decision by British Petroleum, and that is, 10 years ago, 1997, when I was working in the White House, we had made a decision and Geolyse standards were negotiated at that point, coming on line just about now. It took all of the States, Michigan, Indiana, Wisconsin, Illinois, to set standards, as also the other States supported the Great Lakes, about polluting and what was allowed and permissible to pollute on the lakes and what wasn't. And those Geolyse standards that brought everybody together 10 years ago and started this movement to protect our Great Lakes in a way that we had not seen since the Clean Water Act, that negotiation and the product of that negotiation was just coming on line right now.

And just at that moment, we have this decision by British Petroleum, which is the most significant dumping in Lake Michigan and the other Great Lakes and Lake Michigan since basically we started the Clean Water Act and reversing the trend of using the lake as nothing but a dumping ground.

Now, if this can happen in Lake Michigan, it can happen in other Great Lakes, which is why other Members of other delegations have stepped forward, and I want to repeat, all that British Petroleum has to do here is they have the technology to actually take a different course here. It's about the size of a land mass that they have to acquire, and if you look again at Google Map, they have plenty of land, 1,600 acres, to do what's right.

So many decisions we face on the environment are about jobs and the environment. You can both double the size of the refinery, create those 80 jobs, and also preserve our national commitment to the clean water of Lake Michigan and the other Great Lakes. It's not an either/or choice.

And what's so sad about the rush here is that this is a decision that could easily be won, that's a victory for British Petroleum, doubling the size of their refinery, but not doubling the size of the ammonia that's dumped into Lake Michigan and not increasing the amount of both mercury and other metals that are going to be untreated, dumped into Lake Michigan, and then we're all going to be asked to increase the money to clean up what they could have done in the beginning.

They're spending $3.8 billion. For a fraction, they could actually not only increase the refinery, but increase the capacity to treat these chemicals, and then we're all going to be asked to increase the money to clean up Lake Michigan with something that never should have happened and hasn't happened for 10 years.

□ 1115

Now, this unusual unity here is because all of us have constituents that don't regard this as a party issue, a partisan issue; they regard it as a commitment. We have had a tremendous increase in the consciousness of folks about the importance of Lake Michigan and the other Great Lakes to the environment.

If this was the Grand Canyon or Yellowstone, there would be no question. Lake Michigan, Ontario, Superior, Erie and all the Great Lakes are the Midwest's national parks. They stand as the largest body of fresh water in North America. Twenty percent of the world's entire fresh water is right there.

It is America's third coast. We would never consider doing this to any other national treasure. BP should not consider it here. They can double the size of the refinery, which is a good thing; they can increase employment by 80 jobs, a good thing; and they can be true to their advertising, ''Beyond Petroleum,'' and being the most green energy company if they decide to take the right actions. We'll help them if they want to do that.

But to act intransigent, like they have, is wrong. We are going to be meeting with the North American executive this afternoon. I know the Illinois delegation is. We are going to meet with them to let them know that they have a choice here to live up to their word.

I want to again thank all of my colleagues for stepping forward and giving a voice to their constituents who are outraged across the area with the decision by British Petroleum to do something no other company has decided to do in the last 10 years and reverse the standards and the progress we have made on the environmental quality of our Lake Michigan and the other Great Lakes.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in support of House Concurrent Resolution 187, which expresses the sense of Congress regarding the dumping of industrial waste into the Great Lakes. My colleague RAHM EMANUEL has introduced this resolution, as has my colleague from the Committee on Transportation and Infrastructure, Mr. EHLERS of Michigan. The resolution has 18 cosponsors from across the Great Lakes region.

It is my understanding that a recent decision by Indiana state regulators will allow the British Petroleum company to dump more ammonia and suspended solids daily into Lake Michigan. Although I do agree that our country needs to work on finding additional materials and sources for energy, and we do need to create jobs to help our economy, I do not believe British Petroleum's plan takes our nation in the right direction. As a society, we need to protect our already endangered waters, for they provide means to run our businesses, fulfill daily chores, and relax.

Improving the state of the Great Lakes is not an antiquated policy goal from the last century; rather, we still fight today to improve these waters. The House Subcommittee on Water Resources and Environment, which I chair, continues to pursue the problems of invasive species, low water levels, and pollutants entering the Lakes on a regular basis. We do not need to add additional waste to our struggling, yet essential, waters.

I urge my colleagues to join with me and vote in favor of this resolution.

Mr. DINGELL. Madam Speaker, I rise in strong support of the resolution before us. Recently, the Indiana Department of Environmental Management granted BP's Whiting refinery in Indiana broad exceptions under the Clean Water Act. These exemptions will allow BP to increase the amount of discharge of ammonia by 54 percent and its discharge of total suspended solids by 35 percent. This means that an additional 1,584 pounds of ammonia and 4,925 pounds of total suspended solids could be dumped into Lake Michigan.

This is simply unacceptable and I thank my colleagues from Illinois and Michigan for bringing the resolution to the floor with the utmost speed. I am dismayed, Madam Speaker. Dismayed that the State of Indiana issued the permits and further dismayed EPA allowed the State to do so.

Algae blooms, Madam Speaker, are serious business. Algae blooms, which can be caused by ammonia and total suspended solids, overtake native ecosystems by taking nutrients away from the surrounding plant life and also feed harmful bacteria which remove oxygen, killing aquatic life. This leads to poor water quality and beach closings. Instead of taking action to increase algae blooms, we should be taking action to decease them.

According to BP, the company intends to install a diffuser to create a ''mixing zone''—mixing zones are areas where clean water gets mixed with polluted water to further dilute the concentration of pollutants. In 2000, EPA instituted a rule requiring the elimination of existing mixing zones for persistent and bioaccumulative pollution in all the Great Lakes States. The rule required the phase-out of current mixing zones by 2010 and does not allow any new zones to be created. The expansion of the BP facility is not scheduled to be finished until 2011. The exemptions essentially roll back the clock for sound environmental policy.

Madam Speaker, those of us from the region have a unique appreciation for the Great Lakes, as we are quite literally surrounded by them. The lakes are a blessing to us. We owe our tourism industry to the Great Lakes—where people come from around the country to recreate, hunt, fish and relax. The lakes as a transportation system provided Michigan and the surrounding States with the means to turn our region into a manufacturing powerhouse.

At a time when Congress is finally taking a long-overdue look into a broad restoration and conservation plan for the Great Lakes, the State of Indiana is allowing more pollution into the lakes. And EPA—the lead Agency in Great Lakes Regional Collaboration—is allowing it. This, Madam Speaker, is exactly the opposite of what we should be doing. Instead, restoring and protecting the Great Lakes must be a priority.

I urge all of my colleagues to support the resolution and again thank my friends, the gentleman from Illinois and the gentleman from Michigan, for bringing it up.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 187.

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

The yeas and nays were ordered.

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

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 558 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3074.

□ 1120

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3074) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, with Mr. WEINER (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on Monday, July 23, 2007, a request for a recorded vote on the amendment by the gentleman from Ohio (Mr. CHABOT) had been postponed and the bill had been read through page 67, line 2.

The Clerk will read.

The Clerk read as follows:

HOUSING CERTIFICATE FUND

(RESCISSION)

Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual Contributions for Assisted Housing'', the heading ''Tenant-Based Rental Assistance'', and the heading ''Project-Based Rental Assistance'', for fiscal year 2007 and prior years, $1,300,000,000 is rescinded, to be effected by the Secretary of Housing and Urban Development no later than September 30, 2008: *Provided*, That if insufficient funds exist under these headings, the remaining balance may be derived from any other heading under this title: *Provided further*, That the Secretary shall notify the Committees on Appropriations 30 days in advance of the rescission of any funds derived from the headings specified above: *Provided further*, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated shall be available for the rescission: *Provided further*, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be cancelled.

PROJECT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (''the Act''), not otherwise provided for, $6,479,810,000, to remain available until expended: *Provided*, That the amounts made available under this heading are provided as follows:

(1) Up to $6,239,122,000 for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph.

(2) Not less than $238,728,000 but not to exceed $286,230,000 for performance-based contract administrators for section 8 project-based assistance: *Provided*, That the Secretary of Housing and Urban Development may also use such amounts for performance-based contract administrators for: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667).

(3) $1,960,000 shall be transferred to the Working Capital Fund.

(4) Amounts recaptured under this heading, the heading ''Annual Contributions for Assisted Housing'', or the heading ''Housing Certificate Fund'' may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the ''Act'') $2,438,964,000, to remain available until September 30, 2011: *Provided,* That notwithstanding any other provision of law or regulation, during fiscal year 2008 the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further,* That for purposes of such section 9(j), the term ''obligate'' means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further,* That of the total amount provided under this heading, up to $10,890,000 shall be for carrying out activities under section 9(h) of such Act; up to $10,000,000 shall be transferred to the Working Capital Fund; and up to $15,345,000 shall be to support the ongoing Public Housing Financial and Physical Assessment activities of the Real Estate Assessment Center (REAC): *Provided further,* That no funds may be used under this heading for the purposes specified in section 9(k) of the Act: *Provided further,* That of the total amount provided under this heading, up to $17,000,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs resulting from unforeseen or unpreventable emergencies and natural disasters occurring in fiscal year 2008: *Provided further,* That of the total amount provided under this heading, $38,000,000 shall be for supportive services, service coordinators and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z–6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further,* That of the total amount provided under this heading up to $8,820,000 is to support the costs of administrative and judicial receiverships.

PUBLIC HOUSING OPERATING FUND

For 2008 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,200,000,000: *Provided,* That in fiscal year 2008 and all fiscal years hereafter, no amounts under this heading in any appropriations Act may be used for payments to public housing agencies for the costs of operation and management of public housing for any year prior to the current year of such Act: *Provided further,* That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937.

AMENDMENT NO. 26 OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 26 offered by Mr. HASTINGS of Florida:

Page 72, line 1, after the dollar amount, insert ''(reduced by $20,000,000) (increased by $20,000,000)''.

Mr. HASTINGS of Florida. Mr. Chairman, I rise today to offer an amendment with my friends, Ms. BARBARA LEE of California and Ms. CORRINE BROWN of Florida, which emphasizes the need for HUD to place a greater priority on the security in our Nation's public housing communities.

Indeed, I applaud the work of Chairman OLVER and Ranking Member KNOLLENBERG, and I am very supportive of their bill.

However, a recent criminal act that occurred in the district that I am privileged to represent demands a response. I won't go into the details because it was a brutal act that was done allegedly by 10 young men in a project referred to, known as Dunbar Village.

Until 2002, there was a program at HUD that funded security and safety in public housing communities. A footnote right here: I recently spoke with the inspector of HUD, who informed me that you cannot have good public housing without good security.

However, in 2001, the Bush administration felt that the Public Housing Drug Elimination Program had a limited impact and did not reflect HUD's core mission. When the drug elimination program was consolidated with the public housing operating fund, a grant of $168,000 for securities services was cut just from the West Palm Beach Housing Authority, which overseas Dunbar village.

Mr. Chairman, this incident has demonstrated that the Public Housing Drug Elimination Program had a far-reaching impact in reducing all forms of crime in public housing facilities.

Our amendment sends a message to HUD to the tune of $20 million that the Department has a responsibility and the authority to fund security programs in public housing facilities around this Nation's communities. At this funding level, 10 percent of the $200 million increase in the account could fund security programs in over 100 public housing communities. These functions include employing security personnel, reimbursing local police for additional security services, making physical changes to improve security, funding community policing accreditation activities, as well as training and equipping voluntary tenant patrols.

HUD should recognize this amendment and the despicable incident, like the one that occurred in my district, and others around this Nation as clear indication that they need to do more to improve the safety in their facilities. Unfortunately, it takes violent acts such as the one that I have discussed for us to open our eyes and for Congress to begin reversing funding trends and program adjustments that have left our communities vulnerable.

This amendment does not place an undue burden on the desperately needed increase in the public housing operating fund. While all of the $200 million increase could be used for activities prioritized in this amendment, we rise today to call attention to the need for secure public housing.

Once again, I commend Chairman OLVER and Ranking Member KNOLLENBERG for their work on this legislation and including the $200 million increase in the public housing operating fund. It is our hope that this amendment is a welcome contribution to their work.

I urge my colleagues to support this amendment to begin demanding that incidents like those experienced by the residents of Dunbar Village never occur again.

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

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

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. I want to thank my colleague from Florida for bringing this issue to light.

Mr. Chairman, all of our public housing and section 8 residents deserve to live in a safe environment. We have done our best to ensure that PHAs have adequate resources to address the security issues.

The gentleman from Florida is correct, that there were public housing Drug Elimination Grants, a separate item in the budgets up until the fiscal year 2001 budget. The last time we had that separate program for Drug Elimination Grants, the appropriation for that was around $300 million on a nationwide basis for securing, for employing security personnel and employing local police and other additional security services that were necessary.

At that time, in the fiscal year 2001 budget, the Drug Elimination Grants were combined with the operating fund. Since that time, the housing authorities, the public housing authorities have had the authority to use monies that were in the operating fund for the purposes that had been previously done with the direct Drug Elimination Grants.

So we, as my colleague from Florida has pointed out, we no longer have the direct Drug Elimination Grants, but all of the functions of those grants may be funded at the discretion of the individual public housing authorities under the operating funds or under the capital funds. I support the use of either of those funds for the important functions of safety and security for our public housing residents.

I am happy to work with the gentleman in the future on this issue. I thank the gentleman for bringing the issue to the discussion today and thereby highlighting the problem, which is severe in some cases, but the resources, as we have indicated, as he has indicated, and we have already done, have been added.

We have added $200 million this year above the President's request for the operating fund of the public housing authorities, and that should give them the necessary money to do, where it is needed, as they deem appropriate, as the public housing authorities deem appropriate, the drug elimination activities. I am very pleased that the gentleman has brought the issue to the discussion today.

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

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

The Acting CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, I just want to say a few words about why the Drug Elimination Grant Program was eliminated back in 2005.

It was terminated in 2005 after numerous reports and investigations revealed that the program had been greatly abused and that funds were being spent for completely inappropriate activities ranging from picnics to conferences. Further, as a competitive grant program, HUD had difficulty receiving qualified applicants, and much of the funds went unspent. In fact, at the time it was terminated, almost 2 years of funds remained unspent.

Instead, the Congress wisely, rather, increased the formula, the operating subsidy program, that has continued to significantly increase that program each and every year. As my colleague's amendment suggests, every activity funded by the former Drug Elimination Grant program is eligible for funding under the operating subsidy program. I think the chairman mentioned that.

This is a better way to achieve the Members' objectives, since these funds are sent to the PHAs by formula, so no competition or plan is required, and because there is certainty of funding.

Most importantly, it leaves it up to the PHA to determine the priorities of use of those funds.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The amendment was agreed to.

□ 1130

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

For grants to public housing agencies for demolition, site revitalization, replacement housing, and tenant-based assistance grants to projects as authorized by section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) $120,000,000, to remain available until September 30, 2008, of which the Secretary of Housing and Urban Development may use up to $2,400,000 for technical assistance and contract expertise, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the department and of public housing agencies and to residents: *Provided*, That none of such funds shall be used directly or indirectly by granting competitive advantage in awards to settle litigation or pay judgments, unless expressly permitted herein.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (''NAHASDA'') (25 U.S.C. 4111 et seq.), $626,965,000, to remain available until expended: *Provided*, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary of Housing and Urban Development shall apply the formula under section 302 of such Act (25 U.S.C. 4152) with the need component based on single-race Census data and with the need component based on multi-race Census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, $4,250,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of such Indian housing and tenant-based assistance, including up to $300,000 for related travel: *Provided further*, That of the amount provided under this heading, $1,980,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA (25 U.S.C. 4191 et seq.): *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $17,000,000: *Provided further*, That for administrative expenses to carry out the guaranteed loan program, up to $148,500 from amounts in the third proviso, which shall be transferred to and merged with the appropriation for ''Salaries and Expenses''.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4221 et seq.), $8,727,000, to remain available until expended, of which $299,211 shall be for training and technical assistance activities.

AMENDMENT NO. 14 OFFERED BY MR. WESTMORELAND

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. WESTMORELAND:

Page 74, strike lines 15 through 21.

Mr. WESTMORELAND. Mr. Chairman, this amendment would simply eliminate the $8.7 million for the Native Hawaiian Housing Block Grant program. The 2007 level was $8.7 million, and the President requested $5.9 million for fiscal year 2008. This would simply eliminate it.

These funds, this Native Hawaiian Housing fund, has been funded since 2002. So far there has been over $37 million going to the housing fund.

In the 2000 census, the Native Hawaiians, and there was approximately 750,000 Native Hawaiians, lived in homes on the island of Hawaii, the average medial value was $209,000. The Native Hawaiians that live in Georgia, and there is 2,200 of them by the 2000 census, their median value home was $111,000.

These grants can only go to Native Hawaiians on the islands of Hawaii. I believe that this is probably unconstitutional in the fact that we are doing a set-aside for a racial group, and so I just wanted to point that out.

It is a great opportunity to save some money. It is a great opportunity to look and make sure that we are all treated equally and that the 14th amendment of our Constitution is kept intact.

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

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

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, I rise in opposition to this amendment. The Native Hawaiian Housing Block Grant program is a small program, a small account that makes a big difference in the lives of Native Hawaiians who happen to reside on Hawaiian homeland.

From 2002 through 2005, when the gentleman's party was in the majority, Congress funded in each of those years an average of $9.4 million for this program. We held it to $8.7 million in the 2007 budget, and have frozen it at the same level as the 2007 budget in the recommendation in this budget for the 2008 fiscal year.

So this is not an increase. We are, in fact, holding it steady for a program that has been funded at higher levels earlier when the gentleman's party was in the majority and in substantial majority control of this process.

With the funding in the bill, more than 100 Native Hawaiian families will be provided with the opportunity for home ownership, including counseling, construction, and rental assistance during that process. This is one of the HUD programs. We have programs for Native Alaskans, we have programs for American Indians and so forth that are helpful in providing the hope for home ownership on the part of some of our small minorities in our population. I think it is a goal that we should support, and I strongly support the program and urge a ''no'' vote on the gentleman's amendment.

Ms. HIRONO. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentlewoman from Hawaii is recognized for 5 minutes.

Ms. HIRONO. Mr. Chairman, I rise today in strong opposition to the amendment offered by Mr. WESTMORELAND to eliminate funding for the Native Hawaiian Housing Block Grant program.

The Native Hawaiian Housing Block Grant is authorized under title VIII of the Native American Housing Assistance and Self-Determination Act (NAHASDA). The block grant is used to carry out affordable housing activities for Native Hawaiian families who are eligible to reside on Hawaiian

homelands which were established in trust by the United States in 1921 under the Hawaiian Homes Commission Act (HHCA).

Due to a variety of factors, including long-term leases for purposes outside of the HHCA and the lack of funding for infrastructure, only 8,000 individuals currently hold leases, and approximately 19,000 remain on a waiting list, and many of our elderly, our kapuna, have died waiting for the dream of home ownership.

I submit for printing in the RECORD an article from the Honolulu Star Bulletin that introduces these families to us.

[From the Honolulu Star-Bulletin, July 9, 2006.]

HOMESTEAD AWARDS END LONG WAIT FOR LUCKY FEW—ONE HAWAIIAN HOMESTEAD IS AWARDED TO A WOMAN 57 YEARS AFTER HER FATHER APPLIED.

(By Alexandre Da Silva with Leila Fujimori)

The line for a homestead was so long for Aloysius Lincoln that he never saw the end of it.

But yesterday, 57 years after the former Honolulu Gas Co. employee applied for a lease, his daughter claimed the lease awarded for the second phase of a Department of Hawaiian Home Lands project in Kapolei.

''Unfortunately, he died two years ago. He was 87,'' said Frances Segundo, 60, who was a baby when her father signed up for the program. ''However, his legacy goes on, because this award is for our ohana, our family.''

About 2,000 people showed up yesterday morning at the Neal S. Blaisdell Center Exhibition Hall, where the Department of Hawaiian Home Lands awarded 250 lots in Phase 2 and Phase 3 of in their Kaupe'a project in Kapolei.

The 52-acre subdivision has 326 lots, 76 of which were awarded in November 2005.

Segundo, a clerk at Maui Community College, said her cousin, Naira Martin, would live in the four-bedroom, three-bathroom house with her daughter, but there would always be room for another relative.

''I'm free from the rent, which is going to be over with,'' said Martin, 56. The $2,000 she pays each month for rent will now go toward her mortgage. ''When the whole family comes from the mainland, Louisiana, they will stay with me. It's a very good feeling.''

Gov. Linda Lingle, who was present for yesterday's selection meeting, said the latest awards would help the state's shortage of affordable rentals as new homeowners are able to free up rental homes and apartments.

''Those units now become available for the general public,'' Lingle said. ''It is better for the entire community.''

Yesterday's crowd was a fraction of the nearly 20,000 native Hawaiians currently on the homestead waiting list, about half of which are on Oahu, said Lloyd Yonenaka, a spokesman for the Hawaiian Home Lands Department.

Even though more than 1,200 leases have been given out since 2003, the department's waiting list keeps growing, at a pace of about 100 people a month, Yonenaka said.

To qualify, applicants must have at least 50 percent Hawaiian blood and be pre-approved to afford one of the five Kaupe'a models, which range between $238,600 and $296,100 in lots averaging 5,000 square feet. The lease rent for the land under their homes is $1 per year.

The first phase of the Kaupe'a project is expected to be completed by the end of the year, while Phase 2 and Phase 3 should be done in the first and second quarters of 2007, according to the department.

As she signed documents for her new lease yesterday, Vivian Perreira, 71, said she would vacate her Maili home in Waianae—where she lives with husband, Alfred, her son and his two children—sometime next year. Perreira said her youngest son, 47-year-old Prince, a refuse truck driver for Rolloffs Hawaii Inc., had to co-sign her application because her Social Security earnings weren't enough for a loan.

After waiting 48 years for her name to be called, Perreira, now in a wheelchair, will lease a four-bedroom home on a corner lot in Kapolei.

''I signed up when I was 23,'' she said. ''I almost gave up, but I left my name on for so long.''

The federal government set up the Hawaiian Homes Commission Act in 1921, eventually reserving 200,000 acres statewide to benefit native Hawaiians. But development of land to provide homes has been slow, and many families have been on the waiting list for decades.

Last month the state Supreme Court ruled that 2,700 native Hawaiians can seek monetary damages in a lawsuit against the state for its alleged mismanagement of the Hawaiian Home Lands program.

Not everyone who came yesterday had a happy story to share. Homes went to 250 families, but 750 people qualified for lots, which are awarded on the basis of seniority. People who have qualified and waited the longest are the next in line for a home.

Lee Kogler, 54, who has been researching her genealogy for more than 20 years, had to leave without a lease after arriving at 7 a.m. with her husband, daughter, grandson and two sons.

Kogler turned in her paperwork in 1991. But after marrying and moving to New York, Kogler's application was returned, with the department saying she needed to show the Hawaiian lineage on her father's side. Finally, in 1994, Kogler combed through the bound volumes of records at the state Archives, where she found a Census Bureau report listing her grandmother, Hannah Kaulia, at age 19, living in the house of her father, Samuel, a master carpenter.

Kogler, who is number 7,954 on the wait list for Oahu, said she would never quit trying for a lease.

''It's not a sad day,'' Kogler said, citing plans by the department to award another 300 lots in Kapolei in October. ''I'm still with hope. I've waited a long time for this, and I'm not going to give up.''

Aloysius Lincoln first applied for Hawaiian Home Lands in 1949. In 2006, a wait of 57 years, his daughter, Frances Segundo, claimed the lease awarded for the second phase of a Department of Hawaiian Home Lands project on the Island of Oahu. Frances claimed the lease because her father had, unfortunately, passed away 2 years before. Frances herself, now 60 years old, was a baby when her father first signed up for the program. Frances stated that ''[her father's] legacy goes on because this award is for our ohana, our family.''

That is something I would like this body to remember: That this is not just money we are talking about today. We are talking about the opportunity for families to live the American dream of home ownership, and Native Hawaiian families are among those with the greatest need. A study conducted in 1996 by the Urban Institute, the National Commission on the American Indian, Alaska Native, and Native Hawaiian Housing, and the State Department of Hawaiian Home Lands, found that nearly half of Hawaiian households and 67 percent of those on waiting lists for Hawaiian Homes Lands experienced housing problems related to affordability, overcrowding, or structural inadequacy. That compares with 44 percent of American Indians and Alaska Natives living on tribal lands, and 27 percent of all U.S. households.

In 1992, 49 percent of Hawaiian Home Lands applicants lived in overcrowded conditions compared with 37 percent of all Hawaiian households, and 21 percent of non-Hawaiian households. Twenty-eight percent of Hawaiian households put more than 30 percent of income toward housing compared with 22 percent for non-Hawaiians. The rate of homelessness among Hawaiians at 12.2 households per 1,000 is double that of non-Hawaiians.

In 1982, the U.S. Secretary of the Interior and the Governor of the State of Hawaii established a Federal-State task force to renew HHCA and the programs carried under that act. The Federal-State task force issued a report in 1983 with specific recommendations, including one that the State and Federal Government should each make contributions of $29 million per year to accelerate the program.

For the first time in 2000, Federal funding was made available when housing assistance for Native Hawaiians was added to NAHASDA through the Native Hawaiian Block Grant. This amendment follows what I sense is a developing pattern of challenges to programs benefiting Native American, Alaska Native, and Native Hawaiian people.

The earlier failed challenge to the previously uncontroversial Native Hawaiian Housing Act earlier this year was the first apparent salvo against Native American programs. The attempt to strike funds in the Labor and Education appropriations bill for the Alaska Native, Native Hawaiian-Serving Institutions, and the Higher Education Act raises the concerns that all programs benefiting Native Americans will be subjected to attack by certain groups.

The same arguments of constitutionality of these programs benefiting Native Americans have been raised and rejected by this body time and again. This is not race-based discrimination. The relationship between the United States and Native Americans is based on a political relationship, as Supreme Court decisions have consistently held.

Like other indigenous peoples, such as Native Americans and Alaska Natives, Native Hawaiians have a special trust relationship with the United States. It has been well settled that Congress has clear plenary power to fulfill its obligations to indigenous people who once had sovereign governing entities before the establishment of the United States, and whose lands are currently within the borders of the United States. Like Native

Americans and Alaska Natives, Native Hawaiians suffered the loss of their sovereignty and lands to the United States.

I could go on, Mr. Chairman, but for these and many other reasons, I strongly urge my colleagues to vote against this amendment.

The Acting CHAIRMAN. The time of the gentlewoman has expired.

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

The Acting CHAIRMAN. The gentleman from Hawaii is recognized for 5 minutes.

Mr. ABERCROMBIE. Mr. Chairman, apparently we are going to have to come to the floor over and over on this. I would appreciate it if the gentleman from the Eighth District of Georgia representing the people in Grantville, who I presume have more courtesy than the gentleman from that district has, could let us know besides the smirk on his face when he intends to come and attack someone else in another district. I don't know how you were raised; I know how I was raised.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. The Chair would remind the gentleman to address his remarks to the Chair.

Mr. ABERCROMBIE. I am confining my remarks to the Chair, because if I was saying it directly to the gentleman, he would know it a lot more physically.

Now, the way I was raised, when you have something to say to somebody, you come and say it to their face. Now, if the gentleman would like to accompany me sometime out to Hawaii, I will introduce him to some of these folks that he is attacking today.

This act was established by the Congress, and every single dollar and every single item associated with that has been set forth by the Congress over time. The President of the United States, Republican or Democrat, including this President, has put these funds in the budget in order to meet the obligations of the contract.

Again, Mr. Chairman, I am not familiar with how the gentleman from the Eighth District of Georgia handles contracts, but we honor them where I come from.

There is 200,000 acres set aside, and the original legislation states as follows, section 1065–569, I commend to the gentleman's attention: ''Congress does not extend services to Native Hawaiians because of their race, but because of their unique status as the indigenous people of a once sovereign nation as to whom the United States has established a trust relationship.''

The Admissions Act that brought us into the Union as the 50th State says specifically that, with regard to these lands, the Hawaiian Homes Lands, that they are to be administered by the State of Hawaii and the United States ''for the betterment of the conditions of Native Hawaiians as defined under the Hawaiian Homes Commission Act of 1920.'' And it goes on from there to cite what is involved.

Now, the block grant program provides funds for infrastructure to help Native Hawaiians obtain mortgages on lands set aside for them from Congress. Because of the conditions set out by the Congress, ordinary financing is not available to them. This is why we have to do it. If the gentleman had had the courtesy to sit down for 2 minutes with us, we could have explained what this was about.

A decision has to be made here. Of course we have to come and defend our programs. Everybody does. I am quite content to do that.

□ 1145

But this is the first time ever in my experience, my legislative experience of more than 33 years, that this kind of thing has taken place.

Now, I know you folks over there. I'm looking at friends of mine right here. You would never have, me or Ms. HIRONO would never do this kind of thing to you. If you have a disagreement about it, come and see us. Let's sit down and talk about it. And if you still disagree with what we're doing and why we're doing it, by all means bring it to our attention on the floor. But these kinds of attacks are unworthy of this House. It's unworthy of us to have relationships with one another like this. I don't understand it. I've never experienced it before.

Now, we can do this in 5-minute segments if we want to, but that's not the way to handle this. I appeal to you, if this is going to be a continuing onslaught, let's sit down and talk it over.

This legislation, the Department of Hawaiian Homelands is one of the most effective housing efforts that we have in order to try and meet the conditions that were set forth by the Congress and administered faithfully by the State of Hawaii since our entrance to the Union in 1959.

The House supported reauthorization of this program; 272 Members, including 45 Republicans, voted for it. It is not a partisan issue.

And I'll finish with this, Mr. Chairman. The Republican Governor and the Republican Members of the House of Representatives and the Senate in Hawaii, as well as the Democrats, support this program. It is not a partisan issue.

And so I ask, out of courtesy for Members, that if we're going to have a discussion about this, at least let's have it on the merits of what the issue is before us. And if we're going to do this kind of thing, at least have the courtesy, the common courtesy that should be extended to any Member of House, to let us know that it's happening so perhaps, Mr. Chairman, we could resolve the issue beforehand.

The Acting CHAIRMAN. The gentleman's time has expired.

Mr. WELDON of Florida. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. WELDON of Florida. I'm happy to yield to the gentleman from Georgia.

Mr. WESTMORELAND. Mr. Chairman, I missed in the rule book where you needed to call any Member or anything to discuss an amendment that you might have, and I apologize for not reading that chapter in the rule book.

And, Mr. Chairman, I think I was raised very appropriately from a family that had to watch their money. My father worked two jobs. He was an Atlanta firefighter, and he worked shifts. In one week he'd be gone, work at the fire department during the day and then he'd be home at night. And then the next week he worked surveying during the day and the fire station at night, so we didn't see him for a week at a time. And he would watch every dollar that he had, and I think he did a great job in raising me and my sister and providing for our family.

He never really asked for anything from the government, and so I guess that I'm very careful about some of the ways that we spend our money, and especially when it is on a program that I look at as a set-aside program. And whether the gentleman from Hawaii or the lady from Hawaii look at it as a set-aside or not, I don't know. That's their right. And I understand that they may know some things that I don't know. And I can just look at this as a Member of Congress and look at see what the Congresses have done in the past.

And for some reason, Mr. Chairman, the tendency for the majority party now is to tell me and other Members that stand up here and try to look after the taxpayers' dollars what the Republicans did. I don't care what the Republicans did. What they did, what other people did in the past doesn't make what we're doing today right or wrong.

And so all I'm doing is bringing up the point that this is a set-aside for somebody, for a group of people that are not Native Americans. They're not an Indian tribe. This is a race group, and that's as simple as it is.

Now, we can argue all the points that we want to argue, and the learned gentleman from Hawaii is a very smart guy. I know he's probably a doctor in sociology. And he can come down here and talk negatively about me if he wants to. That's his prerogative.

But I was asking a learned defense attorney one day, I said, you know, what does it feel like to have a client that you're trying to defend, and all the information and the facts are against you?

He said, you know what, you just have to really get up and talk as loud as you can and really be as mad as you can and really talk about anything other than the facts. And I know I've seen that on a couple of occasions here from different people.

And so all I'm asking is that we have a chance, in this House, to vote on this amendment. And I think it's fair that we vote on this amendment; that we vote on this amendment to try to decide if we want to give another $8.7 million, and regardless of what they've

gotten from the Republican Congress since 2002, that we could start anew. And so I think it's worthwhile that we can offer an amendment that we can have a vote on trying to take a special set-aside for a racial group to have something different than the rest of the people in this country have.

Mr. WELDON of Florida. I yield back, Mr. Chairman.

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

The Acting CHAIRMAN. The gentleman from Connecticut is recognized for 5 minutes.

Mr. SHAYS. First off, I've been listening to this debate, and I felt, candidly, that it was getting a little personal and I'm uncomfortable with that. But I'm also now uncomfortable with what was described.

I believe, and I want to be on record, since I was on this floor, that Eskimos and Native Hawaiians are a group of people no different from American Indians. They were there before we got there. And that's the way I view it.

And I think that we need to look at how we provide funding for all Native Americans, Native Eskimos, and Native Hawaiians. But I don't see their difference. I see them all collectively the same.

I oppose this amendment. I will be voting against it. But I certainly understand the right of my colleague from Georgia to introduce an amendment. And I certainly agree, though, that it should be opposed.

I yield back.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND).

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

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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $7,450,000, to remain available until expended: *Provided,* That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to $367,000,000.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $247,500 from amounts in the first paragraph, which shall be transferred to and merged with the appropriation for ''Salaries and Expenses''.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b), $1,044,000, to remain available until expended: *Provided,* That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $41,504,255.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $34,650 from amounts in the first paragraph, which shall be transferred to and merged with the appropriation for ''Salaries and Expenses''.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $300,100,000, to remain available until September 30, 2009, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2010: *Provided,* That the Secretary of Housing and Urban Development shall renew all expiring contracts for permanent supportive housing that were funded under section 854(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section: *Provided further,* That the Secretary may use up to $1,485,000 of the funds under this heading for training, oversight, and technical assistance activities; and $1,485,000 shall be transferred to the Working Capital Fund.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

For the Office of Rural Housing and Economic Development in the Department of Housing and Urban Development, $16,830,000, to remain available until expended, which amount shall be competitively awarded by September 1, 2008, to Indian tribes, State housing finance agencies, State community and/or economic development agencies, local rural nonprofits, and community development corporations to support innovative housing and economic development activities in rural areas.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $4,180,000,000, to remain available until September 30, 2010, unless otherwise specified: *Provided,* That of the amount provided, $3,929,300,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974 (the ''Act'') (42 U.S.C. 5301 et seq.): *Provided further,* That unless explicitly provided for under this heading (except for planning grants provided in the second paragraph and amounts made available under the third paragraph), not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further,* That $1,584,000 shall be transferred to the Working Capital Fund: *Provided further,* That $62,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 205 of this Act), up to $3,960,000 may be used for emergencies that constitute imminent threats to health and safety.

Of the amount made available under this heading, $160,000,000 shall be available for grants for the Economic Development Initiative to finance a variety of targeted economic investments: *Provided,* That none of the funds provided under this paragraph may be used for program operations: *Provided further,* That, for fiscal years 2006, 2007, and 2008, no unobligated funds for EDI grants may be used for any purpose except acquisition, planning, design, purchase of equipment, revitalization, redevelopment or construction.

Of the amount made available under this heading, $20,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives.

The referenced statement of managers under this heading in title II of division I of Public Law 108–447 is deemed to be amended with respect to item number 194 by striking ''for costs associated with replacing the roof on the historic Luckey, Platt Building'' and inserting ''for building stabilization measures at the historic Hoffman House''.

The statement of managers correction referenced in the second paragraph under this heading in title III of division A of Public Law 109–115 is deemed to be amended with respect to item number 846 by striking ''Mahonoy City, Pennsylvania for improvements to West Market Street'' and inserting ''Mahanoy City, Pennsylvania for improvements to Centre Street''.

The statement of managers correction referenced in the second paragraph under this heading in title III of division A of Public Law 109–115 is deemed to be amended with respect to item number 250 by striking ''for renovation and construction of a resource center'' and inserting ''for construction of a homeless shelter''.

The statement of managers correction referenced in the second paragraph under this heading in title III of division A of Public Law 109–115 is deemed to be amended with respect to item number 713 by striking ''for construction of a senior center'' and inserting ''renovation and expansion of facilities''.

The statement of managers correction referenced in the second paragraph under this heading in title III of division A of Public Law 109–115 is deemed to be amended with respect to item number 844 by striking ''Liverpool Township'' and inserting ''Liverpool Borough''.

The referenced statement of managers under this heading in title II of division I of Public Law 108–447 is deemed to be amended with respect to item number 36 by striking ''respite care facility'' and inserting ''rehabilitative care facility for the developmentally disabled''.

The referenced statement of managers under this heading in title II of division I of Public Law 108–447 is deemed to be amended with respect to item number 608 by striking ''construct'' and inserting ''purchase and make improvements to facilities for''.

The referenced statement of managers under this heading in title II of division I of Public Law 108–447 is deemed to be amended with respect to item number 521 by striking ''Missouri'' and inserting ''Metropolitan Statistical Area''.

AMENDMENT NO. 5 OFFERED BY MS. CORRINE BROWN OF FLORIDA

Ms. CORRINE BROWN of Florida. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Ms. CORRINE BROWN of Florida:

Page 80, after line 22, insert the following:

The referenced statement of managers under this heading in title II of Public Law 107–73 is deemed to be amended with respect to the item relating to the City of Maitland, Florida, by striking ''for a senior citizens center'' and inserting ''for the Minihaha Park development''.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

Ms. CORRINE BROWN of Florida. Mr. Chairman, this amendment simply reprograms funds for a project that was included in the 2002 VA–HUD appropriation bill to another project in the same city.

The city of Maitland, Florida, which is located in the southern portion of my district, had money allocated to them for the construction of a community center. Unfortunately, the project was completed before funds were distributed by the Department of Housing and Urban Development, and they are now unable to use this money.

The city of Maitland, the recipient of the funds, has requested that the funds be redirected to another EDI project that involves the redevelopment of a public park that includes the creation of age-specific exercise courses and walking and bike paths.

The money promised to Maitland is still available at the Department of Housing and Urban Development and will have no financial impact on this year's bill. The community center is fully completed, making funds earmarked for this project useless to the city.

Every Member knows this type of Federal funding is crucial to a small city like Maitland, and I would hate to see funds meant for my district go unspent because we could not, HUD, get their act together and make this change.

I would ask the chairman to work with me as this bill moves forward to try to help the city of Maitland solve this problem.

Mr. Chairman, I'm going to withdraw this amendment, but I'm hoping that as we move forward, you will work to help rectify this problem that was created by the Department of HUD and this administration.

I yield to the gentleman from Massachusetts.

Mr. OLVER. I would be very pleased if you would withdraw this, and then I will work with you as best we can to try to resolve this problem in an expeditious and favorable way, if it is at all possible to do as we go forward in this process.

Ms. CORRINE BROWN of Florida. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, $2,970,000, to remain available until September 30, 2009, as authorized by section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $137,500,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974, as amended.

In addition, for administrative expenses to carry out the guaranteed loan program, $743,000 shall be transferred to and merged with the appropriation for ''Salaries and Expenses''.

BROWNFIELDS REDEVELOPMENT

For competitive economic development grants, as authorized by section 108(q) of the Housing and Community Development Act of 1974 (42 U.S.C. 5308(q)), for Brownfields redevelopment projects, $9,900,000, to remain available until September 30, 2009.

□ 1200

AMENDMENT OFFERED BY MR. SHAYS

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

The Clerk read as follows:

Amendment offered by Mr. SHAYS:

Page 81, line 24, after the dollar amount, insert ''(increased by $1,000,000)''.

Page 97, line 11, after the first dollar amount, insert ''(reduced by $1,000,000)''.

Mr. SHAYS. Mr. Chairman, I am offering an amendment today to increase the brownfields program funded at HUD by $1 million. This funding will be taken from the Department's general salaries and expenses.

I believe the brownfields program is one of the most successful programs the Federal Government has to help revitalize urban areas. These sites, typically in the heart of urban areas, lie idle because no one wants to incur the large costs associated with Superfund cleanups and the uncertainty of whether, in fact, it is a Superfund. As a result, cities are marked by abandoned buildings and vacant lots while developers construct new buildings on what was previously open space in the suburbs.

Though small, these grants serve as seed money, enabling dozens of communities to leverage millions of State and private dollars to move into the actual cleanup phase. This funding should encourage more environmental cleanup and bring about economic development of brownfield sites. By reusing brownfield sites, we are not only rebuilding blighted communities, but also targeting development in city centers and avoiding unnecessary urbanization on fringes of metropolitan areas.

Mr. Chairman, a brownfield is an abandoned, idle, or unused property where expansion of redevelopment is complicated by the presence or potential presence of contaminations. Brownfields redevelopment can benefit both private investors and the communities in which they are located. For the private sector, brownfields redevelopment can mean new business opportunities, the potential for profit on unused or underutilized properties, improve community environmental stewardship, and access to untapped urban markets.

The retail purchasing power of a central-city resident is conservatively estimated at $665 billion. Even households in those economically distressed urban neighborhoods possess $85 billion in annual retail purchasing power. Brownfields redevelopment is critical to tapping into these consumer markets.

Cities encounter many impediments to developing brownfields: the lack of necessary funding for cleanup, concerns over liability, the need for environmental assessments of properties, uncertainty over cleanup standards, unfavorable neighborhood and market conditions, land assembly issues, reluctance to invest in distressed communities due to concerns with urban social and economic conditions.

The bottom line for me is the most successful program that we have encountered in this Congress to deal with urban areas is the brownfields program. Whether it comes from EPA or whether it comes from HUD, we need to do everything we can, in my judgment, to clean up these sites and make them productive, and thereby in the end saving our greenfield sites that should stay undeveloped.

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

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

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, I am hopeful that the gentleman will withdraw his amendment here, and I would be happy to work with him because in substantial measure I support the intent of the amendment, but I have concerns about the offset, even though it is a relatively small offset. But I do want to use this time to point out what has happened here on the brownfields program.

The President, in the 2007 budget process, ended up recommending that we zero out this program in the 2007 budget, and he actually recommended rescinding the 2006 moneys, which were exactly the same amount of money that has been put in the 2007 finally and had been put in the 2006 budget. And under those circumstances, when they are making recommendations to rescind, their approach is not to give out any grants under the program until after the budget process for the following year is complete, and, therefore, those moneys just don't get put out until very late. There is a real big gap in it. That is what has happened previously.

This year the President did not propose to rescind the 2007 budget moneys for the simple reason that the 2007 budget moneys were not settled in this until the CR was adopted after the budget was submitted. If that had been done prior to when the budget was submitted, my guess is that the President would have proposed rescinding the 2007 moneys as well as zeroing out the 2008 moneys, which is what has happened in his recommendations for this year's bill.

So we are in this game, in a situation where the people over at OMB believe, I believe wrongly, but they seem to insist that there is someplace else in the budget, namely under EPA, where brownfields redevelopment is going to get done. That doesn't happen. The moneys that are in for brownfields under EPA are for assessments, and we have been doing assessments, and I believe that this should be funded. So in the face of what I have described, we have for the last couple of years continued to appropriate, but at the constant value of $9.9 million for this program, to keep it there until such time as we have someone who understands that that kind of program isn't being done anywhere else and is willing to move the moneys along, which the administration, as I have described, simply is not willing to do. So that is the situation that we are in.

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

Mr. OLVER. I would be happy to yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, I won't ask for a rollcall vote on this amendment, which may amount to the same thing as withdrawing this amendment, but could I have a dialogue with this gentleman?

Mr. OLVER. I have yielded.

Mr. SHAYS. What I am hearing is that you are not saying that these dollars are now going to be in EPA. You are saying basically what is in EPA are for assessments, but not to help developers come in and start to clean up. And what I am hearing you say is that these dollars, therefore, are just being maintained at a constant amount, and that this administration is choosing not to allocate them and spend them.

Is that what I am hearing from you?

Mr. OLVER. I am saying that they finally put the grant proposals out for award, but a year late essentially, and each time only after it is clear, for instance, the 2007 moneys will finally be sent out for grant announcements at the very end of this fiscal year when it is clear that we have not rescinded the 2007 moneys.

Mr. SHAYS. Could I ask the gentleman another question?

Mr. OLVER. Yes.

Mr. SHAYS. The $10 million that is in here, which is a smaller amount than the 25 million that used to be there a few years ago, it will be available if we can convince the Secretary of HUD to allocate these dollars to communities; is that correct?

Mr. OLVER. Repeat it, please.

Mr. SHAYS. There is money for brownfields in this legislation. I am just adding 10 percent more. But let's take my amendment out of the equation and at least have this dialogue about brownfields for my edification and for the RECORD. Is it your point that you are appropriating this $10 million in this budget that you have, but that you do not anticipate it will be spent?

Mr. OLVER. It will not be spent probably until the very end of the 2008 fiscal year, is when finally the RFPs will go out for possible granting.

The Acting CHAIRMAN. The time of the gentleman from Massachusetts has expired.

(On request of Mr. SHAYS, and by unanimous consent, Mr. OLVER was allowed to proceed for 2 additional minutes.)

Mr. SHAYS. Mr. Chairman, if the gentleman will continue to yield, could I just ask is there any legal impediment if we in Congress are able to convince HUD to spend the money? This is not a trick question. This is an edification question. Is there any legal impediment to the administration's spending the $10 million that you have allocated?

Mr. OLVER. No, there is none. There is none. But the offset that the gentleman has used is salaries and expenses, salaries and expenses is an account which, in the tightness of this budget, in trying to do for section 8 and CDBG and the other places, we have already cut a bit, not a great deal, but a bit, and I oppose, as I said before, in good conscience, the movement of salaries and expense moneys into this where we know that it is not going to be spent with any alacrity and any expedition.

Mr. SHAYS. I thank the gentleman.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. SHAYS).

The amendment was rejected.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.), $1,757,250,000, to remain available until September 30, 2010, of which $990,000 shall be transferred to the Working Capital Fund: *Provided,* That up to $9,900,000 shall be available for technical assistance: *Provided further,* That of the total amount provided in this paragraph, up to $41,580,000 shall be available for housing counseling under section 106 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x).

AMENDMENT NO. 2 OFFERED BY MR. TURNER

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. TURNER:

Page 82, line 6, after the dollar amount, insert ''(increased by $6,760,000)''.

Page 82, line 11, after the dollar amount, insert ''(increased by $6,760,000)''.

Page 100, line 5, after the first dollar amount, insert ''(reduced by $6,760,000)''.

Mr. TURNER. Mr. Chairman, my amendment, coauthored by Representative BIGGERT of Illinois and Mr. GILLMOR of Ohio, seeks to help families who are potential victims of lending practices that could lead to foreclosure. The amendment increases the amount of funds available for housing counseling under section 106 of the Housing and Urban Development Act of 1968.

The amendment would increase the program's funding by $6.7 million. The increase is offset by reducing the Office of Inspector General account by $6.7 million. The CBO has scored this amendment as budget-neutral.

Funding for housing counseling has increased by only $2 million since fiscal year 2003.

Mr. Chairman, as a former mayor of the city of Dayton, Ohio, I have seen directly the detrimental impact that predatory lending and the practice of unwarranted subprime loans have had on urban families and communities. In 2001, the University of Dayton released a study of how mortgage foreclosures were affecting urban areas in Ohio. My community of Dayton had 1 foreclosure for every 43 households. Similar findings were seen in Cleveland, Akron, Columbus, and Cincinnati.

The problem of home foreclosures isn't limited to Ohio and the Midwest. According to a June 12, 2007, Bloomberg article, national home foreclosure rates in May soared 90 percent from last year. Many of these are tied to the subprime loan industry.

Many foreclosed homes sit vacant and boarded up for long periods of time. These properties go beyond just being an eyesore and become a threat to public health and safety. These properties are a blight to our neighborhoods and result in falling property values and increased crime, lead to an eroded tax base, and impair a city's ability to provide important services to families.

Beyond the individual impact these practices have on our neighborhoods, the subprime foreclosure crisis is resulting in the loss of capital in the financial market, a market that, if not righted, could threaten our growing robust economy.

Today we are seeing headlines from all across the country showing the growing concerns of financial markets regarding predatory and subprime lending practices that have resulted in a record number of foreclosures.

Recently, members of the Ohio delegation, led by Representatives GILLMOR, PRYCE, LATOURETTE, and Senator BROWN, held a forum on the predatory lending crisis in Ohio. At this forum we heard from a variety of groups, from banks to fair housing groups. All of these groups shared a mutual concern over the issue of

predatory and subprime lending, and many agreed that an increased focus on housing counseling was a key component to fighting this problem.

It is my hope that increased funding possible through this amendment will allow housing counseling agencies the ability to provide vital counseling services to families in need. These services will give families the assistance they need to protect themselves from practices and circumstances that could lead to foreclosure.

Mr. Chairman, I believe that homeownership is a privilege that everyone should enjoy. We must give all American families the tools they need to be successful homeowners.

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

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

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, I would ask the gentleman if he would withdraw his amendment, and I would be happy to work with him, as I am sure the ranking member would as well, though I would lead him to comment, to work with him in conference to address this issue.

□ 1215

Otherwise, I rise in reluctant opposition to the gentleman's amendment.

I believe the need, as he has indicated, for housing counseling is strong. But what his offset does in this instance is to take the funding for the Inspector General for HUD back to the level of the budget request for the year 2007, where we had increased in the supplemental budget the appropriation for the IG to $88.2 million, in the supplemental budget had been added to the IG to do its work, and have recommended in this bill a less than 2 percent increase. So that, compared with the 2007 appropriation for the IG, the amendment would represent a 5 or 6 percent decrease in the amount of funding available for the IG.

We simply are not in a position to be able to increase this account because of the deep holes that the President handed to us in the HUD budget. We froze the account at the FY07 level, with the supplemental amount there, which is the best that we could do without harming other HUD programs.

Now, taking the funding from the Inspector General to increase this account is counterproductive to the gentleman's amendment. Should we reduce the oversight in order to increase the housing counseling? They're both vital programs. We feel that we have struck the correct balance here for this pair of needs.

I commend the gentleman's passion on the issue, and I would be happy to work with him in the future on the issue related to housing counseling. And I do recognize that we are likely to have some, in the secondary lending market, problems later this year, continuing problems, as we have been having, but I would urge the gentleman to withdraw the amendment at this time and we would try to work it out in conference.

Mr. TURNER. Will the gentleman yield?

Mr. OLVER. I would be happy to yield.

Mr. TURNER. Mr. Chairman, I appreciate your commitment to look to work on this issue; however, the housing crisis is enormous. It is impacting a number of families and neighborhoods throughout the country. We're seeing the impacts are grave.

I would like to work with you on where, perhaps, an offset would be acceptable. But at this time we would like the House to be on record in support of this increased funding, so I would desire not to withdraw the amendment. But I appreciate your support of the increased funding and will look forward to working with you.

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

Mrs. BIGGERT. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. Mr. Chairman, I rise in support of the Turner-Biggert-Gillmor amendment to increase funding for HUD-approved housing counseling services by $6.76 million, bringing the HUD total housing counseling budget to $48.34 million for fiscal year 2008.

As the ranking member of the Financial Services Housing and Community Opportunity Subcommittee, I want to thank my colleagues from Ohio for their work on this amendment, which is a modest increase in funding that could prevent millions of Americans from losing their homes.

I've spent many an hour this year listening to witness after witness testify before our subcommittee and the Financial Services Committee about the current home foreclosure spike. According to data released by the Mortgage Bankers Association, while our country will continue to enjoy record homeownership rates, foreclosures are on the rise and we should expect another 1 million Americans to lose their homes this year. These mortgage foreclosure rates raise eyebrows and call into question what actions can be taken to help homeowners keep their homes. I would like to emphasize the word ''action.''

Almost 2 weeks ago this body passed, by a vote of 411–7, House Resolution 526 sponsored by the gentleman from Maryland (Mr. CUMMINGS). This resolution called on this body to take action to support home ownership and responsible lending. The resolution directed us to increase opportunities for loan counseling. So what can Congress do to meet this directive today? What is it we should be doing right now to ensure that 650,000 homeowners and those who may follow can keep their homes? One step in the right direction is to support the Turner amendment to increase funding and, therefore, opportunities for housing counseling.

It is crucial to promote financial literacy and educate our youth and adults. This is the most direct way of ensuring that consumers understand the terms of their loans so that they may avoid predatory loans and foreclosure altogether.

I'm pleased that on June 25, NeighborWorks America and the Ad Council launched a national ad campaign aimed at preventing home foreclosures. Homeowners in trouble can try to save their homes by calling a hotline, 888–995–HOPE, a number provided by the Homeownership Preservation Foundation.

In addition, we have about 2,300 HUD-certified housing counseling agencies across the country. Americans should know that they can visit HUD's Web site or call 800–569–4287 to find a HUD-certified counselor in their neighborhood. HUD-certified counselors can give straightforward and free or low-cost advice to potential or existing homeowners about buying a home, refinancing a mortgage or preventing foreclosure.

The Turner amendment is one way that we can enhance the ability of our local HUD-certified housing counselors to help our constituents avoid foreclosure and keep their piece of the American Dream. But I think this amendment is good for the economy, good for American homeowners, and I think it's crucial that we act upon it now, where so many people are in these dire straights.

I know that there are groups that are in support of this, and one that comes to mind that we just received a letter from is Acorn. So I would urge my colleagues to support this amendment.

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

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

The Acting CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, I rise in support of this funding for housing counseling.

I know, Mr. Chairman, you have a view about hoping to see him withdraw, but there is an urgency involved here. This amendment recognizes the harsh realities that in many places across the country families face delinquencies in mortgage payments. And they're on a rapid rise. Michigan is one of those States as well. This modest amendment would add funds to professional counselors to help families keep their homes and perhaps help them avoid high-risk loans to begin with.

The program has been a proven success. Michigan, like Ohio, has been experiencing a rise in delinquent loans. This increase could make a huge difference for so many families who are facing a mortgage crisis.

The Inspector General has received significant increases since Katrina to ensure that it can monitor the use of funds in the reconstruction. Therefore, I do not believe the reduction will in any way impact the IG's ability to do its job, and could greatly improve the lives of many families facing a financial crisis.

I do support the amendment, and I urge its adoption.

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

Mr. GILLMOR. I move to strike the last word.

The Acting CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. GILLMOR. Mr. Chairman, I will enter my statement in the RECORD, and I am going to be very brief.

I rise in support of the amendment. I want to commend the gentleman, Mr. TURNER, for taking leadership on this amendment. He has a record of being very active, when he was mayor of Dayton, trying to deal with the problems of predatory lending. And I want to commend Mrs. BIGGERT for her work on this, as well as her work on financial literacy.

Ohio, unfortunately, has been one of the leaders in foreclosures. And I want to point out one of the things that we found about foreclosures nationally and also in the Midwest, most of those foreclosures have not come as a result of loans by federally regulated banks and savings and loans. They have come from those lenders and mortgage brokers who are not regulated by the Federal Government but by the States, who have not done their job.

I called together a conference, I guess about six weeks ago, of Ohio financial institutions, of regulators, of community groups, to talk about the foreclosure crisis and what effectively could be done. And I was surprised that the consensus that came out of that meeting of all those groups was that the single most important thing you could do would be to provide for housing counseling. And the people who did have counseling had a very low foreclosure rate. And all this bill would do would be to provide a modest increase in counseling. We will get a tremendous benefit and a decrease in foreclosures as a result of it.

I think this amendment presents a choice. You have two agencies, and you have a choice between them. You've got the Inspector General and the Housing Counseling Program. Which one are you going to fund level to last year and which one are you going to increase? And I would say to you, if you look at what's going on in the housing market, it is pretty clear that if there is to be a priority between those two, it ought to be to put more money into counseling so that you can save people and their homes.

I also point out that the Senate has already passed language that goes much further than ours. So I would ask for support of the Turner-Biggert-Gillmor amendment.

Today I rise in strong support of the Turner-Biggert-Gillmor amendment. Not a day goes by that we do not see reports of another facet of the growing turmoil in our housing markets. For far too long, Ohioans and others have been subject to predatory lenders, loose underwriting standards and too few housing counseling opportunities. My colleagues Mr. TURNER, Ms. BIGGERT and many others have explored these issues for years and have worked tirelessly to find solutions to the problem of foreclosure. Mr. TURNER was active in efforts to prevent predatory lending as the mayor of Dayton. My colleague Ranking Member BIGGERT has been a leader in efforts to promote financial literacy. Housing counseling is a critical element to helping Americans stay in their home. During a recent summit I put together on Ohio's foreclosure crisis, regulators, lenders and housing advocates from Ohio alike presented an opinion that a significant number of homeowners were not able to tell you whether they had a fixed-rate or an adjustable-rate mortgage. Today, too many find out the hard way when their loan resets. It is expected that some $600 billion in subprime loans will reset in the next 18 months and the fallout could be devastating to many of our constituents.

The consensus of all those attending was that the most important single thing we could do to prevent foreclosure was to provide counseling before people actually entered into a mortgage. Housing counseling will not be a silver bullet, nor will it prevent someone currently in the foreclosure process from losing their home. That being said, there is a clear need for additional federal resources in this area and would hope my colleagues will support this small increase.

Legislation I recently introduced with Representatives BACHUS, PRYCE and others would authorize some $100 million per year in housing counseling, a more than doubling of FY2007 enacted levels. The Senator has proposed a comparable increase. While I hope this stand-alone legislation is quickly adopted by the House, this amendment assures that moving forward, Congress is in favor of additional resources for housing counseling.

I urge my colleagues to accept this modest increase in funding so that our constituents can keep their homes once they realize the American dream of homeownership.

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

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. LEWIS of California. Mr. Chairman, I asked for time simply to have a discussion with Mr. TURNER, if I might, regarding his amendment.

Mr. TURNER, in ancient history I had the privilege of chairing this subcommittee, and during those early years I was very, very concerned with what was happening within the total housing programming, what happens to the money as it flows to communities, et cetera. The focus then was upon section 8 housing. I will never forget my trip to New Orleans to try to see what was happening with money we sent there over a lot of years to the Housing Authority. I met with the Inspector General in the offices of the FBI to discuss what I had seen and some of my concerns. The FBI guy who was there listening to our conversation was heard to say, Congressman, if you really want to get a handle on this, I would suggest that one of the things that you might do is put enough money into the Inspector General's office so you can have a full-time inspector general here in New Orleans, for this fellow flew in from Houston to talk with you today.

I heard a while ago that there had been added monies to the Inspector General's office since Katrina. I have no idea what that means in terms of the real volume, et cetera, but I do perceive that there is an ongoing problem across the country.

So this discussion, or my reason to talk with you, is I admire very much what you're about. I would hope also, as you go about it, that you work very closely with the chairman and ranking member about finding another source of money. The issue is a very important one, but I'm not certain just how well off the Inspector General is.

I yield to the gentleman.

Mr. TURNER. I certainly appreciate your description of the needs for the Inspector General. And I support, of course, the chairman's description of searching for additional offsets for this in order to find additional monies for housing counseling. And in that, I'm certain that after the amendment passes the House, that there would be a great deal of effort by the chairman in conference to seek, perhaps, an additional offset where the Inspector General amount could be restored.

But as you have heard from so many of the Members that are here, this is an issue that strikes at the very heart of the fabric of our neighborhoods and our families. I have so many families who have come to me to tell me the stories of what they have experienced. There are nonprofit organizations in my community who are every day working with families who have faced this issue of foreclosure, and they want to know that we support the services that are being provided to them and that might be available to them.

Mr. LEWIS of California. Reclaiming my time, let me say that it is my intention to support the gentleman's amendment. I would urge the chairman to consider doing the same as we search for an offset somewhere else. But in the meantime, the issue is a critical issue. It is spreading across the country like wildfire. We are going to see an awful lot more of this challenge, not less of this. So I appreciate the gentleman's effort.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TURNER).

The amendment was agreed to.

□ 1230

Mr. OLVER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOLDEN) having assumed the chair, Mr. WEINER, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3074) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, had come to no resolution thereon.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 3074, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. OLVER. Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 3074 in the Committee of the Whole pursuant to House Resolution 558, notwithstanding clause 11 of rule XVIII, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

An amendment by Mr. CROWLEY regarding a study to determine staffing needs for air traffic controllers;

An amendment by Mr. AL GREEN of Texas regarding funding for the Fair Housing Initiatives Program;

An amendment by Ms. SLAUGHTER, Ms. VELÁZQUEZ, or Mr. TERRY regarding funding for lead hazard reduction grants;

An amendment by Ms. GINNY BROWN-WAITE of Florida regarding an annual study of FHA single-family housing mortgage insurance programs;

An amendment by Mr. GARY MILLER of California regarding the authorization for additional Moving to Work Demonstration agreements;

An amendment by Mr. BLUNT regarding Corporate Average Fuel Economy standards;

An amendment by Mr. CONAWAY regarding use of reductions made through amendment for deficit reduction;

An amendment by Mr. DEFAZIO, or Mr. HUNTER, or Mrs. BOYDA of Kansas prohibiting use of funds for certain cross-border motor carrier demonstration projects;

An amendment by Mr. FLAKE limiting funds for the National Mule and Packers Museum in Woodlake, California;

An amendment by Mr. FLAKE limiting funds for the Los Angeles Fashion District in Los Angeles, California;

An amendment by Mr. FLAKE limiting funds for the Bel Alton High School Alumni Association Community Development Corporation in Maryland;

An amendment by Mr. FLAKE limiting funds for the Hunting and Fishing Museum of Pennsylvania;

An amendment by Mr. FLAKE limiting funds for the Houston Zoo in Texas;

An amendment by Mr. FLAKE limiting funds for the Walter Clore Wine and Culinary Center in Washington;

An amendment by Mr. FLAKE limiting funds for the Belmont Complex in Armstrong County, Pennsylvania;

An amendment by Mr. FLAKE limiting funds for the North Central Wisconsin Regional Planning Commission in Wausau, Wisconsin;

An amendment by Mr. FLAKE limiting funds for the Arlington Chamber of Commerce in Texas;

An amendment by Mr. FLAKE limiting funds for the Strand Theatre Performing Arts Center in Plattsburgh, New York;

An amendment by Mr. FLAKE limiting funds for the Huntsville Museum of Art in Alabama;

An amendment by Mr. FLAKE limiting funds for the Friends of Cheat Rails to Trails program;

An amendment by Mr. FRANK of Massachusetts or Mr. RANGEL regarding community service requirements;

An amendment by Mr. FRELINGHUYSEN limiting funds to implement a preferred alternative for the New York-New Jersey-Philadelphia airspace redesign;

An amendment by Mr. GINGREY limiting funds for certain economic development activities which obtain property through eminent domain;

An amendment by Mr. HASTINGS of Florida regarding TRACON consolidation;

An amendment by Ms. JACKSON-LEE of Texas regarding noise mitigation studies;

An amendment by Ms. JACKSON-LEE of Texas regarding technology for temporary disaster housing;

An amendment by Ms. JACKSON-LEE of Texas prohibiting use of funds to undermine unions and other labor organizations representing workers on federally funded transportation projects;

An amendment by Ms. JACKSON-LEE of Texas prohibiting use of funds to prohibit transportation workers from having necessary communication equipment;

An amendment by Mr. JORDAN of Ohio reducing funds in the bill by 6.3 percent, which shall be debatable for 40 minutes;

An amendment by Mr. KING of Iowa limiting funds to implement Davis-Bacon requirements;

An amendment by Mr. KING of Iowa limiting funds to employ workers described in section 274A of the Immigration and Nationality Act;

An amendment by Mr. KING of Iowa limiting funds for the Alpine Heritage Preservation in West Virginia;

An amendment by Mr. GARY MILLER of California, Ms. WATERS, or Mr. AL GREEN of Texas prohibiting use of funds to take certain actions on standards for mortgagor's investment in mortgaged properties;

An amendment by Mrs. MUSGRAVE reducing funds in the bill by 0.5 percent, which shall be debatable for 40 minutes;

An amendment by Mr. PALLONE or Mr. PATRICK MURPHY of Pennsylvania regarding waste processing and transferring facilities;

An amendment by Mr. PRICE of Georgia reducing funds in the bill by 1 percent, which shall be debatable for 40 minutes;

An amendment by Mr. SESSIONS limiting the use of funds for a certain AMTRAK route;

An amendment by Mr. SHULER regarding use of funds designated for North Shore Road in Swain County, North Carolina;

An amendment by Mr. UPTON, Ms. HARMAN, Mr. INGLIS of South Carolina or Mr. LIPINSKI regarding energy efficient light bulbs;

An amendment by Mr. PRICE of Georgia limiting FHA funds for the creation of an affordable housing fund;

An amendment by Mr. HENSARLING limiting funds for parking facilities;

An amendment by Mr. HENSARLING limiting funds for the Edmunds Center for the Arts in Washington;

An amendment by Mr. KING of Iowa limiting funds for homeownership assistance for certain individuals;

An amendment by Mr. KING of Iowa limiting funds for the Association of Community Organizations for Reform Now;

An amendment by Mr. CROWLEY limiting funds for the Blairstown Historic Preservation Commission in Blairstown, New Jersey;

An amendment by Mr. CROWLEY limiting funds for the City of Marshall, Texas;

An amendment by Mr. CROWLEY limiting funds for the City of Muncie, Indiana;

An amendment by Mr. CROWLEY limiting funds for the I–25 North of HS 66 project in Colorado;

An amendment by Mr. CROWLEY limiting funds for the State Route 374, from State Route 149 to 77, project in Montgomery County, Tennessee;

An amendment by Mr. WALBERG limiting funds to promulgate regulations based on race, ethnicity or sex;

An amendment by Mr. HENSARLING limiting funds for museums;

An amendment by Mr. PETERSON of Pennsylvania limiting funds for tolling on I–80 in Pennsylvania;

An amendment by Mr. HUNTER limiting funds for a U.S.-Mexico freeway;

An amendment by Mr. OBEY regarding earmarks; and

An amendment or amendments by Mr. OLVER regarding funding.

Each such amendment may be offered only by the Member named in this request or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies each may offer one pro forma amendment for the purpose of debate;

and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

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

There was no objection.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The SPEAKER pro tempore. Pursuant to House Resolution 558 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3074.

□ 1240

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3074) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, with Mr. WEINER (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 2 by the gentleman from Ohio (Mr. TURNER) had been disposed of and the bill had been read through page 82, line 13.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except those specified in the previous order of the House today, which is at the desk.

Mr. OLVER. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 94, line 9, be considered as read, printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of that portion of the bill is as follows:

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, $59,700,000, to remain available until September 30, 2010: *Provided*, That of the total amount provided in this heading $27,710,000 shall be made available to the Self Help Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996 (42 U.S.C. 12805 note), of which up to $990,000 is for technical assistance, and: *Provided further*, That $31,000,000 shall be made available for capacity building, for Community Development and affordable Housing for the Local Initiatives Support Corporation and the Enterprise Foundation for activities authorized by section 4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), as in effect immediately before June 12, 1997.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, $1,560,990,000, of which $1,540,990,000 shall remain available until September 30, 2010, and of which $20,000,000 shall remain available until expended: *Provided*, That not less than 30 percent of funds made available, excluding amounts provided for renewals under the shelter plus care program, shall be used for permanent housing: *Provided further*, That all funds awarded for services shall be matched by 25 percent in funding by each grantee: *Provided further*, That the Secretary of Housing and Urban Development shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: *Provided further*, That up to $8,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project and technical assistance: *Provided further*, That $2,475,000 of the funds appropriated under this heading shall be transferred to the Working Capital Fund: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Shelter Plus Care renewals in fiscal year 2008.

HOUSING PROGRAMS

HOUSING FOR THE ELDERLY

(INCLUDING TRANSFER OF FUNDS)

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959 (12 U.S.C. 1701(q)), and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, $734,580,000, to remain available until September 30, 2011, of which up to $603,900,000 shall be for capital advance and project-based rental assistance awards: *Provided*, That, of the amount provided under this heading, up to $59,400,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which up to $24,750,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) for conversion of eligible projects under such section to assisted living or related use and for emergency capital repairs as determined by the Secretary of Housing and Urban Development: *Provided further*, That of the amount made available under this heading, $20,000,000 shall be available to the Secretary only for making competitive grants to private nonprofit organizations and consumer cooperatives for covering costs of architectural and engineering work, site control, and other planning relating to the development of supportive housing for the elderly that is eligible for assistance under section 202 of the Housing Act of 1959: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 capital advance projects: *Provided further*, That $1,980,000 of the total amount made available under this heading shall be transferred to the Working Capital Fund: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration.

HOUSING FOR PERSONS WITH DISABILITIES

(INCLUDING TRANSFER OF FUNDS)

For capital advance contracts, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act, $236,610,000 to remain available until September 30, 2011: *Provided*, That $990,000 shall be transferred to the Working Capital Fund: *Provided further*, That, of the amount provided under this heading $74,745,000 shall be for amendments or renewal of tenant-based assistance contracts entered into prior to fiscal year 2005 (only one amendment authorized for any such contract): *Provided further*, That all tenant-based assistance made available under this heading shall continue to remain available only to persons with disabilities: *Provided further*, That the Secretary of Housing and Urban Development may waive the provisions of section 811 governing the terms and conditions of project rental assistance and tenant-based assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That amounts made available under this heading shall be available for Real Estate Assessment Center Inspections and inspection-related activities associated with section 811 Capital Advance Projects.

OTHER ASSISTED HOUSING PROGRAMS

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1(f)(2)) in State-aided, non-insured rental housing projects, $27,600,000, to remain available until expended.

RENT SUPPLEMENT

(RESCISSION)

Of the amounts made available under the heading ''Rent Supplement'' in Public Law 98–63 for amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, non-insured rental housing projects, $27,600,000 is rescinded.

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2007, and any collections made during fiscal year 2008 and all subsequent fiscal years, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act.

MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $16,000,000, to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2008 so as to result in a final fiscal year 2008 appropriation from the general fund estimated at not more than $0 and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2008 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2008, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of $185,000,000,000.

During fiscal year 2008, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act (12 U.S.C. 1709), shall not exceed $50,000,000: *Provided*, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative expenses necessary to carry out the guaranteed and direct loan program, $351,450,000, of which not to exceed $347,490,000 shall be transferred to the appropriation for ''Salaries and Expenses''; and not to exceed $3,960,000 shall be transferred to the appropriation for ''Office of Inspector General''. In addition, for administrative contract expenses, $77,400,000, of which $25,550,000 shall be transferred to the Working Capital Fund, and of which up to $5,000,000 shall be for education and outreach of FHA single family loan products: *Provided*, That to the extent guaranteed loan commitments exceed $65,500,000,000 on or before April 1, 2008, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of loan guarantee modifications, as that term is defined in section 502 of the Congressional Budget Act of 1974, $8,712,000, to remain available until expended: *Provided*, That commitments to guarantee loans shall not exceed $45,000,000,000 in total loan principal, any part of which is to be guaranteed.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $50,000,000, of which not to exceed $30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary of Housing and Urban Development and formerly insured under such Act; and of which not to exceed $20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, $229,086,000, of which $209,286,000 shall be transferred to the appropriation for ''Salaries and Expenses''; and of which $19,800,000 shall be transferred to the appropriation for ''Office of Inspector General''.

In addition, for administrative contract expenses necessary to carry out the guaranteed and direct loan programs, $78,111,000, of which $15,692,000 shall be transferred to the Working Capital Fund: *Provided*, That to the extent guaranteed loan commitments exceed $8,426,000,000 on or before April 1, 2008, an additional $1,980 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments over $8,426,000,000 (including a pro rata amount for any increment below $1,000,000), but in no case shall funds made available by this proviso exceed $14,400,000.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $200,000,000,000, to remain available until September 30, 2009.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, $10,700,000, to be derived from the GNMA guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed $10,700,000, shall be transferred to the appropriation for ''Salaries and Expenses''.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $58,087,000, to remain available until September 30, 2009: *Provided*, That of the total amount provided under this heading, $5,000,000 shall be for the Partnership for Advancing Technology in Housing Initiative: *Provided further*, That of the funds made available under this heading, $22,394,000 is for grants pursuant to section 107 of the Housing and Community Development Act of 1974 (42 U.S.C. 5307): *Provided further*, That activities for the Partnership for Advancing Technology in Housing Initiative shall be administered by the Office of Policy Development and Research.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, $45,540,000, to remain available until September 30, 2009, of which $20,180,000 shall be to carry out activities pursuant to such section 561: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary of Housing and Urban Development may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

AMENDMENT NO. 6 OFFERED BY MR. AL GREEN OF TEXAS

Mr. AL GREEN of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. AL GREEN of Texas:

Page 94, line 16, after the dollar amount, insert ''(increased by $5,820,000)''.

Page 94, line 18, after the dollar amount, insert ''(increased by $5,820,000).

Page 99, line 18, after the dollar amount, insert ''(reduced by $5,820,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. AL GREEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. AL GREEN of Texas. Mr. Chairman, I would like to thank Chairman OBEY, Subcommittee Chairman OLVER, and Ranking Members LEWIS and KNOLLENBERG. I also would like to thank them especially for their leadership.

Mr. Chairman, we understand that budgetary constraints are necessary and that budget challenges are a reality, just as invidious discrimination in housing is a reality. This is why Congress passed the Fair Housing Act of 1968.

The Fair Housing Act prohibits housing discrimination not just on race, color and national origin, but also on religious, sexual status, disability and familial status. However, nearly 40 years after the passage of this act, 4 million fair housing violations occur annually, tens of thousands of complaints are filed, and most violations aren't investigated.

Violations occur in the rental market when qualified renters are denied housing based upon invidious discrimination. Violations occur in the purchase market when qualified buyers are denied loans, pay more for loans, or are steered to the subprime market when they qualify for prime loans.

This is why we need to fund the Fair Housing Initiative Program to the level authorized of $26 million. The Fair Housing Initiative Program allows for testing. This will allow us to have persons who are equally qualified, perhaps one is disabled and one is not, to go out and seek a loan or a rental property. If the disabled person is denied, and the person that follows who is not disabled receives the loan or the property, then we are gathering the empirical data necessary to show that the discrimination exists.

Mr. Chairman, my amendment would add $5.82 million to the bill to bring it to the $26 million authorized level.

Mr. Chairman, the need is there, the authorization exists, and the time to act is here. Let us keep the American dream alive for all persons who are qualified. Let's do our part on our watch to prevent invidious discrimination in housing.

I yield to the gentleman from Massachusetts.

Mr. OLVER. I thank the gentleman for yielding.

Mr. Chairman, I understand that the gentleman is going to withdraw this amendment. Is that the gentleman's intention?

Mr. AL GREEN of Texas. Mr. Chairman, it is. My hope is that the gentleman and I would be able to work together to see if there is some means by which it can be accommodated.

□ 1245

Mr. OLVER. If the gentleman will continue to yield, I thank the gentleman for that willingness to withdraw his amendment and for highlighting the issue that we have before us.

We simply could not increase this amount this year because of the budget constraints. The budget proposal here is the same as the 2007 enacted budget and slightly above the budget request by the administration. And the offset, the offset is in a place where there really isn't money to take from the offset to do this.

I appreciate the gentleman's willingness to withdraw the amendment and will be happy to work with him to try to find money in conference.

Mr. AL GREEN of Texas. I thank the chairman, and I look forward to working with the chairman so that we may seek an accommodation in conference.

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

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4852), $130,000,000, to remain available until September 30, 2009, of which $8,712,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided,* That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, Operation Lead Elimination Action Plan, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994 (42 U.S.C. 3547): *Provided further,* That of the total amount made available under this heading, $48,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs, as identified by the Secretary of Housing and Urban Development as having: (1) the highest number of occupied pre-1940 units of rental housing; and (2) a disproportionately high number of documented cases of lead-poisoned children: *Provided further,* That each grantee receiving funds under the previous proviso shall target those privately owned units and multifamily buildings that are occupied by low-income families as defined under section 3(b)(2) of the United States Housing Act of 1937: *Provided further,* That not less than 90 percent of the funds made available under this paragraph shall be used exclusively for abatement, inspections, risk assessments, temporary relocations and interim control of lead-based hazards as defined by 42 U.S.C. 4851: *Provided further,* That each recipient of funds provided under the first proviso shall make a matching contribution in an amount not less than 25 percent: *Provided further,* That each applicant shall submit a detailed plan and strategy that demonstrates adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability.

AMENDMENT OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. SLAUGHTER:

Page 95, line 8, after the dollar amount, insert ''(increased by $10,000,000)''.

Page 95, line 9, after the dollar amount, insert ''(increased by $10,000,000)''.

Page 97, line 11, after the first dollar amount, insert ''(reduced by $10,000,000)''.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from New York (Ms. SLAUGHTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. SLAUGHTER. Mr. Chairman, first I want to give my thanks to Chairman OLVER and to Mr. KNOLLENBERG for doing a wonderful job on this bill.

I intend to withdraw this amendment, but if I can just take a moment or two to discuss the importance of HUD's Office of Lead Hazard Control, I would like to do that.

The funding is crucial in reaching our goal of eliminating childhood lead poisoning nationwide by 2010. The grants provided by HUD's Office of Lead Hazard Control allow cities and States to correct serious lead hazard in low-income and high-risk homes.

Make no mistake, Mr. Chairman, this is not just an isolated problem. Lead poisoning affects over 250,000 American children under the age of 5 each and every year. High levels of lead in the blood have been linked to childhood asthma, brain damage, hearing loss, hyperactivity, developmental delays, and in extreme cases, exposure to lead has caused seizures, comas, and even death.

Mr. Chairman, this is simply unacceptable.

In my district alone, over 2,000 children fall victim to lead poisoning every year. Over half of all the homes in Niagara and Erie counties were built before 1950 and are therefore very likely to contain lead. And just in Erie County, 1,000 children have unsafe lead levels in their blood.

The city of Rochester is among the top 10 cities in the United States with the worst lead paint problems. In 2004, 900 children in Monroe County were reported to have high blood lead levels. We have a city ordinance in effect to try to deal with that, but we have not enough money obviously to take action.

The grants are so important. They are targeted to help the most vulnerable of our citizens, children under 5 years of age. But in order to be more effective, they have to have adequate funding. Since the bill before us only funds the Office of Lead Hazard Control at $130 million, we wanted to put in this amendment.

But I commend the chairman for putting together this thoughtful and solid bill, and I hope we can work together in conference to try to do more.

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

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Pursuant to clause 6 of clause 18, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. MICA of Florida.

An amendment by Mrs. BACHMANN of Minnesota.

An amendment by Mr. FLAKE of Arizona.

An amendment by Mr. FLAKE of Arizona.

An amendment by Mr. CHABOT of Ohio.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. MICA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. MICA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MICA:

Page 18, beginning on line 9, strike the colon and all that follows through line 21 and insert a period.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 201, noes 217, not voting 18, as follows:

[Roll No. 691]

AYES—201

Aderholt
Akin
Alexander
Bachmann
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Boyda (KS)
Brady (TX)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore (KS)
Moran (KS)
Murphy, Tim
Musgrave
Neugebauer
Nunes
Paul
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Rush
Ryan (WI)
Salazar
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOES—217

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Frank (MA)
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNerney
McNulty
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—18

Bachus
Bishop (UT)
Brown (SC)
Clarke
Cole (OK)
Cubin
Davis (IL)
Davis, Jo Ann
Gilchrest
Higgins
Honda
Marshall
Melancon
Myrick
Pearce
Pence
Space
Young (AK)

□ 1314

Mrs. GILLIBRAND, Ms. ZOE LOFGREN of California, Mr. GRIJALVA, Ms. WATERS, and Messrs. HODES, GUTIERREZ and PERLMUTTER changed their vote from ''aye'' to ''no.''

Mr. EVERETT changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MRS. BACHMANN

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Minnesota (Mrs. BACHMANN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. BACHMANN:

Page 38, line 10, after the dollar amount, insert ''(reduced by $106,000,000)''.

Page 83, line 16, after the dollar amount, insert ''(increased by $106,000,000)''.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. The Chair reminds Members this is a 2-minute vote and will be followed by 2-minute votes. Please remain in the Chamber.

The vote was taken by electronic device, and there were—ayes 110, noes 308, not voting 18, as follows:

[Roll No. 692]

AYES—110

Aderholt
Akin
Bachmann
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boustany
Brady (TX)
Buchanan
Burgess
Burton (IN)
Camp (MI)
Campbell (CA)
Cannon
Carter
Conaway
Culberson
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
Diaz-Balart, M.
Doolittle
Drake
Dreier
Ellison
Ellsworth
Everett
Feeney
Flake
Fortuño
Foxx
Franks (AZ)
Gallegly
Gillmor
Gingrey
Granger
Graves
Hall (TX)
Hastings (WA)
Heller
Hensarling
Herger
Hulshof
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kline (MN)
Lamborn
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Mahoney (FL)
Marchant
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McKeon
McMorris Rodgers
Miller (FL)
Miller, Gary
Musgrave
Neugebauer
Paul
Pearce
Poe
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Reichert
Renzi
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ryan (WI)
Sali
Sensenbrenner
Sessions
Shadegg
Smith (NE)
Smith (TX)
Souder
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Walden (OR)
Weldon (FL)
Westmoreland
Wilson (NM)
Wilson (SC)

NOES—308

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boozman
Bordallo
Boren
Boswell
Boucher
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Buyer
Calvert
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Christensen
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly
Doyle
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastert
Hastings (FL)
Hayes
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Petri
Pickering
Pitts
Platts
Price (NC)
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rohrabacher
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—18

Bachus
Bishop (UT)
Boyd (FL)
Brown (SC)
Cardoza
Clarke
Cubin
Davis, Jo Ann
Gilchrest
Higgins
Honda
Marshall
Myrick
Pence
Peterson (MN)
Peterson (PA)
Space
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining.

□ 1320

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:

Page 38, strike line 5 and all that follows through page 41, line 18.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 94, noes 328, not voting 14, as follows:

[Roll No. 693]

AYES—94

Akin
Bachmann
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Buchanan
Burgess
Burton (IN)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Conaway
Culberson
Davis, David
Deal (GA)
Doolittle
Drake
Dreier
Duncan
Everett
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Gingrey
Granger
Graves
Hall (TX)
Hastings (WA)
Heller
Hensarling
Herger
Issa
Johnson, Sam
Jordan
Keller
Kingston
Kline (MN)
Lamborn
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Musgrave
Neugebauer
Nunes
Paul
Pearce
Peterson (PA)
Petri
Poe
Price (GA)
Radanovich
Ramstad
Reichert
Rogers (KY)
Rohrabacher
Royce
Ryan (WI)
Sali
Sensenbrenner
Sessions
Shadegg
Smith (TX)
Tancredo
Terry
Thornberry
Wamp
Weldon (FL)
Westmoreland
Wilson (SC)

NOES—328

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Buyer
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Fortenberry
Fortuño
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastert
Hastings (FL)
Hayes
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pickering
Pitts
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton

Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—14

Bachus
Bishop (UT)
Brown (SC)
Clarke
Cubin
Davis, Jo Ann
Gilchrest
Higgins
Honda
Marshall
Myrick
Pence
Space
Young (AK)

□ 1325

Mr. SMITH of Nebraska changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:

Page 41, line 26, after the dollar amount, insert ''(reduced by $425,000,000)''.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 104, noes 312, not voting 20, as follows:

[Roll No. 694]

AYES—104

Akin
Bachmann
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Buchanan
Burgess
Burton (IN)
Buyer
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Conaway
Culberson
Davis (KY)
Davis, David
Deal (GA)
Doolittle
Drake
Dreier
Duncan
Everett
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Gallegly
Gingrey
Granger
Graves
Hall (TX)
Hastings (WA)
Heller
Hensarling
Herger
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Lamborn
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Musgrave
Neugebauer
Nunes
Paul
Pearce
Peterson (PA)
Petri
Poe
Price (GA)
Radanovich
Ramstad
Reichert
Rogers (KY)
Rohrabacher
Royce
Ryan (WI)
Sali
Sensenbrenner
Sessions
Shadegg
Smith (NE)
Smith (TX)
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiberi
Wamp
Weldon (FL)
Westmoreland
Wilson (SC)

NOES—312

Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clay
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Fortenberry
Fortuño
Fossella
Frank (MA)
Frelinghuysen
Garrett (NJ)
Gerlach
Giffords
Gillibrand
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Harman
Hastert
Hastings (FL)
Hayes
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pickering
Pitts
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—20

Abercrombie
Bachus
Bishop (UT)
Brown (SC)
Clarke
Cleaver
Cubin
Davis, Jo Ann
Ellison
Gilchrest
Hare
Higgins
Honda
Kaptur
Marshall
Myrick
Pence
Space
Waxman
Young (AK)

□ 1328

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CHABOT

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. CHABOT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CHABOT:

Page 61, line 10, after the dollar amount, insert ''(reduced by $330,000,000)''.

Page 61, line 12, after the dollar amount, insert ''(reduced by $330,000,000)''.

Page 61, line 16, after the dollar amount, insert ''(reduced by $330,000,000)''.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 121, noes 300, not voting 15, as follows:

[Roll No. 695]

AYES—121

Akin
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Blackburn
Boehner
Boozman
Brady (TX)
Brown-Waite, Ginny
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Chabot
Coble
Conaway
Crenshaw
Culberson
Davis, David
Davis, Tom
Deal (GA)
Doolittle
Drake
Dreier
Duncan
Everett
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Graves
Hall (TX)
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hunter
Issa
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy, Patrick
Musgrave
Neugebauer
Nunes
Paul
Pearce
Peterson (PA)
Petri
Pickering
Pitts
Poe
Price (GA)
Putnam
Radanovich
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Schwartz
Sensenbrenner
Sessions
Shadegg
Shuster
Smith (NE)
Smith (TX)
Stearns
Sullivan
Tancredo
Thornberry
Tiahrt
Walberg
Wamp
Weldon (FL)

Weller
Westmoreland
Wicker
Wilson (SC)
Wolf
Young (FL)

NOES—300

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bonner
Bono
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Burgess
Butterfield
Buyer
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Fortenberry
Fortuño
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gillibrand
Gillmor
Gonzalez
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Rodriguez
Rogers (AL)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—15

Bachus
Bishop (UT)
Brown (SC)
Clarke
Cubin
Davis, Jo Ann
Gilchrest
Higgins
Honda
Marshall
Myrick
Pence
Rangel
Space
Young (AK)

□ 1333

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. OLVER. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 120, line 5, be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIRMAN (Mr. ROSS). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The text of that portion of the bill is as follows:

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $25,000 for official reception and representation expenses, $1,211,379,650, of which $556,776,000 shall be provided from the various funds of the Federal Housing Administration, $10,700,000 shall be provided from funds of the Government National Mortgage Association, $743,000 shall be from the ''Community Development Loan Guarantee Program'' account, $148,500 shall be provided by transfer from the ''Native American Housing Block Grants'' account, $247,500 shall be provided by transfer from the ''Indian Housing Loan Guarantee Fund Program'' account, and $34,650 shall be transferred from the ''Native Hawaiian housing loan guarantee fund'' account: *Provided,* That no official or employee of the Department shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives: *Provided further,* That the Chief Financial Officer shall establish positive control of and maintain adequate systems of accounting for appropriations and other available funds as required by 31 U.S.C. 1514: *Provided further,* That for purposes of funds control and determining whether a violation exists under the Anti-Deficiency Act (31 U.S.C. 1341 et seq.), the point of obligation shall be the executed agreement or contract, except with respect to insurance and guarantee programs, certain types of salaries and expenses funding, and incremental funding that is authorized under an executed agreement or contract, and shall be designated in the approved funds control plan: *Provided further,* That the Chief Financial Officer shall: (1) appoint qualified personnel to conduct investigations of potential or actual violations; (2) establish minimum training requirements and other qualifications for personnel that may be appointed to conduct investigations; (3) establish guidelines and timeframes for the conduct and completion of investigations; (4) prescribe the content, format and other requirements for the submission of final reports on violations; and (5) prescribe such additional policies and procedures as may be required for conducting investigations of, and administering, processing, and reporting on, potential and actual violations of the Anti-Deficiency Act and all other statutes and regulations governing the obligation and expenditure of funds made available in this or any other Act: *Provided further,* That up to $15,000,000 may be transferred to the Working Capital Fund: *Provided further,* That the Secretary shall fill 7 out of 10 vacancies at the GS–14 and GS–15 levels until the total number of GS–14 and GS–15 positions in the Department has been reduced from the number of GS–14 and GS–15 positions on the date of enactment of Public Law 106–377 by 2½ percent.

WORKING CAPITAL FUND

For additional capital for the Working Capital Fund (42 U.S.C. 3535) for the development of, modifications to, and infrastructure for Department-wide information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related development activities, $125,000,000, to remain available until September 30, 2009: *Provided,* That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further,* That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts or from within this Act may be used only for the purposes specified under this Fund, in addition to the purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $113,760,000, of which $23,760,000 shall be provided from the various funds of the Federal Housing Administration: *Provided,* That the Inspector General shall have independent authority over all personnel issues within this office.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, including not to exceed $500 for official reception and representation expenses, $66,000,000, to remain available until expended, to be derived from the Federal Housing Enterprises Oversight Fund: *Provided,* That the Director shall submit a spending plan for the amounts provided under this heading no later than January 15, 2008: *Provided further,* That not less than 80 percent of the total amount made available under this heading shall be used only for examination, supervision, and capital oversight of the enterprises (as such term is defined in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502)) to ensure that the enterprises are operating in a financially safe and sound manner and complying with the capital requirements under subtitle B of such Act: *Provided further,* That not to exceed the amount provided herein shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: *Provided further,* That the general fund amount shall be reduced as collections are received during

the fiscal year so as to result in a final appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2008 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2008 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2008 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2008 do not have the number of cases of acquired immunodeficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2008, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

(c) Notwithstanding any other provision of law, the amount allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter ''metropolitan division'') of the New York-Newark-Edison, NY–NJ–PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by: (1) allocating to the City of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Hudson County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS; and (2) allocating to the City of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(d) Notwithstanding any other provision of law, the amount allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to areas with a higher than average per capita incidence of AIDS, shall be adjusted by the Secretary on the basis of area incidence reported over a three year period.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act (12 U.S.C. 1811 et seq.).

SEC. 206. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2008 for such corporation or agency except as hereinafter provided: *Provided,* That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. None of the funds provided in this title for technical assistance, training, or management improvements may be obligated or expended unless the Secretary of Housing and Urban Development provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each program, project or activity as part of the Budget Justifications. For fiscal year 2008, the Secretary shall transmit this information to the Committees by March 15, 2008 for 30 days of review.

SEC. 209. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 210. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (''metropolitan division''), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan division that is located in New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2008 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the City of Raleigh, North Carolina, on behalf of the Raleigh-Cary, North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(c) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2008 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be in proportion to the number of cases of AIDS reported in the portion of the metropolitan statistical area located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 211. The Secretary of Housing and Urban Development shall submit an annual report no later than August 30, 2008 and annually thereafter to the House and Senate Committees on Appropriations regarding the number of Federally assisted units under

lease and the per unit cost of these units to the Department of Housing and Urban Development.

SEC. 212. The Department of Housing and Urban Development shall submit the Department's fiscal year 2009 congressional budget justifications to the Committees on Appropriations of the House of Representatives and the Senate using the identical structure provided under this Act and only in accordance with the direction specified in the report accompanying this Act.

SEC. 213. Incremental vouchers previously made available under the heading ''Housing Certificate Fund'' or renewed under the heading, ''Tenant-Based Rental Assistance,'' for non-elderly disabled families shall, to the extent practicable, continue to be provided to non-elderly disabled families upon turnover.

SEC. 214. A public housing agency or such other entity that administers Federal housing assistance in the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 in the States of Alaska, Iowa, and Mississippi shall establish an advisory board of not less than 6 residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 215. (a) Notwithstanding any other provision of law, subject to the conditions listed in subsection (b), for fiscal years 2008 and 2009, the Secretary of Housing and Urban Development may authorize the transfer of project-based assistance, debt and statutorily required low-income and very low-income use restrictions, associated with one multifamily housing project to another multifamily housing project.

(b) The transfer authorized in subsection (a) is subject to the following conditions:

(1) the number of low-income and very low-income units and the net dollar amount of Federal assistance provided by the transferring project shall remain the same in the receiving project;

(2) the transferring project shall, as determined by the Secretary, be either physically obsolete or economically non-viable;

(3) the receiving project shall meet or exceed applicable physical standards established by the Secretary;

(4) the owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials;

(5) the tenants of the transferring project who remain eligible for assistance to be provided by the receiving project shall not be required to vacate their units in the transferring project until new units in the receiving project are available for occupancy;

(6) the Secretary determines that this transfer is in the best interest of the tenants;

(7) if either the transferring project or the receiving project meets the condition specified in subsection (c)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary;

(8) if the transferring project meets the requirements of subsection (c)(2)(E), the owner or mortgagor of the receiving project shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions;

(9) any financial risk to the FHA General and Special Risk Insurance Fund, as determined by the Secretary, would be reduced as a result of a transfer completed under this section; and

(10) the Secretary determines that Federal liability with regard to this project will not be increased.

(c) For purposes of this section—

(1) the terms ''low-income'' and ''very low-income'' shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term ''multifamily housing project'' means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure;

(C) housing that is assisted under section 202 of the Housing Act of 1959 as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act; or

(E) housing or vacant land that is subject to a use agreement;

(3) the term ''project-based assistance'' means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) additional assistance payments under section 236(f)(2) of the National Housing Act; and,

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959;

(4) the term ''receiving project'' means the multifamily housing project to which the project-based assistance, debt, and statutorily required use low-income and very low-income restrictions are to be transferred;

(5) the term ''transferring project'' means the multifamily housing project which is transferring the project-based assistance, debt and the statutorily required low-income and very low-income use restrictions to the receiving project; and,

(6) the term ''Secretary'' means the Secretary of Housing and Urban Development.

SEC. 216. The funds made available for Native Alaskans under the heading ''Native American Housing Block Grants'' in title III of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 217. Incremental vouchers previously made available under the heading, ''Housing Certificate Fund'' or renewed under the heading, ''Tenant-Based Rental Assistance'', for family unification shall, to the extent practicable, continue to be provided for family unification.

SEC. 218. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to develop or impose policies or procedures, including an account structure, that subjects the Government National Mortgage Association to the requirements of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.). This section shall not be construed to exempt that entity from credit subsidy budgeting or from budget presentation requirements previously adopted.

SEC. 219. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and

(7) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

(c) Not later than 30 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall issue final regulations to carry out the provisions of this section.

SEC. 220. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), the Secretary of Housing and Urban Development may, until September 30, 2008, insure and enter into commitments to insure mortgages under section 255 of the National Housing Act (12 U.S.C. 1715z–20).

SEC. 221. The National Housing Act is amended—

(1) in sections 207(c)(3), 213(b)(2)(B)(i), 221(d)(3)(ii)(II), 221(d)(4)(ii)(II), 231(c)(2)(B), and 234(e)(3)(B) (12 U.S.C. 1713(c)(3), 1715e(b)(2)(B)(i), 1715l(d)(3)(ii)(II), 1715l(d)(4)(ii)(II), 1715v(c)(2)(B), and 1715y(e)(3)(B))—

(A) by striking ''140 percent'' each place such term appears and inserting ''170 percent''; and

(B) by striking ''170 percent in high cost areas'' each place such term appears and inserting ''215 percent in high cost areas''; and

(2) in section 220(d)(3)(B)(iii)(III) (12 U.S.C. 1715k(d)(3)(B)(iii)(III)) by striking ''206A'' and all that follows through ''project-by-project basis'' and inserting the following: ''206A of this Act) by not to exceed 170 percent in any geographical area where the Secretary finds that cost levels so require and by not to exceed 170 percent, or 215 percent in high cost areas, where the Secretary determines it necessary on a project-by-project basis''.

SEC. 222. (a) During fiscal year 2008, in the provision of rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in connection with a program to demonstrate the economy and effectiveness of providing such assistance for use in assisted living facilities that is carried out in the counties of the State of Michigan notwithstanding paragraphs (3) and (18)(B)(iii) of such section 8(o), a family residing in an assisted living facility in any

such county, on behalf of which a public housing agency provides assistance pursuant to section 8(o)(18) of such Act, may be required, at the time the family initially receives such assistance, to pay rent in an amount exceeding 40 percent of the monthly adjusted income of the family by such a percentage or amount as the Secretary of Housing and Urban Development determines to be appropriate.

SEC. 223. Notwithstanding any other provision of law, the recipient of a grant under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) after December 26, 2000, in accordance with the unnumbered paragraph at the end of section 202(b) of such Act, may, at its option, establish a single-asset nonprofit entity to own the project and may lend the grant funds to such entity, which may be a private nonprofit organization described in section 831 of the American Homeownership and Economic Opportunity Act of 2000.

SEC. 224. The Secretary of Housing and Urban Development shall give priority consideration to applications from the housing authorities of the Counties of San Bernardino and Santa Clara and the City of San Jose, California to participate in the Moving to Work Demonstration Agreement under section 204, title V, of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134, April 26, 1996): *Provided*, That upon turnover, existing requirements on the reissuance of section 8 vouchers shall be maintained to ensure that not less than 75 percent of all vouchers shall be made available to extremely low-income families.

AMENDMENT OFFERED BY MR. GARY G. MILLER OF CALIFORNIA

Mr. GARY G. MILLER of California. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARY G. MILLER of California:

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

SEC. _____. The Secretary of Housing and Urban Development may, notwithstanding any other provision of law, approve additional Moving to Work Demonstration Agreements, which are entered into between a public housing agency and the Secretary under section 204 of Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (as contained in section 101(e) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134; 42 U.S.C. 1437f note)), but at no time may the number of active Moving to Work Demonstration Agreements exceed 32.

Mr. OLVER. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentleman from California (Mr. GARY G. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARY G. MILLER of California. Mr. Chairman, the Moving to Work program has enabled Public Housing Authorities, PHAs, to create jobs for residents, add affordable housing stock, and help families build savings. Such efforts have gained recognition as being very successful in serving more families and helping recipients to self-sufficiency. The innovation and flexibility of the Moving to Work program helps more families realize self-sufficiency through locally oriented programs instead of HUD's one-size-fits-all approach.

Despite these benefits, only 24 of the more than 3,000 PHAs in the Nation are participating in the Moving to Work program. This amendment merely clarifies existing law in order to eliminate confusion at HUD about the number of PHAs authorized to be designated as Moving to Work. Congress has authorized 32 PHAs to participate in the Moving to Work program. Despite this clear intent to have 32 PHAs be designated as Moving to Work, due to what I view as a misinterpretation at HUD, there are only 24 agencies that are currently allowed to participate in the Moving to Work program. Once PHAs leave the Moving to Work program, HUD has said that no new agencies can be selected to fill their vacancies.

This simple and straightforward amendment would clarify Congress's intent to require HUD to implement Moving to Work at its fully authorized level. The amendment directs the Secretary of HUD to promptly approve new PHAs to participate in the Moving to Work program whenever the number of agencies is less than the total number and level we have authorized at 32. I urge my colleagues to support this amendment.

Does the chairman plan on opposing this amendment?

Mr. OLVER. If the gentleman will yield, I do intend to insist upon the point of order.

Mr. GARY G. MILLER of California. Then if the gentleman is going to raise a point of order, I will withdraw the amendment.

May I have a colloquy with the chairman?

Mr. OLVER. I will be happy to engage in a colloquy.

Mr. GARY G. MILLER of California. Chairman OLVER, the Moving to Work program has enabled Public Housing Authorities to create jobs for residents, add affordable housing stock, and help families build savings. Such efforts have gained recognition as being very successful and serving more families and helping recipients to self-sufficiency.

Congress has authorized 32 PHAs to participate in the Moving to Work program. Unfortunately, due to the misinterpretation at HUD, there are only 24 PHAs that are allowed to participate in the Moving to Work program.

Mr. Chairman, would you agree that it is the intent of Congress that HUD must implement the Moving to Work program at its fully authorized level?

Mr. OLVER. Mr. Chairman, to the gentleman who is offering the amendment and offering to withdraw it, I want to say that I am a supporter of Moving to Work; but the language here is clearly authorizing language, and we have not been accepting authorizing language at any point in this debate.

So, I would be very happy to work with the gentleman on the Moving to Work program, and urge him to withdraw the amendment.

Mr. GARY G. MILLER of California. I thank the gentleman. If PHAs move off the Moving to Work program, HUD must immediately solicit new applicants to keep the program at full force, and I hope this colloquy will eliminate confusion at HUD about the number of PHAs authorized to be designated as Moving to Work.

Mr. Chairman, I withdraw the amendment.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

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

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. I yield to the gentleman from California.

Mr. GARY G. MILLER of California. Mr. Chairman, I ask to engage the chairman of Transportation and HUD in another colloquy.

Mr. Chairman, I have serious concerns about the administration's proposal to increase the Federal Housing Administration's multifamily mortgage insurance premium by 35 percent for fiscal year 2008.

The administration proposed a similar increase last year, and rescinded it after hearing from Members of Congress and those in the industry most affected. I believe we again do not have sufficient information about the impact of this proposal on affordable rental housing for American workforces.

The chairman of the Financial Services Committee Mr. FRANK and I are currently circulating a letter to HUD among our colleagues opposing the increase in the premium. As of Monday, we have 106 Members of Congress on record opposing the increase. A similar letter sent to HUD was recently signed by 38 Senators.

We believe an increase in the premium will impact the communities where housing would be built as well as tenants in those projects. HUD needs to perform a full assessment of the likely impact of such a premium increase on the volume of multifamily rental housing development, and the consequential effects of higher financing costs on rents to be borne by moderate-income residents.

This thorough assessment of the potential adverse effects of the proposed premium increase needs to be submitted to the appropriate congressional committees, giving Congress the opportunity to evaluate the proposal. This would need to happen before allowing the increase to go into effect by simple notice.

Mr. OLVER. Mr. Chairman, I would say to the gentleman from California that I very much respect the passion

for which he is working on this along with the chairman of the Financial Services Committee, and I look forward to working with you on this issue as we proceed.

Mr. GARY G. MILLER of California. I thank the gentleman.

Mr. OLVER. Mr. Chairman, I ask unanimous consent that the bill through page 127, line 3, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of that portion of the bill is as follows:

This title may be cited as the ''Department of Housing and Urban Development Appropriations Act, 2008''.

TITLE III

RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $6,150,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $22,072,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902) $85,000,000, of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments due in fiscal year 2008 only, on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $119,800,000, of which $5,000,000 shall be for a multi-family rental housing program.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $2,000,000.

Title II of the McKinney-Vento Homeless Assistance Act, as amended, is amended in section 209 by striking ''2007'' and inserting ''2008''.

TITLE IV

GENERAL PROVISIONS—THIS ACT

(INCLUDING TRANSFERS OF FUNDS)

SEC. 401. Such sums as may be necessary for fiscal year 2008 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 402. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 403. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 404. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the House and Senate Committees on Appropriations or the table accompanying the statement of the managers accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2008 from appropriations made available for salaries and expenses for fiscal year 2008 in this Act, shall remain available through September 30, 2009, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 407. All Federal agencies and departments that are funded under this Act shall issue a report to the House and Senate Committees on Appropriations on all sole source contracts by no later than July 31, 2008. Such report shall include the contractor, the amount of the contract and the rationale for using a sole source contract.

SEC. 408. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

□ 1345

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 409. 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).

AMENDMENT NO. 15 OFFERED BY MR. SESSIONS

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. SESSIONS:

At the end of the bill, before the short title, insert the following new section:

SEC. 410. None of the funds made available by this Act shall be used to support Amtrak's route with the highest loss, measured

by passenger per mile cost as based on the National Railroad Passenger Corporation's September 2006 Financial Performance of Routes Report.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. SESSIONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, my amendment is very straightforward. It would eliminate funding for the absolute worst performing line at Amtrak, the Sunset Limited, which runs from New Orleans to Los Angeles.

In 1997, Congress passed the Amtrak Reform and Accountability Act, which required that Amtrak operate without any Federal operating assistance after 2002. Despite this commonsense requirement that they cease their fiscal irresponsibility and mismanagement, since Amtrak was supposed to be operating free of Federal subsidy, it has, instead, cost the taxpayers $3 billion in operating expenses.

Mr. Chairman, people tuned in on C–SPAN to watch this debate may be wondering what exactly this $3 billion in taxpayer funding is paying for. Well, in the case of the Sunset Limited, it is being used to subsidize the travels of a very few passengers who want to take a train from New Orleans to Los Angeles.

The trip is scheduled to take 46 hours and 20 minutes to complete, that is, assuming the train is running on time. This occurrence is, however, exceedingly unlikely. According to Amtrak's most recent monthly performance report, the Sunset Limited was only on time 11 percent of the time. This makes the Sunset Limited the third worst on-time performer for any of Amtrak's 33 routes during 2007.

Perhaps, Mr. Chairman, taxpayers should be happy when the train is not running, though, because when it is, the route loses an average of almost $30 million a year. This means that Amtrak and the American taxpayer lose $0.57 per mile for each passenger on this train. For 2006, it cost the Federal Government $524 per passenger on that route, more than revenue that was brought in.

Mr. Chairman, my amendment is the first step to instilling just a small measure of fiscal discipline at Amtrak. Failure to do so will only allow Amtrak to continue misusing and wasting taxpayer dollars.

This amendment is supported by the National Taxpayers Union, Americans for Tax Reform, and Citizens Against Government Waste. I hope that all my colleagues will join me and those taxpayer advocates in saving the taxpayers from throwing more good money after bad on the Sunset Limited.

I urge all my colleagues to support this amendment.

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

Mr. OLVER. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, I yield myself 2 minutes.

I would like to point out to the gentleman that the bill before us includes language that requires the Secretary of Transportation to review and ultimately approve or deny grant requests for each train route as part of the grant agreement. When grant requests are submitted to the Secretary, they include a detailed financial analysis and revenue projections, and the Secretary then determines whether to approve the grant request for the specific train route.

I'd like to make another comment here. All too often we forget about rural areas. Rural communities deserve transportation choices. This line serves a number of rural areas in the South and Southwest. But I do again remind that the Secretary has the authority to review the financials in relation to a particular route and to approve or disapprove of grant requests.

Amtrak has made some good moves over the recent past. They've reduced their debt by $500 million. They have exacted about $100 million of savings so far in their effort to reduce the costs of the long-distance routes. They've increased the amount of State investment that's involved in these routes, and they continue to show better revenue and ridership.

But the route to deal with individual routes, the way to deal with individual routes is through the language that's already in the bill, and so I'm going to oppose the specific effort to eliminate one specific route when the route is already in place in the legislation for the Secretary to make that decision.

Mr. Chairman, I yield 1 minute to the gentlewoman who is the Chair of the subcommittee of the authorizing committee, Ms. BROWN.

(Ms. CORRINE BROWN of Florida asked and was given permission to revise and extend her remarks.)

Ms. CORRINE BROWN of Florida. Mr. Chairman, here we go again, trying to destroy passenger rail in this country. The United States used to be the best passenger rail system in the world. Now we're the caboose, and we don't even use cabooses anymore.

For far too long this Congress has given Amtrak just enough money to limp along, never giving them the funds they needed to make serious improvements in the system.

Amtrak was a first responder during Hurricane Katrina and used the Sunset Limited line to help evacuate thousands of gulf region residents while President Bush and his administration was nowhere to be found. Now they are becoming a key part of each State's future evacuation plan.

Every industrialized country in the world is investing heavily in rail infrastructure because they realize that this is the future of transportation. But, sadly, as their systems get bigger and better, our system gets less and less money.

Vote ''no'' on the amendment.

Mr. OLVER. Mr. Chairman, I yield the remainder of my time to the gentleman from Minnesota (Mr. OBERSTAR).

The Acting CHAIRMAN. The gentleman from Minnesota is recognized for the remaining 2 minutes.

Mr. OBERSTAR. Mr. Chairman, I thought we spent most of last night on amendments to kill the operating account of Amtrak and then kill the capital account of Amtrak. The only thing that wasn't offered was burial funds for Amtrak. But now comes the dismemberment amendment.

This route is part of a national passenger rail system. It's the only route connecting California to the Southwest, to the gulf, and on to Florida. This route touches one-third of the Nation's population. Many of the people living in those communities along this route have no other passenger transportation, mass transportation alternative than the Sunset Limited.

The gentleman from Texas talked about the time it takes to traverse that route. What he didn't say is that most of that time is spent by Amtrak on sidings waiting for freight rail trains to pass. Now, if you give passenger rail priority consideration on those routes, those trains would pass very quickly. We could cut a substantial, maybe a third or more of the time out of their passenger service.

What's happening here is, going back to the origins of Amtrak, when freight rail companies started as passenger rail service found they could make more money carrying freight than passengers, they were carrying U.S. mail on the overnight railway post office, they petitioned to the Interstate Commerce Commission to discontinue passenger service when U.S. Postal Service moved to carrying their mail by truck.

So one by one, they discontinued passenger rail service, dumped it all in the hands of the Federal Government.

We need to keep Amtrak servicing. Defeat this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

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

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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

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

Mr. Chairman, I want to point something out. Last night the committee, while most Members were able to leave for dinner, the committee had to stay here and work until 10 p.m.. Lots of Members didn't show up then to offer

their amendments, and so now we have a surplus of amendments that we still have to go through today.

Now, today, the committee is grinding through these amendments, and we've just hit a patch in the road where no Members were here to offer their amendments.

Under the House rules, the committee could have chosen to rise and we could have moved to final passage without considering any of the other amendments that are still pending. The committee chose not to do that, out of fairness.

But I want to point out that if Members want to tie up the committee's time ad nauseam on repetitive amendments, the same amendments on the same bills ad nauseam, then the least they can do is to be on the floor when those amendments are supposed to be offered. The next time there is such a gap, I will move to rise and move to final passage.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Belmont Complex in Armstrong County, Pennsylvania.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for ''Department of Housing and Urban Development—Community Development Fund'' (and specified for the Economic Development Initiative) is hereby reduced by $300,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

Mr. OLVER. Mr. Chairman, would it be possible to have the Clerk read the amendment in these instances where there are very specific amendments applying to a specific project within the legislation.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

□ 1400

The Acting CHAIRMAN. The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I thank the committee for their indulgence here. I just wanted to make sure that Members who have earmarks that are being challenged here have the ability to come to the floor and are able to defend them.

This amendment, Mr. Chairman, would strike $300,000 from funding for the Belmont Complex in Armstrong County, Pennsylvania.

The Belmont Complex is a local recreational center. It offers an Olympic-size swimming pool with a 150-foot water slide and an indoor skating rink and arena. The center has an adult hockey team and also offers indoor soccer.

To generate money, the center sells advertising space on the ice. A dashboard ad costs about $800. The center also charges $5 a day for admission to the pool. Individual pool memberships for the summer season are also available, and they can run up to $77.

But, apparently, despite all the available revenue streams, the Federal taxpayers are being asked to pay $300,000 for this recreational center to rebuild or renovate the center.

The bad news is I don't think any of us are given a free pass. We aren't given a season pass. That is something that is just for the locals. I think the entire project should be for the locals.

Reading through this, it struck me that virtually every Member here in this body has probably a dozen or so of these recreational centers in their district that we could, with the same justification here, come to the Congress and say we need a Federal taxpayer subsidy for this. We are not charging enough for people to come in, where our local funds are low, so we are going to give the Federal taxpayer the chance to pay for it.

We simply can't do that, obviously. We can't fund all the recreational centers across the country. So why do we choose this one? Why do we pick winners and losers here? Is it just because there is a particularly powerful Member who is behind it who can say, hey, I am going to get funds for my district for this recreational center? What happens to all the other ones? What do you tell the recreational center down the street just across the district line? You're out of luck? You have to charge more for your season passes?

It just doesn't seem fair to me. This isn't the road we should go down. And if we have turned over a new leaf, and we are doing something different in terms of earmarks, then let's do something different instead of the same old same old.

We are told that we are going to have a process that vets these a little better. There are, I believe, about 1,500 earmarks in this bill. We just got word of what they were just a couple of days ago. And so it just doesn't seem that the process is changing all that much. It looks too much now like it did when Republicans were in charge.

So I think that we ought to change it, and that is why I am offering this amendment.

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

Mr. OLVER. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, the gentleman offering this amendment doesn't happen to be here at the moment; so let me try to point out what is involved here.

Yes, the Belmont Complex does provide recreational opportunities and conference and meeting space. Yes, it is a facility that is used for Chamber of Commerce meetings, and banquets, and business, and seminars, and training and testing for displaced workers, and local union meetings and negotiations, emergency rescue training, voter registration drives, local business-to-business job fairs.

In the county, Armstrong County in Pennsylvania, which is one of those in the northern part of Appalachia that is struggling hard, losing population, by the way, if I remember the map exactly correctly. I was from Pennsylvania in an earlier period of my lifetime. These are all purposes that are important to the process of keeping the economy going in that community and that county.

But most important to this particular earmark is that a 2003 fire damaged much of the building, and these funds are needed to make continual interior and exterior renovations and to make the facility handicapped-accessible. Those are important specific things that go beyond the other bits and pieces that are pulled together in this complex. The main building within the complex has had fire damage and needs this money for repair.

Now, I just want to point out that the great explosion, the truly irresponsible explosion, of congressional earmarking began shortly after the party which is in the minority gained control of the Congress in 1995. And so during that period of time, we have gone from zero earmarking in the Labor, Health, and Education budget to over $1 billion a year. We have tripled the number of earmarks in the defense bill. The number of earmarks in this legislation, while it has been reorganized a couple times, has gone up in similar kind of proportion. Yet this year, this year, we are reducing the number of earmarks and the number of dollars involved in those earmarks by 50 percent from what they were under the last time that a budget was put through completely with earmarks under the leadership of the gentleman's party. So we are trying to clean up a mess and get a good strong measure of the earmarking process.

But this one, I think, is legitimate for its purposes, and I hope the amendment will be defeated.

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

Mr. FLAKE. Mr. Chairman, let me just say if you can justify this earmark for a recreational center to help them basically defray cost of memberships or to rebuild or renovate, you could do that for any recreational center in the country. There is nothing that I can see, and I wish the sponsor of the amendment would have come to the floor to actually defend it or shed some light on what makes this special, why there is a Federal nexus here that doesn't exist with other recreational centers across the country. I wish we

could have had that debate or not. So we have to assume that this is no different than any recreational center anywhere in the country. So if you can justify this one, you can justify any of them. And we simply can't afford that, and we shouldn't continue just to say, well, we have cut the number of earmarks or dollar value in half. I mean, we are trying to get back to fiscal sobriety here after a binge that took place for years, and I admitted that that binge was my party. But if we are trying to get back to sobriety, it doesn't count to say, all right, we are only going to drink half as much this year as we did before. That's just not acceptable.

This process is out of control. It remains out of control. And this earmark is a great example of that. If we can approve earmarks for this kind of thing, anything goes. Katy bar the door.

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

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. LEWIS of California. Mr. Chairman, it was not my intention to speak on any of these earmarks, but the discussion that has gone on between the chairman and the gentleman from Arizona I was listening to upstairs, and it struck me that there needed to be some addition to this discussion.

The suggestion that earmarks exploded as of the time the control of the Congress changed in 1995 and began to expand, et cetera, et cetera, is accurate, accurate, but for reasons entirely different than the gentleman from Arizona either realizes or understands.

It is a fact that the other party controlled the Congress for 40 years, and over all those years their chairmen, their subcommittee chairmen, their very high-ranking Members around here with years and years of power had developed very solid relationships with the second and third level in the various agencies around this town. And there weren't earmarks; there were phone marks. Key staff and otherwise were instructed to call those second- and third-tier people within the agencies and let them know what they thought the priorities should be. There wasn't a need for legislative earmarks because phone marks had a very significant impact upon the process. And we tend to ignore that reality.

When the majority did change, the new majority found that that second and third level of bureaucracy weren't nearly as responsive to people with Rs after their name, or Republicans, and thus they began giving some specific direction as to what their priorities were, thus the term called ''earmarks.''

Further, I think the gentleman does his party a disservice by suggesting that this was our fault. The reality is that even the earmarks where they are represent in the neighborhood of 1 percent of all the discretionary spending available in the appropriations process, and that while the Constitution says that appropriations should begin in the House of Representatives, to suggest that Members having ideas as to what priorities ought to be and even putting it in legislation is wrong, it seems to me, in connection with that, the gentleman is wrong.

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

Mr. FLAKE. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN (Mr. WEINER). The gentleman from Arizona has 30 seconds remaining.

Mr. FLAKE. Mr. Chairman, let me just respond.

The truth is we went from about, as the chairman of the Appropriations Committee often points out, from zero earmarks in Labor-HHS to some 1,400 last week. Much of that was under my party.

I think Democrats are as much to blame probably as Republicans are. The difference is as Republicans, we pretend to stand for limited government. We should be saying this isn't what we should be doing. If the agencies are out of control, we need to rein them in through the oversight process rather than to try to compete with them in terms of wasteful spending.

The Acting CHAIRMAN. The time of the gentleman from Arizona has expired.

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

The Acting CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I had not intended to speak on this issue either, but I feel required to respond to one thing that the gentleman from Arizona said.

He indicated that it was too bad that he had only had 2 or 3 days during which time he could review the earmarks in this bill. I simply want to say if he feels badly about that and wants to know why that is the case, all he has to do is look in the mirror along with a number of his other colleagues.

Why do I say that? Because I tried about a month ago to make clear to the House that I thought the Appropriations Committee staff had had insufficient time to take a look at and screen a number of these earmarks, especially those that came early in the process. So I offered up another option, and what I proposed is that the committee simply be given more time to screen those earmarks, and that before the Congress adjourned in August, we would then publish all of them, and any persons who had doubts about them would have more than 30 days over the August recess, and our staffs could have reviewed each and every one of them for a much longer period of time.

The gentleman and others on that side of the aisle chose to belittle that proposal, suggesting that we were trying to, quote, ''hide earmarks until conference.'' Not so. All we were trying to do was to give the staff and any Members who were interested additional time in which to review those earmarks. Our friends on the other side decided that they would rather criticize than agree to that, and so we acquiesced in their desires to have earmarks in each bill as they came to the floor.

□ 1415

We felt that there would be ample protection for Members because we also included a reform that would have required persons in the conference to be present and voting on every single item rather than having to endure what has happened in the past when large amounts of legislation were slipped into conference reports without a vote of the conference after the conference is over. But our judgment was not followed, and so as a result, we have this very limited time for Members to review projects as they come through in regular order. I'm sorry about that. But I would say to the gentleman, no one in this House can have it both ways. We've tried to accommodate the wishes of the House. Either way, we're doing the best we can. And if the gentleman doesn't like it, I think, as I say, all he has to do is look in the mirror because it was comments from people like him that required us to follow this procedure in this manner.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Walter Clore Wine and Culinary Center in Prosser, Washington.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for ''Department of Housing and Urban Development—Community Development Fund'' (and specified for the Economic Development Initiative) is hereby reduced by $250,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Let me just say, in response to the chairman of the Appropriations Committee, this isn't the best process. I appreciate having a couple of days and being able to come to the floor. The problem is, under what was proposed by the chairman, we would have had more time, yes, but we wouldn't have had the ability to challenge individual earmarks. So that was a trade-off that we were unwilling to make. And I still maintain that we made the best decision here. But I think it would be nice to have more than a couple of days to actually look at these, but I appreciate that the Appropriations Committee is doing so.

This amendment would prohibit $250,000 in Federal funds from going to the Walter Clore Wine and Culinary Center in Prosser, Washington, and reduce the cost of the bill by a consistent amount.

I'm sure people like to be wined and dined, but I think this earmark goes a little too far. I think that this is another example of, if we can justify economic development here, then we can justify just about anything.

We often complain that the Federal Government, the agencies spend willy-nilly, they're wasting money here, they're wasting money there. They are, certainly. One amendment that I wanted to bring today but got it too late would be one to simply cut the account that provides economic development earmarks because I think the Federal agencies do waste money in this regard. But instead of reining that account in and saying you shouldn't be doing that, we're kind of competing with them and saying we're going to do our own economic development earmarks. I just fail to see a Federal nexus that exists here that wouldn't exist with other organizations.

You can justify anything in terms of economic development. The act of spending money by itself inherently means there is economic development. But where do we choose? Do we just choose this one or that one? It just doesn't seem to be a very good process, particularly without a real Federal nexus here.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 3 minutes.

I think the gentleman, in his opening remarks, said something that currently should be expanded. Current law within HUD has an Office of Economic Development, and its responsibility, and I want to quote what its responsibility is, it ''works with public and private sectors as well as not-for-profit organizations to provide financial and technical assistance to local communities to develop and implement their own economic development and community revitalization strategies.'' Now, that's current law. If the gentleman believes that that agency shouldn't exist, then certainly he can introduce a bill, and we can have a worthy debate on that. But that is existing law.

And it is within that context, then, as this relates to my district, which is a very diverse agriculture area, labor intensive in many of the specialty crops, but there is a new industry that is emerging in my district, and that is the wine industry. It's only about 35 years old. Historically, the wine industry in this country has always been in California. This is emerging in my district, and it has the benefit, then, of economic development to expand, to bring more tourists into this area, which means there's more hotels, more restaurants. That is the very definition of what economic development is all about.

So let me be very, very clear on this. This project is fully consistent with requirements for projects normally and routinely funded under this program and existing programs.

And I might add, it is named for an individual who has been widely recognized as the father of the Washington wine industry. He is the one who convinced farmers to transfer some of their lands to growing wine grapes. And, frankly, they've been very successful.

There has been $5 million raised by other governmental agencies and quasi-governmental agencies to build this center. This is part of that. What it demonstrates to me is that there is a strong commitment of this wide community that identifies this as a local economic development project.

So while there has been a lot of discussion with the earmarks this year, and I suspect we will have more of those discussions, I firmly believe that within existing laws and within the context of economic development, this falls into a category that I feel very, very comfortable with in saying that we ought to earmark dollars for this center because it will expand the economic development in this largely rural area that I have the privilege of representing. So, to me, it is an example of what the economic development initiative is supposed to be.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. FLAKE. Mr. Chairman, Washington wine industry revenues are estimated at about $3 billion a year. The industry employs, I believe, about 11,000 people. Over 2 million people visit Washington wineries every year. That's just the point I was making. This is an industry that does pretty well. And I just wonder why the Federal taxpayer has to be involved here.

Public/private partnerships, there is nothing bad about that on its face; but not every public/private partnership is justified, particularly when that partner is the Federal Government. I just still fail to see a nexus.

And, again, we should actually be providing more oversight of the Federal agencies that expend these economic development grants because a lot of it is wasted. I'm sure a lot of it is wasted in my own district. But we shouldn't be trying to compete with that account by earmarking our own funds.

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

Mr. HASTINGS of Washington. Mr. Chairman, let me restate again that it is existing law within HUD of this office that provides for economic development. I am simply following the law and exercising my right as a Member of Congress, who is part of the writing of the appropriation bills, to earmark what I think is important for my district.

Now, if the gentleman wants to, as I mentioned in my previous remarks, if he wants to have a debate on whether that office ought to exist, well, I think that is worthy of debate. In fact, I would have suggested to the gentleman that maybe he should have defunded completely the whole office; therefore, he could have been at least consistent rather than picking out one project that I think is worthy, following what the requirements are of the Economic Development Office.

So with that, I would urge my colleagues to oppose the Flake amendment as it relates to the Walter Clore Center.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the North Central Wisconsin Regional Planning Commission in Wausau, Wisconsin.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for ''Department of Housing and Urban Development—Community Development Fund'' (and specified for neighborhood initiatives) is hereby reduced by $400,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, as mentioned, this amendment would strike $400,000 in the bill from the North Central Wisconsin Regional Planning Commission.

According to the certification letter submitted by the sponsor, the commission will receive Federal funding to establish the Technology Revolving Loan Fund.

According to the Web site, the commission is a public agency dedicated to providing professional services to local governments. These services include economic development, geographic information systems, intergovernmental cooperation, land use planning, and transportation. The commission's funding comes from Federal grants and State and local money.

This earmark brings up a lot of questions. First and foremost, why is this fund being created in one particular part of Wisconsin? I'm sure every Member of Congress would love to establish a revolving loan fund to help their local businesses. If it is deserving of Federal aid, why aren't others? Again, why do we pick and choose here?

Can the sponsor of this earmark assure us that once this is done, that once these monies are loaned out, that more monies won't be sought? Is this an earmark that will beget more earmarks? It seems that these are questions that should be answered. It's a dangerous slippery slope, I think, if we use Federal taxpayer dollars for parochial revolving loan funds.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I seek to control the time in opposition, and I reserve my time.

Mr. FLAKE. Mr. Chairman, here is just another example, and maybe the sponsor of the earmark can enlighten us, but as to what makes this different, what makes this deserving of Federal funds? Why are we helping to set up a local revolving loan fund for local businesses? What is to stop every Member of Congress from wanting that in their own district? Isn't this a slippery slope if we just allow taxpayer money to be used in this fashion? If you can use it for economic development, if that is the criterion, any spending is justified.

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

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

Mr. Chairman, as the gentleman has indicated, this provides funds for a revolving loan fund for North Central Regional Planning Commission. The purpose is to provide small low-interest loans for small business start-ups or expansions. It is targeted to enterprises which have little access to capital and need to change the technology which they use in production.

The planning commission is established by county governments under State statutory authority. It provides zoning and economic development assistance to counties. The planning commission covers a 10-county area and three congressional districts, mine, the gentleman from the eighth, Mr. KAGEN, formerly Mr. GREEN, and also Mr. PETRI's district.

Why are we providing funds for this area? Very simple: this is an economically challenged area. And I make no apology whatsoever in trying to provide some modest assistance to the area. We have a similar fund in two other parts of my congressional direct. In Chippewa County, for instance, 3 years ago we established a similar fund.

□ 1430

That fund has saved 58 jobs in the area. They have provided grants, very small grants, to businesses in question, and they have already received $200,000 in repayments. All of the repayments are current.

But I want to ask a series of questions about the gentleman's district. I make no apology for trying to provide small loans to domestic small business entrepreneurs. In the 10 years that I chaired the Foreign Operations Subcommittee, I learned very quickly the value of small loans rather than large, megadevelopment projects. I see no reason why we shouldn't provide those same lessons here at home.

I find it ironic that someone from Arizona would challenge economic development funds in Wisconsin. Arizona ranks 24th in the Nation in per capita Federal dollars spent in Arizona; Wisconsin ranks 48th. So the gentleman is exactly twice as well off in terms of State ranking than my own State. Arizona receives $41 billion in Federal funds out of the budget; my State receives $31 billion. Arizona receives $7,300 per person; Wisconsin receives $5,675 per person. That is a $1,600 per capita difference.

Eighty-five percent of the difference in what our two States get is due to differences in Federal salaries and in procurement. Arizona gets $7 billion more out of the Federal Government because of money spent for procurement than does the State of Wisconsin. In fact, Arizona gets a lot more money than all of the States in the upper Midwest. Arizona, as I said, ranks 24th. Wisconsin ranks 48th in per capita expenditure, Michigan ranks 47th, Minnesota 49th, Illinois 46th, Indiana 45th.

On a per capita basis, Arizona gets 28 percent more out of the Federal budget than does Wisconsin. It gets 22 percent more per capita than does Michigan, 29 percent more than does Minnesota, 21 percent more than does Illinois, and 20 percent more than does Indiana.

Let me also point out that I doubt very much that the Arizona delegation doesn't work very hard to see to it that giant defense contractors like Raytheon, Boeing, Honeywell and General Dynamics together receive almost $4 billion in funding from the Federal Government. I doubt very much that the delegations from those States don't work to get that money in their States. So I make no apology for this tiny pittance that we are trying to provide for my own State.

Mr. Chairman, I also want to say, however, I think it comes with considerable ill grace for someone from Arizona to question the expenditure of $400,000 in Wisconsin, when Arizona has been the principal recipient of the second largest Federal earmark in the history of earmarking in this country, the Central Arizona Project. For Arizona, we have already spent $4.3 billion. The total cost of that project is expected to be $5.6 billion. The President's request is at $27 million this year.

Mr. Chairman, that seems to me to be the pot calling the kettle black. I would urge a ''no'' vote on this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

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

The Acting CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I want to continue my observations about what the gentleman receives from the Federal budget. The Republican Study Committee said that the $1.5 billion that was provided to the D.C. subway was the largest earmark in history. In fact, the Arizona project is almost four times as large as the D.C. subway. Yet the gentleman is complaining about a tiny $400,000 economic assistance grant for my State.

I would also simply note that the median household income in the gentleman's district is $48,000. The median household income in my own district is $39,000, a $9,000 difference. A good portion of that higher median income lies in the fact that Arizona has a very large number of Federal installations in the gentleman's State. Fort Huachuca and several other Air Force bases inject enough funds to provide employment for 9,000 additional people, yet the gentleman is objecting to a small revolving loan fund which provides help in keeping about 50 jobs in Wisconsin.

I make no apology in trying to get the median family income in my district just a mite closer to the much higher income found in the gentleman's district.

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

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

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, I yield for a colloquy to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I want to thank the gentleman from Massachusetts, the chairman of the subcommittee, for this colloquy.

Mr. Chairman, in New Jersey, and all over the country, certain waste handlers and railroad companies have tried to exploit a supposed loophole in Federal law in order to set up unregulated waste transfer facilities.

Under the Interstate Commerce Commission Termination Act of 1995, the Surface Transportation Board, or STB, has exclusive jurisdiction over transportation by rail carriers and the ability to grant Federal preemption over other laws at any level, local, State or Federal, that might impede such transportation. But Congress intended such authority to extend only to transportation by rail, not to the operation of facilities that are merely sited next to rail operations or have a business connection to a rail company.

Unfortunately, certain companies have exploited this loophole to build or plan waste transfer stations next to rail lines and avoid any regulation from State or local authorities.

Mr. Chairman, I appreciate the Senate's efforts to close this loophole. They have passed an amendment in their version of the fiscal year 2008 Transportation, Housing and Urban Development appropriations bill, and I wanted to thank your subcommittee for recognizing this important issue in this bill's report language.

I had intended to offer an amendment, which I will not offer at this time, that would take the STB out of the waste management business by ensuring that funding for any decisions relating to waste transfer stations be eliminated. Again, you have dealt with this in the bill's report language, so it is not necessary to move this amendment at this time. But it is important that States and local municipalities have some say in this process.

Mr. OLVER. I yield to the gentleman from Pennsylvania (Mr. MURPHY).

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Chairman, I want to add a word of my support of Mr. PALLONE's amendment. The issue of companies circumventing the law and the wishes of cities and towns in this Nation deserves to be addressed.

In my district, in Bensalem, Bucks County, Pennsylvania, a firm wanted to build a waste transfer station. Given the potential environmental and health risks, both the local community and even the State voiced their objections to the proposal. As an end run around this, the rail company that would service the proposed waste transfer facility applied to the Federal Surface Transportation Board, or the STB, to, in effect, have the waste transfer facility declared a rail facility. This was an attempt to supersede the rulings of the State and local entities that had already rejected the proposed waste transfer station. Fortunately, the rail company's application was rejected, but they can reapply to the STB at any time.

Just yesterday I stood with Bensalem Mayor Joe DiGirolamo and Pennsylvania State Representative Gene DiGirolamo and opposed this facility. Mr. Chairman, people in the local, State and Federal level are all opposed to this end run around the law.

Mr. Chairman, when Congress created the STB, it was never intended to allow decisions by the STB to be used to override the wishes of cities and towns across the country, and certainly not as a means of superseding health and environmental regulations of State and local governments. Yet that is exactly what is happening.

Mr. Chairman, I want to thank the gentleman from New Jersey for his excellent leadership on this issue, and thank Chairman OLVER for providing me the opportunity to speak today and stand up for the residents of Bensalem and the Eighth District of Pennsylvania.

Mr. OLVER. To continue the colloquy, I yield to the gentleman from New York (Mr. HALL).

Mr. HALL of New York. Mr. Chairman, I wish to associate myself with the remarks of my colleagues from New Jersey and Pennsylvania. Communities in my home in New York, including the village of Croton-on-Hudson in my district, are also being threatened by companies who are hoping to exploit this loophole through the STB to process solid waste without facing regulation under environmental protection laws. This type of activity is clearly outside the mission and the purview of the Surface Transportation Board, and I look forward to working with my colleagues and chairman to affirm that reality.

I thank the chairman and the gentleman from New Jersey for their leadership and look forward to working as we go forward with you.

Mr. OLVER. Mr. Chairman, to respond to this, last night, as the gentleman from New Jersey has already pointed out, we had an amendment being offered which was subject to a point of order. I had agreed that I would be happy to work with him, and I obviously will be very happy to work with the three Members who are part of this colloquy from New Jersey, from Pennsylvania and from New York, on this issue, which is an important issue and would require authorization legislation to do, and that is why the point of order lay last night.

Mr. Chairman, I repeat, I will be happy to work with the three gentleman who have spoken on this issue as we go on toward conference.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the National Forest Recreation Association in Woodlake, California.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for ''Department of Housing and Urban Development—Community Development Fund'' (and specified for the Economic Development Initiative) is hereby reduced by $50,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Chair.

Let me first respond. I had yielded back my time when the gentleman from Wisconsin talked about Arizona, the Central Arizona Project as an earmark.

Perhaps in the debate at the time it was called an earmark, but it doesn't fit the contemporary definition of earmark. There was no project over the history of this body probably that wasn't debated through authorization, appropriation, followed up by oversight, than a project like that. I would have no complaint if some of the projects that we are challenging here today went through that process of authorization, appropriation and oversight, but that isn't what this is about.

The contemporary practice of earmarking that we have fallen into, under Republicans and Democrats, has been to circumvent the careful process of authorization, appropriation and oversight. So that is the complaint here. So bringing up the Central Arizona Project whenever an amendment is offered to take funding away from an economic development in a local community is a specious argument, I would add.

This amendment would prohibit $50,000 in Federal funds from being used by the National Forest Recreation Association for the National Mule and Packer Museum and would reduce the cost of the bill by a consistent amount.

According to the earmark description and certification letter submitted to the Appropriations Committee, the funding would be used for the construction of a museum to memorialize and help to preserve the role of mule teams and mule packers in opening and developing the West.

□ 1445

The funding, however, will go to the National Forest Recreation Association. Obviously, you cannot build much for $50,000. I assume there is a partnership with local entities.

There is much that we don't know about this. Does the location exist? Will it be owned by the National Forest Recreation Association? Are there corporate sponsors? How much is the total cost of the museum? Will the Federal taxpayer be asked to pay more later on?

It seems there is a 20-mule team museum in Boren, California. This is at least the second mule and packer museum we know of. Does that one receive Federal funding?

I would simply say it is time for the American taxpayer to say ''whoa'' and

stand up for fiscal sanity and actually stop the practice of earmarking like we are doing.

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

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. Mr. Chairman, I appreciate the opportunity to rise in opposition to this amendment. As Mr. HASTINGS said earlier, there is in current law the Office of Economic Development, which has the responsibility of working with public and private sectors, as well as not-for-profit organizations, to provide financial and technical assistance to local communities to develop and implement their own economic development in their community. That's current law.

If we want to change that, I agree with much of what the gentleman has to say, I just think this is not the right time and place to be covering it in this manner. But it gives me a little bit of a chance to talk about my district, and all 435 of us, I think, love to have the opportunity to talk about our districts.

I have a map here which shows my district. It is the second largest district in California, a little over 21,000 square miles. I live down here. This is Nevada. This is central to northern California. It is about 450 miles this way, a couple hundred miles this way. A little perspective: eight States would fit within this county, one of the largest counties.

In this county, the town of Bishop, some of the community people have every year for the last 40 years celebrated what they call Mule Days, and about 50,000 people come to this community of 3,500 people. In this whole county that I said eight States would fit in, about 17,000 people live, and about 3,500 people live in the town of Bishop. They are great people.

Here are the eastern Sierras, Death Valley. We have the lowest spot in the 48 States and the highest spot. Death Valley is 280 feet below sea level, and we have Mount Whitney that is about 15,000 feet above sea level. It is a great district, just as each of your districts are.

Several years ago, and actually they have been working on this for a few years, Bob Tanner and some of the people in Bishop thought that they should have a museum to celebrate the mules. Ninety-five percent of this county is owned by Federal and local governments. They don't have any room. There are only a few acres in this town that could even be developed. They don't have the land to develop for economic development. They rely totally on tourism, restaurants, motels, packers that take people up into the mountains. Mules have been an important part of this, and they want to establish a museum. They are asking for $50,000. L.A. City is going to donate $2 million worth of land, 8 acres. The county and the city are putting up a little over a million and a half dollars, and the people that live there are going to raise another hundred, $250,000.

One thing that I think we forget is that the people in Bishop pay taxes. They pay Federal taxes, and I guarantee you that during the time that Jerry represented them and the time I have had the opportunity to represent them, they have gotten very little back from the Federal Government for the taxes that they have sent here to Washington.

Mr. LEWIS of California. Would the gentleman yield?

Mr. MCKEON. I would be happy to yield.

Mr. LEWIS of California. I appreciate the gentleman yielding.

Indeed, this territory was a part of my district for some time, and the people are incredibly wonderful people. They reflect the best of the American West. And there is no doubt that they are the best and they are there in the West in no small part because of the mule.

I must say that the gentleman is making a very, very important point. It is a long, long ways away from somebody else's district to become an expert in terms of a subject like this. It causes me just to smile, and so I intend to help the gentleman if I possibly can by voting ''no'' on this amendment.

Mr. MCKEON. I thank the gentleman.

Let me tell you a little bit about mules because this is one of the things that they are going to honor in this museum. George Washington introduced mules into our country. He received a jack donkey in 1786 from the King of Spain, and he started breeding and using mules. Within a few years, he had 58 mules working on his plantation a few miles south in Mount Vernon.

Since then, mules have been used to develop the West. All across the Nation, they helped the pioneers move. They could go 30 miles a day where wagon trains could only go about 5. They were an integral part of the development of this country. Even today, we have 600 mules on special assignment serving in Afghanistan helping the Army do the things that they helped the Army do 100 years ago.

I think $50,000, you know, is a good contribution to give to these people, the money that they have sent back here.

Mr. Chairman, I rise today to thank the gentleman from Arizona for the opportunity to come to the floor to discuss the American Mule and Packer Museum and the economic development impact it will have on my district.

Let me first start by saying that this $50,000 is not included in this bill to laud the humble and noble mule. These funds will be used to boost tourism dollars in the small city of Bishop, CA by helping to build a local heritage museum.

The city of Bishop is located in Inyo County—which is geographically one of the largest counties in the country and is 95 percent owned by the federal government. Bishop is a classic western frontier city and has been squeezed out of all other industries by the encroachment of federal land, which literally surrounds it and limits the community to survival on tourism dollars. Those vitally important dollars come from visitors eager to see the great Wild West, ride out like our forefathers into the Eastern Sierra, enjoy the natural beauty on a hike, or hire a mule packer to explore the federal forests in the area.

The $50,000 dollar grant contained in this bill for the American Mule Museum is a modest federal investment in a worthy economic development project and a good example of how federal seed money is leveraged to develop local projects.

Every year, at the fairgrounds on Main Street, the small city of Bishop hosts a famous and popular heritage festival known as ''Mule Days.'' Some communities have an Apple Harvest festival, some have Frontier Days. In Bishop, we celebrate ''Mule Days.'' My friend from Arizona may not be familiar with the essential role Packers and their trusted mules had to the settlement of the west, but California's home state President did. Next to me is a picture of then-Governor Ronald Reagan acting as the Grand Marshall to the Bishop Mule Days parade in 1974.

Mule Days is the single largest draw to that community, bringing fifty thousand Californians and tourists interested in frontier life into downtown Bishop, where they shop, dine and stay during the festival. In addition to honoring their history, this museum would help expand that tourism by drawing folks in year-round, rather than just during the long Memorial Day weekend Mule Days celebration. The City of Los Angeles, a longtime landholder in our northern county, is going to donate an estimated 8 acres, valued at $2,000,000 for the project. Inyo County will spend an additional $1.5 million with the hook-ups, parking lots and access roads. Finally, this federal grant, directed to National Forest and Recreation Association, in Woodlake, CA (the non-profit overseeing the project) and private fundraising will be used towards the excavation and reconstruction of the famed Livermore Packing Station, and the surrounding corrals in Bishop.

There is a federal interest in preserving the history of how the West was settled. There are many residents in the city and surrounding areas who are direct descendants of those pioneers who headed west. A museum dedicated to local heritage and mule packers that were so important to the founding of the area will be a proper place to preserve their artifacts and documents into the future.

The residents of the City of Bishop, my constituents and federal tax payers are dependent on tourism dollars for their city funds. There are 480 separate EDI projects listed in the THUD bill ranging from $50,000 up to $500,000 with the majority of projects falling in the $100 K to $200 K range. The projects, with a few exceptions, are for the planning, land purchase, construction or renovation of facilities deemed to be important to economic development in both rural and urban areas. The construction of a museum celebrating local history is a common theme throughout many of the projects. I urge my colleagues to reject this amendment and help preserve a piece of American history in a place that is deserving of federal assistance.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. LEWIS of California. I am happy to yield to the gentleman from California.

Mr. MCKEON. I thank the gentleman very much. As you can see, when I start talking about my district, I get pretty excited. I have a lot of good things to say about it.

Bishop is a classic western frontier city. It has been squeezed out of all other big industries by all of the other public lands that are owned around them, and they have to survive on tourism. So if they can add this museum, it will help their tourism and it will help bring people there year-round, which will benefit their economy.

In closing, let me say that this is a partnership. It is not just Federal dollars, even though there is no such thing as ''Federal dollars.'' It all comes out of our pockets, and the people in Bishop pay those Federal dollars back here.

But as I mentioned earlier, the City of Los Angeles is going to participate by donating the land which is worth $2 million. Inyo County will spend an additional $1.5 million to work on the project, and local people will raise the difference.

The final thing I wanted to say is that there are 480 separate economic development projects in this bill. According to current law, that is what the law required. The chairman and the ranking member have gone through, their staffs, they have evaluated all of the projects requested. Bob Tanner and his friends in Bishop that requested this project wrote up their project. They sent it to me and Senator FEINSTEIN. We included it in the request. They were one of the ones chosen, one of the 480. These projects range from $50,000, this is the smallest, to $500,000, with the majority falling between $100,000 and $200,000.

The projects, with few exceptions, are for planning, land purchase, construction or renovation of facilities deemed to be important to economic development in both rural and urban areas. This is a very rural area. The construction of a museum celebrating local history is a common theme throughout many of these projects. We followed the law. We did the things that are asked of us. I think this is a worthy project.

I thank the chairman and ranking member for including it in this bill. I urge my colleagues to oppose this amendment.

Mr. LEWIS of California. Reclaiming my time, I want to thank my friend from California for representing the people of Inyo County so well since I had to leave them in the last redistricting. I intend to support your position.

Mr. MCKEON. If the gentleman would continue to yield, one final thing.

Mr. LEWIS of California. Is that Ronald Reagan on a mule?

Mr. MCKEON. Ronald Reagan led the Mule Days parade in 1974, riding a mule in the Mule Days parade.

Mr. LEWIS of California. Could it possibly be? Thank you.

I yield back the balance of my time.

Mr. FLAKE. Mr. Chairman, I am glad the gentleman brought up Ronald Reagan. I think it was Reagan, when he was presented with the highway bill back in 1987, that had, I believe, around 150 earmarks as opposed to the highway bill we did later, in 2005, with 6,300. He said at that time, ''I haven't seen this much lard since I gave away ribbons at the county fair.'' So Ronald Reagan certainly recognized that Congress, at least at that stage, before we even got into the contemporary practice of earmarking, was out of control.

I would also like to make the point, and I am glad that the gentleman mentioned, there is no such thing as Federal money. It is money given by the taxpayer to the Federal Government. Some of it funds the core functions of government. Some of it is spent on things that I don't think are the core function of government, and I don't think most taxpayers around the country do either, when you say this money is being returned, but it is not. As long as we are running a deficit, which is now 2, $300 billion, then the money is borrowed to pay for projects like this.

I simply don't think that we are giving the taxpayer a fair shake. I think we should stubbornly refuse to fund this amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Huntsville Museum of Art in Huntsville, Alabama.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for ''Department of Housing and Urban Development—Community Development Fund'' (and specified for the Economic Development Initiative) is hereby reduced by $200,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, the amendment would prevent $200,000 from being used to fund the Huntsville Museum of Art in Huntsville, Alabama, and would reduce the cost of the bill by a corresponding amount.

Mr. Chairman, there are, I think, 480 earmarks funded in the Economic Development Initiative account, at least 11 proposed to fund museums. There stands about a million dollars total for museums. This doesn't take into account projects described as cultural centers and other various exhibits.

The spending initiatives do not illustrate any sort of restraint on our part on the Federal level. In the past, we have funded Faulkner museums, teapot museums. This year we are funding museums about mules and hunting and fishing museums. The Huntsville Museum of Art was named as one of the State of Alabama's top destinations by the Alabama Bureau of Tourism and Travel. They bring as many as 23,000 visitors for a single exhibit.

□ 1500

Mr. Chairman, all of us have museums in our districts. All of those museums, I'm sure, if given the opportunity, would take Federal money to defray some of their costs. We simply can't fund all of them.

I don't know why we have the account in the agency. Like I said, we should go after that one, but here we have to show some restraint. And every once in a while, I think the taxpayer would appreciate if we actually stopped funding for some of these earmarks.

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

Mr. CRAMER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Alabama is recognized for 5 minutes.

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

Mr. Chairman, I rise to speak on behalf of this project that Mr. FLAKE has attacked here. I'm the offerer of this project, the Huntsville Museum of Art, located in the city of Huntsville, Alabama, the largest city in my congressional district. This is a museum project that I think is very appropriate to the economic development initiative account.

This museum chose to locate in the downtown area of the city of Huntsville some years ago. In the 1950s, early 1960s, the city of Huntsville's population was around 30,000 people. Currently its population is close to 200,000 people, but like many downtown areas, our downtown had deteriorated. It was a target for crime. It was a target for all kinds of movement there that would not have been in the best interests of the core of a city of this size.

The Museum of Art chose to locate its new facility there. It partnered with the community. It raised $8 million to build this facility that it's in. It is now in another expansion because of the success of the downtown area, because

of the momentum that it helped create. Students are coming into the downtown area. People are coming into there from the region 100 miles around the area, and it's really caused the city of Huntsville to renovate and revise its downtown area. Business is coming back, and I think in terms of economic developments issues, it's accomplishing just what it should accomplish.

So I'm eager to defend this amendment and say that currently the $200,000 that we've been able to achieve through the economic development initiative, through this committee, and I thank the chairman and the staff and the ranking member and the staff for considering this project, will go along with another $8 million that will be raised from the community so that we can create exhibition space, so that we can create meeting space. This is not a routine museum expansion that this $200,000 will go toward. It's a small amount of money that will be pooled with another amount of money to renovate a downtown area that is in much need of renovation.

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

Mr. FLAKE. Mr. Chairman, I just will close on this one, saying again this is one of many museums that we are funding here. We simply can't fund them all. At some point it would be nice to give the taxpayers a gift and actually say we're not going to fund a particular earmark. We did it a couple of weeks ago.

This is not an idle process. We've had one occasion already where I've come to offer an earmark, and the sponsor of the earmark beat me to the floor and offered an amendment to revoke his own earmark. So obviously there needed to be more vetting of that earmark. I would assume that there are others like it.

So this is a process we should go through. I would urge support of the amendment.

Mr. Chairman, I yield back.

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

The Acting CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I don't want to get into the debate on this specific project, but I again want to simply note that I find it interesting that the gentleman from Arizona is questioning small economic development programs in other States when, in fact, as I said earlier, the second largest earmark in the history of the Congress is the Central Arizona Project, upon which we have already spent not $4.3 million, but $4.3 billion, total cost estimated to be $5.6 billion.

And I also have in my hand, as a certain Senator from my own State used to say, 61 pages of military contracts that are let to firms in Arizona. We don't have in our State something like Fort Huachuca or Luke or Davis Air Force Base, and I'm sure that if we did, we would be experiencing the benefit to our economy that the gentleman's State is experiencing.

But I wonder if the gentleman has any idea what the $44,000 was spent on in a contract with Two Pals and a Gal?

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

Mr. OBEY. I yield to the gentleman from Arizona.

Mr. FLAKE. I have no clue.

Mr. OBEY. I don't either. It would be interesting to find out. That's another expenditure in Arizona.

Mr. FLAKE. If the gentleman would further yield for a minute, perhaps the gentleman wasn't on the floor last week. I actually challenged an earmark that was going largely to my own district.

Arizona is just like other States in this regard. I don't object to projects that go through the process. I assume that the Central Arizona Project had a hearing or two. It was authorized and went through the process. What I object to is the contemporary practice of earmarks.

Mr. OBEY. Taking back my time, I was here when we went through all of that with the Central Arizona Project, and I assure you that the project was not approved because of the merits. It was approved because of the persistence of the Arizona delegation, and if anyone thinks that a little politics didn't go into determining that $4.5 billion project, I'd like to sell them a couple of bridges.

So, all I can say is it is fine for someone who comes from a district as prosperous as yours to belittle or question these modest economic development efforts that are being provided around the country in districts that have a per family income of $8,000, $9,000, $10,000 less than yours. This is, after all, one country.

And just as I believe that the most fortunate human beings in this country ought to be willing to extend a helping hand for those who are least fortunate, I also think that those communities that are well off ought to be able to extend a helping hand to the communities that are less well off, and that certainly is the case with the number of the economic development projects that this committee is trying to fund, recognizing that we are, after all, all one country.

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

Mr. CRAMER. Mr. Chairman, just briefly in close, this is a modest economic development initiative. It's very appropriate under this account, and it will allow this museum project to revitalize an area of downtown that is in much need of revitalization.

Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FRANK of Massachusetts:

At the end of the bill (before the short title), insert the following:

SEC. 410. None of the funds made available by this Act may be used to implement or enforce the requirement under section 12(c) of the United States Housing Act of 1937 (42 U.S.C. 1437j(c); relating to community service).

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Massachusetts (Mr. FRANK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I offer this on behalf of myself and our colleague from New York Mr. RANGEL, who, in fact, in a previous Congress in 2002, I believe, offered a similar amendment. It would suspend for a year, because we do this 1 year at a time, the work requirement in the public housing sector. We're talking about 8 hours a month.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. OLVER. Mr. Chairman, I'm prepared to accept this amendment on the part of Mr. FRANK and Mr. RANGEL.

Mr. FRANK of Massachusetts. I'm certainly prepared for it to be accepted.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I have no objection. We have no objection. We accept the amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield back the balance of my time, and I will go make a great speech in my office.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. FRANK).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Hunting and Fishing Museum of Pennsylvania in Tionesta, Pennsylvania.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for ''Department of Housing and Urban Development—Community Development Fund'' (and specified for the Economic Development Initiative) is hereby reduced by $100,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the

gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, just once I would love to hear the other side say, we have no objection to that amendment and will accept it, but I suppose I won't be so lucky today.

This amendment would prevent $100,000 in funding for the Hunting and Fishing Museum in Pennsylvania and reduce the cost of the bill by a corresponding amount.

Mr. Chairman, my staff and I have never had a hard time fishing for earmarks that seem to be fiscally irresponsible, but this one seemed to be a particularly easy catch. It seems that there is no museum that we will not fund. We have funded teapot museums. We've funded mule museums. We have funded rock and roll halls of fame. Now, we're being asked to fund a museum honoring the time-honored hobbies of hunting and fishing.

According to the earmark description, the earmark would fund the development and creation of interactive, educational and historical exhibits. According to the Web site for the Hunting and Fishing Museum, the museum came as a result of its location in a forest area of Pennsylvania where hunting and fishing are already big industries.

I enjoy fishing and hunting as much as the next person, but I'm not convinced that the Federal Government has a role here. I'd like to have explained what the Federal nexus is.

According to the National Association for Sporting Goods, the hunting industry did $2.8 billion in business sales in 2004. For fiscal year 2003, the fishing industry's retail sales totaled over $40 billion. With these kind of profits, why are these industries relying on the Federal Government to fund a museum honoring their pastimes? Are we not picking winners and losers when we select only a handful of museums to fund? Is this a fair and equitable process?

More than that, more than being equitable, some say if everybody is given the chance and there's an account to do this, that it's okay, that it's justified, everybody's getting theirs, let me get mine. But I think, particularly for us on this side of the aisle who say that we believe in limited government, economic freedom, individual responsibility, it seems a particularly hard sell.

I'm not making fun of the hobbies of hunting and fishing. As I mentioned, I do a fair amount of both myself. But here I just fail to see a Federal nexus and a Federal role.

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

Mr. PETERSON of Pennsylvania. Mr. Chairman, I rise to oppose the amendment and claim the time.

The Acting CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I find it ironic today the maker of this amendment represents one of the more affluent parts of America, one of the parts of America that wouldn't be there, wouldn't be growing and prospering without billions and billions of Federal investment.

We can start with the 336-mile diversion canal that diverts water from the Colorado River so they can irrigate the desert and make it a city. It seems to me that's a pretty expensive economic development project taking desert and making it grow.

Mesa last year, his home area, $35 million of their budget is Federal money, and he keeps talking about the process. Well, I think I understand the process, and I'd be glad to debate the process with him any day, anytime, anywhere. I've been in business all my life, retailing. I served in local government 8 years, State government 19 years, Federal Government 11 years, and I understand process.

Rural America is not a part of the process of funds from the Federal Government. This bureaucracy you brag about how they allocate money and how they hand it out as if this was some pure process. Rural communities don't have planning departments. They don't have planning directors. They don't have consultants. They don't hire lobbyists like Mesa and Phoenix and Arizona do. They're fighting for their economic lives.

This little forest county is less than 10,000 people. I think the population went from close to 5,500 to 7,500 because we opened a prison there. It used to be the home of an Evenflo Bottle Company, and those people would like to see a little investment in economic development in that community. It used to be the home of a glass plant. It used to be the home of a cabinet factory. They're all gone.

It is a beautiful area, some of the most beautiful parts of America. It is the best hunting and fishing in America, and tourism is the only tool they have that's working. This Hunting and Fishing Museum is another tool to try to keep hunters and fishermen and travelers and visitors to visit that part of the area.

Another thing, its interactive displays teach young people about hunting and fishing. We have a lot of people today that don't have fathers at home teaching them to hunt and fish. The Hunting and Fishing Museum is going to have classes. They're going to have classrooms. They're going to teach young people the joy of hunting and fishing. I find you take a young man and you teach him to fish, you teach him to hunt, you get him involved in a sport, he's less likely to be in crimes, drugs and on the streets.

It's a part of the fiber of America. There is no urban museum that isn't loaded with Federal dollars to build it.

□ 1515

Rural museums don't have that same pathway. I defy a museum in America that doesn't have Federal funding in it. Because a little community asks for 50 or 100,000, this is some sort of a crime?

I'm sorry. I'm not going to apologize. I served Forest County as a State House member, a State senator and now a Congressman. I ran a business within 10 miles, and many of these people were customers of mine when I had a supermarket. These are good people fighting for their economic lives trying to build this museum.

The State has allocated $4 million, but they have to get matching money. This $100,000 will get them another $100,000 from the State, because as they raise money, they get money. I gladly debate this museum. It's a good investment for the future for Forest County and for America.

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

Mr. FLAKE. Mr. Chairman, nobody is suggesting that it is a crime to support this kind of earmark, nor would it be a crime to actually deny funding for it. That's what the process is about.

My complaint, and nobody has suggested either, that there's this pure process at the Federal agency level. It's dysfunctional. We haven't provided the type of oversight that we need to.

The fact that there is an account over there to actually fund economic development projects suggests to me that it's out of control, that that's what we are about, what we should be about. We control the Federal purse strings. It should be in our interest actually to rein in spending over there rather than trying to compete with it and say if they do effect spending on this project or that, whomever has the district, that we shouldn't compete with that here and say, well, we can do one, one-up them with the Rock and Roll Hall of Fame. If they had funded another hall of fame, we should say, is it the Federal Government's role to fund these? That's what I am questioning here.

If we can fund teapot museums and mule museums and hunting and fishing museums, what is off limits? What would come here that we could say we are not going to fund that? We could fund a mule museum. How about a donkey museum. Is that out of line? Where do we say enough is enough, and where do we say let's give the taxpayer a break?

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

Mr. PETERSON of Pennsylvania. According to the Department of Transportation in 2005, his area received $580 million for its construction of a $1.4 billion, that's a pretty big percentage, of a 19.6 mile light rail system serving metropolitan Phoenix.

Why should people from Forest County have to pay that? I should make that argument. We can use it. Mass transit gets huge amounts of money, and Arizona gets lots of that. The largesse goes to the urban areas that have the ability to get it.

One thing about the earmark process, I am not saying it's perfect, but I have

never asked for an earmark that I wouldn't defend publicly in any setting. I am proud today to ask this Congress to give $100,000 to the Hunting and Fishing Museum in little Forest County, that is trying to rebuild their economic base, enhance their tourism and teach our young people the value of wildlife and fishing and hunting and the beauty of the area. That's a noble issue.

I will gladly support the ability to help that rural county. I ask support of this Congress for this earmark.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Friends of the Cheat Rails to Trails Program.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for ''Department of Transportation—Administrative Provisions—Federal Highway Administration'' (and specified for the Transportation, Community, and System Preservation Program) is hereby reduced by $300,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would take $300,000 from the Friends of the Cheat Rails-to-Trails program. The Cheat Trail is one small part of the 13,600 miles of trails built by the Rails-to-Trails Conservancy. The program's mission is to create a nationwide network of trails for former rail lines.

The program is a nationwide effort, yet this earmark is aimed directly at one trail in West Virginia. This is not the first time Friends of Cheat have bypassed the Rails-to-Trails program for funding. The House approved a $300,000 earmark for the Cheat trail just last year. If the trail is in such need of funding, isn't it coming from the funding and the many grants allocated in the Rails-to-Trails program?

This is another problem I have with the contemporary practice of earmarking. If we set up processes at the Federal agency level, and we set up accounts, often when people apply to that account, and apply for a grant and don't get it, then we in Congress will go and give them that project anyway through an earmark.

So if we are telling the Federal agencies, here is a process that you should go through that is merit based, that is competition based, and then fund those who don't get a contract, what are we saying? If we have a problem with a Federal agency's process or program, then we should amend them.

We should change them. We should call the agency heads before us and say explain why are you doing this, why are you giving money to this organization and not that one, but not to circumvent the process and basically add to it.

The Rails-to-Trails program has over 100,000 members, receives Federal, State and private funding. It was created over 20 years ago. I think that if this organization was to apply to the program, they are quite capable of finding funding. There is funding there.

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

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, in a way, I hardly know where to start here, but I might start with the gentleman's question that he poses time and time again, not only today but in previous days: Is it the Federal Government's role to fund these projects?

He has several different arguments against projects. When projects of a very significant nature are pointed out that are going on in his district, he says, oh, well, in the past they were authorized, appropriated, and he says they have oversight. To what extent, we don't know.

But the point is, they went through a process here in Congress. Article I, section 7 doesn't say what process it should go through. It says that it's the Congress' job to do that. Every Member of this body is looking at their congressional district and thinking about economic developments and what are the needs.

If you are in a transition economy, transitioning from a basic industry, manufacturing economy to a new economy, tourism is a very important part of that new economy, of that vision into the future.

We have seen a lot of projects from industrial areas that fall into that category, whether they are museums, whether they are trails, whether they are any of those kinds of appurtenances, if you will, that contribute to the economic development in the tourism realm.

Well, if the gentleman's question is, is it the government's role, the Federal Government's role, to fund these projects, which he asks over and over again, as the alternative argument against these projects, then it has been answered over and over and over again. It is the Federal Government's role to do it through this body. Constitutionally, it is our responsibility. Article I makes that very clear.

So I just want to point that out and then speak and thank the gentleman for the opportunity to stand up to speak for Friends of Cheat, because they are doing just that. They are laying the kind of infrastructure that is necessary and crucial to that new economy, and that aspect of our economy in the future of West Virginia is going to be tourism. He has allowed me to speak to that.

Before I speak to it, I would like to thank the gentleman from Massachusetts for his leadership and review of this project. I know his staff has spent hours on it, because my staff has spent hours on the projects that we have approved. But this funding will be used, as the gentleman said, to acquire land and develop a trail in order to create those kinds of infrastructure that are attractive and make usable the bounty that is West Virginia.

I thank the gentleman for allowing me the opportunity to speak in favor of this project. I want to compliment him for the tremendous assets that are going into Arizona. I am extremely impressed; it's an affluent area. His predecessors have worked very hard, as has been pointed out here today.

There is nothing the matter with that, and there is nothing the matter with the process that those projects went through. Nor is there anything the matter with the projects that we are talking about here today have gone through.

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

Mr. FLAKE. Might I inquire as to the time remaining.

The Acting CHAIRMAN. The gentleman has 3 minutes remaining.

Mr. FLAKE. Mr. Speaker, I yield 1½ minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I thank the gentleman from Arizona for bringing this amendment, and I appreciate the gentleman from West Virginia coming down to defend this particular language that's here.

I think we need to take a look at this thing from a perspective that's perhaps broader than this particular project, that being that the issues that have been raised here in this Congress will be discussed again and again throughout this appropriations process.

But if the project has merit, it should have merit. It should be able to succeed in its efforts without being specifically identified.

But I think it has a fair amount of weight to drag with it, in that that trail has been there a long time. It could wait awhile longer.

I would submit that the issues that surround the particular district that the gentleman represents should be considered in light of this particular appropriation. The report that came out in the Wall Street Journal that's a little more than a year old, about land that has been purchased along the river that happens to be the same river that this trail runs along, I don't know that it's adjacent, brings a question to mind as to whether or not the gentleman

from West Virginia will be able to follow through on statements reported in the Wall Street Journal that say any claim whatsoever that says these investments are in any way related to my actions as a Member of Congress is categorically false.

I don't deny that statement. I don't actually take issue with that. I would just ask the gentleman if he could suspend his aggressive effort to fund this project until such time as these questions that surround this Cheat River project could be resolved.

Mr. FLAKE. Mr. Chairman, let me just close. Let me say, again, I fail to see the relevance of the number of defense contractors that Arizona has or the amount of Federal money that goes there by contract, by competitive bid or otherwise. How is that relevant to this process?

The truth is, there is something wrong with the process when we have thousands and thousands and thousands of earmarks, when we have 1,500 and just a couple of days to review them before we come here to the floor. There is something wrong with that process.

As I have said before, we can try all we want to conjure up some justification for the contemporary practice of earmarking. But if we think the taxpayers across the country are buying it, we are drinking our own bath water.

We are believing our own press releases if we think that's the case, because they're not. They're not believing it, and they shouldn't. There is no noble pedigree to this kind of earmarking. There really isn't.

So to appropriate money in this fashion is simply not becoming of this Congress. We are better than that. We should have more respect for the institution than that.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

□ 1530

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have one final earmark at the desk.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Houston Zoo in Houston, Texas.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for ''Department of Housing and Urban Development—Community Development Fund'' (and specified for the Economic Development Initiative) is hereby reduced by $300,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Chairman.

This amendment would prohibit $300,000 in Federal funds from being used by the Houston Zoo in Houston, Texas, for an educational broadcast program and would reduce the cost of the bill by a consistent amount.

According to the earmark description in this certification letter, this funding would be used to develop an educational broadcast program to provide interactive distance learning, first to the neighboring institutions at the Texas Medical Center, and ultimately expanding the program to regional school districts.

According to the sponsor's letter, this program would enable children and students to ask questions of and converse with zoo experts in real time, replicating an in-classroom dynamic, but in an exciting and unique manner.

I should say the Houston Zoo is the permanent home of 4,500 animals; the zoo attracts more than 1.5 million visitors a year; general admission is $10 for an adult, $5 for a child. In fact, according to the City Navigator, annual revenue for the Houston Zoo in 2006 totaled $39 billion. In 2006 alone, the Houston Zoo had over $43 million in net assets and nearly $20 million in excess revenue. It has a membership base of over 28,000 households. Corporate sponsors include Continental Airlines, Shell Oil, JPMorgan, BMC Software, Conoco-Phillips, FedEx. The list goes on and on.

Again, here, if we are going to start to fund programs at zoos like this, where does it end? Virtually every Member has a zoo or some type of wildlife preserve in their district. Where do we say enough is enough?

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

Mr. CULBERSON. Mr. Chairman, I would like to claim the time in opposition.

The Acting CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

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

Mr. FLAKE. Here again, let me simply say there are a lot of zoos around the country, a lot of zoos that every one of which would like to receive Federal funding. Where do we say enough is enough? Where do we say this zoo is worthy, they have two tigers; this one only has one lion? The tigers get it? I mean, where do we have some kind of equitable process rather than Members just being able to designate funding of this type? We simply cannot continue to go on in this fashion.

Again, somebody will probably point out Arizona has a lot of defense contractors and gets a lot of Federal money. Again, I fail to see the relevance of that argument here. Let's throw the taxpayers a bone here, if you will, and let's finally say we are going to stop funding for one of these earmarks and actually return to fiscal sanity. We are running between a $200 billion and $300 billion deficit this year. Remember, money comes into Washington, we don't have enough to fund the programs, and so we are borrowing money to actually pay for programs like this. We can't continue to do that. I urge support for the amendment.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I am not sure what standard the gentleman from Arizona follows, but as a member of the Appropriations Committee, as a guardian of the public Treasury, representing the people of Houston, I have approached all spending requests from the perspective as someone who has a second mortgage on the house and all the credit cards are topped out. My starting answer on all spending requests is ''no,'' and ''yes'' has to be earned.

I have published all of my appropriations requests on my Web site for many years. I published both my request letters as well as the final result of those requests that the members of the committee have graciously agreed to support because they know that any request coming from me and my office has already been carefully screened. I won't submit requests that haven't already passed my very careful scrutiny.

Again, I approach the request from the perspective of there is not enough money in the Treasury to do it; the starting answer is ''no,'' and ''yes'' has to be earned; the request has to fall within the functions of the Federal Government, and it has to be something for which there is no other source of revenue.

I am proud to represent the Texas Medical Center. I am proud to represent the Houston Zoo. This $300,000 will be used by the zoo. They are matching it, providing a 3–1 private match to these dollars that are going to go exclusively into providing live video feeds to critically ill children and children that are dying of cancer who otherwise would have no interaction with the outside world.

The Texas Medical Center is recognized around the world as probably the greatest concentration of medical talent anywhere in the world. God forbid anybody within the sound of my voice comes down with cancer or a dreaded disease; but if they do, there is no better place to find a cure for that than at the Texas Medical Center.

If you are a child with terrible burns, trapped in your room and unable to get out and visit the zoo personally, there

is no television channel in Houston for you to see what goes on at the zoo. The zoo is going to use these dollars to construct dedicated transmission facilities to these dying children, critically ill children in their hospital rooms so they can talk to the feeders, people actually working with the animals, observe the animals around the clock. And, certainly, your mental attitude is a tremendous part of getting well and recovering.

This request was the only one that I submitted on behalf of the Houston Zoo. They submitted a lot of requests to me. In fact, I think the appropriators will find that most of the requests from me will take about one page, because I am very careful and only submit a very few. I am proud of all of them. They are all on my Web site. And I can tell you, this is one that I am very grateful to the chairman Mr. OLVER and to the ranking member Mr. KNOLLENBERG for supporting. They know they don't get many requests from me, and this one certainly is one that is appropriate to help these dying and critically ill children revive their spirits in interacting with and seeing what marvelous work the Houston Zoo is doing, which is, of course, right next door to the Texas Medical Center.

Finally, I want to encourage Members to vote against this amendment based on the merits, but then also because the amendment doesn't save any money. I am one of the most fiscally conservative Members of this House and proud of it. I voted against all of these big new spending programs over the last many years, whether it be the farm bill; I voted against the farm bill, billions of dollars for AIDS in Africa as money we don't have; voted against the No Child Left Behind because that is an intrusion of the 10th amendment sovereignty of the States and money we can't afford to spend; voted against the Medicare prescription drug program. I have voted against most of the big spending programs that have been driven through this House, because I truly believe that I have got a responsibility to my daughter and future generations to try to keep Federal spending at a minimum, diminish the size, power, and cost to the Federal Government.

As Mr. Jefferson, my hero, said, apply core republican principles, with a small ''R,'' keeping most power and responsibility at the local level. If you apply core republican principles, the knot will always untie itself.

So I am always looking for ways to save money. So I would ask Members to vote against this amendment first on the merits; and then, secondly, because unfortunately, once again, Mr. FLAKE's amendment doesn't save any money. He is not reducing the overall 302(a) allocation of the bill. So this is another phantom savings that is not going to result in a savings of one nickel for taxpayers by cutting out the live video feeds to these dying and critically ill children in the medical center.

And I am sick and tired of phony amendments that act like they are going to save money. I have already scrutinized this, along with every other request from my office. I am proud of the work the zoo is doing and the work the medical center is doing. And you can expect me to be out here vigorously defending the work of this committee investing in the sciences.

I thank you, Chairman OBEY. The chairman of my Subcommittee on the Sciences, Mr. MOLLOHAN, is here. Our ranking member, Mr. FRELINGHUYSEN of New Jersey. God bless them for the investments they are making into sciences and NASA and medical and scientific research. That is our Nation's insurance policy. I will be out here vigorously defending them against anyone attempting to cut those investments into sciences or NASA or in medical research. That is this Nation's insurance policy.

And I especially resent somebody coming out here and offering a phony amendment that is not going to save one nickel of taxpayer money; because this $300,000 is not being taken out of the overall spending, it is just going to be spent by bureaucrats.

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

The Acting CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, again, I do not want to comment on the particular project under question, but, again, I just want to make a point to my friend from Arizona. And I love the State of Arizona. It is a beautiful State. I go there every year to visit some friends. I think it is absolutely wonderful.

But when I came to this Congress, I believe there were four congressional districts in Arizona, four Representatives of Arizona in this House, and there were 10 Representatives from the State of Wisconsin. Now, almost 40 years later, Wisconsin has eight congressional districts, eight Representatives, and Arizona, I believe, has a similar number. That means that Arizona has grown at an incredibly rapid rate, and an awful lot of money from a lot of other States has helped finance that economic growth.

And I return to the Central Arizona Project. I am not expressing a judgment about that project one way or the other, but I do know that it is one of the two or three most expensive earmarks in history. And I would simply suggest that I find it ironic that the gentleman has chosen to go after several projects today in States whose economies are far less prosperous than the gentleman's own State.

I also would question whether or not there is any greater purity in a highway, for instance, being built on the basis of a determination by two or three persons from a given State that knows the area, I don't know why that is any less pure than to have some partisan bureaucrat in the agency decide.

MOMENT OF SILENCE OBSERVED IN MEMORY OF OFFICER JACOB J. CHESTNUT AND DETECTIVE JOHN M. GIBSON

The Acting CHAIRMAN. The Chair asks the gentleman from Wisconsin to suspend for one moment.

Pursuant to the Chair's announcement of earlier today, the Committee will now observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson.

Will all those present in the Chamber and those visiting us in the gallery please rise for a moment of silence.

The gentleman from Wisconsin may continue.

Mr. OBEY. As I was saying, I don't know why one should assume that a decision to build a highway or any other project, if made by partisan bureaucrats or politically appointed bureaucrats in an agency, I don't know why that is any more pure than a decision being made out in the open by Members of Congress, who I think know their districts as well as any bureaucrat.

So all I would suggest is that while I am certainly not fond of the earmarking process, I am also not fond of the idea that somehow those of us from States not quite as prosperous as the gentleman's need to be embarrassed by the fact that we are asking for a little better deal in terms of Federal money spent in our districts, especially when the gentleman's State is above the national average in terms of the amount of Federal dollars spent in his own State.

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 25 OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 25 offered by Mr. HASTINGS of Florida:

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 by the Federal Aviation Administration (FAA) to eliminate, consolidate, de-consolidate, co-locate, execute inter-facility reorganization, or plan for the consolidation/deconsolidation, inter-facility reorganization, or co-location of any FAA air traffic control facility or service, with the exception of the reversal of the transfer of the radar functions from the Palm Springs Terminal Radar Approach Control (TRACON) to the Southern California TRACON.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Chairman, I rise today with Representatives POE, FILNER, and BONO to offer an amendment prohibiting the Federal Aviation Administration from eliminating, consolidating, colocating, or planning to consolidate or colocate any terminal radar approach control center, or TRACON.

Our amendment is virtually identical to the amendment that was overwhelmingly approved by the House in a bipartisan fashion by almost 100 votes just last June. Yet, since the House went on record of opposing further consolidation, the FAA has done virtually nothing to address our concerns. Even more, it has accelerated its consolidation efforts while shutting out stakeholders from the process.

Mr. Chairman, the TRACON system guides airplanes within a 50-mile radius of the airport on their takeoffs and final approaches. The FAA has embarked on an ambitious consolidation and colocation plan which will significantly limit our air traffic capacities in the future. I warn that this policy is shortsighted.

It is now rumored that the FAA's current consolidation proposal seeks to eliminate or consolidate nearly 50 TRACONs in over 30 States across the United States.

□ 1545

In some instances, entire States will be left without any approach radar system within their borders. In other instances, consolidation runs the risk of placing undue stress on nearby TRACONs already having to deal with larger airspaces and staffing shortfalls.

In Florida, the FAA is planning to consolidate the TRACONs of Miami International, Ft. Lauderdale International and Palm Beach International airports into one TRACON. Note that all three of these airports are within a Federal high-risk urban area, and smack dab in the heart of Hurricane Alley.

Once this plan is implemented, if a terrorist attack or natural disaster were to strike the Miami TRACON, then all three international airports would lose their approach radar system. Controllers in Jacksonville, an airport more than 350 miles away, will be forced to direct approaching aircraft throughout virtually the entire State.

Realize, Mr. Chairman, this is not a question of whether or not consolidation can technologically be done. It can be done and it is being done. On the contrary, this is a question of should it be done and what risk is Congress willing to run.

Further, in the instances where consensus is possible and consolidation could be appropriate, the FAA is still refusing to involve stakeholders in the process. To that end, this amendment appropriately exempts the TRACONs of Palm Springs and southern California from the limitation.

Opponents of our amendment likely will argue that the construction of some new control facilities, including one in my district, will be delayed and funds lost if we do not allow consolidation. To them I say, why can't we keep those funds available until all stakeholders can reach a viable solution? Congress does it all the time.

Some point to the FAA authorization bill as the appropriate place to address this issue. And I have great respect for the chairman of that committee with whom I've had a conversation. If that's the case, though, why do we keep throwing money at the problem in this bill? At the very least, we should tie this money to smart policy and a transparent process.

The FAA's TRACON consolidation runs the grave risk of leaving our air traffic system vulnerable during critical times and setting a dangerous precedent for a process that excludes stakeholders from decisions that impact their lives. This is not a risk that Congress should be willing to take.

I urge my colleagues to support this important amendment.

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

Mr. OLVER. Mr. Chairman, I claim time in opposition to this amendment.

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, the major problem, other than lack of funds, related to aviation in this country for the next period of time is the great growth in traffic. We are expecting total traffic to pass 1 billion passengers within the next 10 years. Over the last 10 years it has risen from, gone well above 500 million passengers per year.

Now, this amendment will make the cost of providing facilities and equipment in order to be able to meet that great growth in traffic much higher than it otherwise would be. The modern equipment that is necessary, most of the present towers need to be upgraded, the equipment needs to be upgraded, towers need to be built for the next generation of air traffic control to deal with all of that huge increase in expected traffic. The towers themselves are expensive. The electronic equipment, the facilities, what you call the STARS systems for control, all of these are expensive items, and the expense of the process burgeons if we do not make other kinds of efficiencies.

Now, this amendment would halt all of the modernization of air traffic control facilities, both TRACONs and towers, and the equipment within those facilities. Consolidation has already gone on very successfully in some parts of the country.

The gentleman from Florida has suggested that there are problems in safety, potential problems in safety. Look, in California they have consolidated to now two TRACONs covering the whole State for the 30-plus million people in California and the roughly 40 commercial air systems, airports that are there. So that kind of consolidation has gone on also in New York, also in Chicago, also in Atlanta, in all of those places, some of the most complicated air traffic systems in the country. The most complicated ones have already been undergoing consolidations, and this proposal would stop that process.

It would cost us $85 million in savings from planned and designed and in construction consolidations that are already in process. It would cost another $110 million in funds which would expire, because funds for FAA facilities and equipment goes on a 3-year cycle.

In addition, there would be $225 million in construction funds that will be placed on hold. It is an extremely costly endeavor, and it is generally wrongheaded, really. We have to have this consolidation because it's critical to the efficient dealing with our movement of air traffic in this country.

Mr. Chairman, I yield 1½ minutes to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Without a great deal of enthusiasm, I oppose the amendment of the gentleman, although I supported it last year. But this year we have in place in our FAA reauthorization bill a process that will cure the problem the gentleman has brought to the House floor.

Frankly, the FAA has not been responsive to the gentleman from Florida. Worse, they have been dismissive. They have not consulted with him or with his airport or with the community that he represents.

In the legislation that the gentleman from Illinois, chairman of the subcommittee and I have fashioned with bipartisan support, we have a process in place. Once our authorization bill is enacted, that will require the FAA to consult with communities, with airport authorities, with the Members of Congress on these consolidation proposals and report back to the Congress. We'll get another crack at it. We'll do it in due course and due appropriate process, not the way FAA is proposing to do it, certainly not with a base-closing commission approach that the administration offered to the Congress.

Just today the gentleman from Illinois held a hearing on the wretched conditions in a great many of our air traffic control facilities, which the FAA is ignoring under the guise of modernization of air traffic control system.

Well, come on. That's not happening for another 5 to 10 years. Meanwhile, people have to sit there and suffer through mold and rain and mildew and, in northern Minnesota, in my district in Duluth, snow coming through the windows, or flies in the air traffic control tower in the winter. Come on. That's not taking care of our facilities.

The Acting CHAIRMAN. The gentleman's time has expired.

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

The Acting CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KNOLLENBERG. I, too, am opposed to this amendment. A number of planned and paid-for capital improvement projects will be delayed or completely cancelled if this amendment goes through. And I think that the discussion you've heard from the two previous speakers is enough to suggest that, as much as we may want to help the dilemma in the gentleman's Florida area, there is a lot of other land out there across this country that needs to be looked at, too.

I yield to the ranking member of the Transportation and Infrastructure Committee, Mr. JOHN MICA.

Mr. MICA. Mr. Chairman, I rise in strong opposition to this amendment. I'm pleased to join Mr. OBERSTAR who chairs our committee, and as the ranking member, and you'll hear from our ranking member on the Aviation Subcommittee, also opposed to this amendment and, I believe, Mr. COSTELLO, who's the Chair of the Aviation Subcommittee, which I previously chaired, is opposed to this amendment. So rarely have we had such bipartisan support in opposing an amendment.

As Mr. OBERSTAR said, too, maybe this may be well-intended to try to deal with some problems we've had in the past, but let me tell you, this amendment can have some very severe consequences. We're talking about closing down the modernization of our air traffic control system.

Here's the headline of today's Washington Times: ''FAA Target Airline Delays.'' I can't come to the floor and not be besieged by Members who haven't been delayed by flights. If you really want to close down our Nation's aviation system, pass this amendment.

We have successfully done these consolidations in the past. We'll do them and modernize and get the latest equipment. However, a moratorium on consolidations through January of 2009 will cause FAA to lose $110 million of expiring funds this year that are targeted toward modernizing these facilities, and nearly a quarter of a billion dollars in construction costs will be placed on hold for projects currently in process across the country. This would be a disaster.

Many of the airports affected are planning to make improvements, and all of this attempt to get our aviation industry moving and air traffic moving and modernization of the system will come to a grinding halt. May be well-intended, may try to solve a problem that the gentleman from Florida has experienced, but this is not the solution.

I urge opposition.

Mr. KNOLLENBERG. Mr. Chairman, I would like to yield now to the gentleman on the Transportation and Infrastructure Committee, Mr. PETRI from Wisconsin.

Mr. PETRI. Mr. Chairman, I join with my colleagues on the committee who have studied this matter in opposing the amendment before us.

Just this morning the Aviation Subcommittee conducted a hearing on our aging air traffic control facilities, some of which are in very, very bad condition, and this amendment would move us in the wrong direction rather than the right direction. The impact of the amendment would be, according to the FAA, that it would lose some $110 million in funds that have been programmed to modernize the facilities that it needs to maintain to keep our system moving. And this will expire if the amendment is adopted.

The average age of FAA towers is some 27 years and in route centers are 43 years. They need to spend some $30 billion over the next few years to modernize the facilities and maintain them.

And I realize that it's a well-meaning amendment, but it would set us back and delay the efficiency and mobility of our population, and could even result in some increase in risk in the system.

For those reasons, I would urge rejection of the amendment.

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

Mr. HASTINGS of Florida. Would the Chair advise how much time I have remaining.

The Acting CHAIRMAN. The gentleman has 30 seconds.

Mr. HASTINGS of Florida. I ask unanimous consent that each side be given an additional 2 minutes.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1½ minutes to Mr. POE, my colleague from Texas.

Mr. POE. Mr. Chairman, I am strongly a proponent of this amendment. I represent southeast Texas. We have a TRACON at Houston Intercontinental Airport. We have one in Beaumont, 90 miles away. And I am not convinced that the consolidation of these two TRACONs in Houston is a good idea for safety.

I'm also concerned about the fact that we have more and more planes in the air, but yet the FAA wants to have fewer and fewer facilities in the United States to control that aviation.

I'm also concerned, as the gentleman from Florida is, about security. Down in southeast Texas, what I represent, I represent the number one refinery in the United States, the number two refinery in the United States. Twenty-two percent of the Nation's aviation fuel is produced in my area.

□ 1600

And if there was some tragic event, some terrorist attack on Houston and the Intercontinental Airport, who would be controlling the skies? Some TRACON unit in Oklahoma City and New Mexico? I think not. I think it is good that we have two TRACONs in the area.

And, lastly, I am not convinced that this would save any money. Just as we went through with the BRAC military base closures, we are finding that that did not save the taxpayers any money, especially with Ellington Field in Houston.

So for all those reasons I think this is a wise amendment for safety and security, and I thank the gentleman for yielding.

Mr. HASTINGS of Florida. I thank the gentleman.

Mr. Chairman, going forward, my colleagues argue that we would lose $110 million that expires at the end of this year for FAA. I remind my colleagues that this is the United States Congress, and I have been here when we have extended the kinds of funds that would be made allocable to agencies by time. If we wanted to, the $110 million that has been discussed could be extended for 2 or 3 years, and FAA could be delayed in that particular undertaking with reference to so-called modernization.

What they did in this particular measure, after we passed the measure last year, FAA then accelerated their process rather than sitting down and talking with the stakeholders such as the Members of Congress or pilots or air traffic controllers or airport operators or aviation operators and the general public; absolutely no discussion, and then put forward the measures that have come out now. That is the primary reason that I am on the floor. Sixteen thousand controllers and engineers believe this to be the case.

For the RECORD I will include a letter from the National Air Traffic Controllers Association.

NATIONAL AIR TRAFFIC CONTROLLERS ASSOCIATION, AFL–CIO,
Washington, DC, July 23, 2007.

VOTE YES ON THE HASTINGS-POE-FILNER-BONO AMENDMENT TO THUD APPROPRIATIONS

DEAR MEMBER OF CONGRESS: As the President of the National Air Traffic Controllers Association (NATCA), representing over 16,000 controllers, engineers, architects, nurses and aviation safety professionals, I urge you to vote yes on the Hastings-Poe-Filner-Bono amendment to H.R. 3074, the FY08 Transportation Appropriations Act. Representative Alcee Hastings offered a very similar amendment to last year's TTHUD bill to prevent the FAA from consolidating Terminal Approach Control (TRACON) facilities, and it passed with 261 bipartisan votes.

In the past, NATCA and the FAA have worked in tandem to identify air traffic control facility consolidations that could potentially make sense and to ensure that the process involves the important input from vital stakeholders. Unfortunately, the FAA is no longer taking into consideration the legitimate concerns of stakeholders such as Members of Congress, pilots, air traffic controllers, airport operators, aviation operators, and the general public.

NATCA believes that the FAA must consider air traffic control facility consolidations/colocations using a transparent process

because the Agency has an obligation to involve stakeholders in any Agency effort that could affect the safety and efficiency of the airspace. A full risk-assessment, including the Homeland Security implications of placing all of our radar functions in one location, must be conducted and made open to public scrutiny.

A moratorium on consolidations is necessary to provide the opportunity for Congress to evaluate the specific operational need for proposed consolidations and prevent the Agency from moving ahead with flawed consolidation plans without a defined policy.

We hope that you will support the efforts of our nation's professional air traffic control workforce in keeping our National Airspace System the safest in the world by supporting this amendment. Vote yes on Hastings-Poe-Filner-Bono.

Sincerely,

PATRICK FORREY,
President.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. COSTELLO).

Mr. COSTELLO. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I reluctantly rise in opposition to the Hastings amendment, joining the chairman of the full committee, Chairman OBERSTAR; the ranking member Mr. MICA; and Mr. PETRI.

Mr. HASTINGS is exactly right. The FAA has done a very poor job of communicating with Members of Congress and stakeholders on its plans to consolidate and relocate facilities, but halting the process at this stage is not the answer.

Instead, what we need is an open, continuous, and defined process, and that is exactly what we have in the reauthorization bill that the Transportation Committee passed just a few weeks ago. It allows affected stakeholders to work together with the FAA to develop criteria and make recommendations that will be submitted to the Congress and published in the Federal Register for proper review and oversight. Any objections or changes made to the recommendations must again be submitted to the Congress. Congress does not relinquish its role, but, instead, can provide thorough review, oversight, and input.

Let me say that preventing consolidation and relocation is not the answer. We just held a hearing this morning, the Aviation Subcommittee, in which we discussed the FAA's aging traffic control facilities. Many of these facilities are 40 years old or older, and they are exceeding their useful life expectancy in not meeting current operational requirements. This has resulted in the GAO's giving many of the facilities a score of fair to poor.

We must ensure that the FAA make the investments needed to maintain the current existing infrastructure, including in some cases consolidation and relocation, to ensure that the current system can continue to operate in a safe and reliable way. I believe the best course of action is to address this issue through the reauthorization bill, and that is exactly what we have done in passing the bill out of committee.

As a result, I oppose this amendment and urge my colleagues to vote ''no'' on the Hastings amendment.

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

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, I would just like to point out that the gentleman from Florida has made the point that the House passed last year legislation doing this. That was never acted upon and was not included in the CR, the final CR for the 2007 budget. That was adopted in the House version of the bill, but it was not carried through to the CR. So there is no precedent of merit there.

Secondly, the crux of our problem is that we have a huge growth of air traffic that is expected within a 20-year period. From 1995 to the year 2015, we will have gone from half a billion passengers to a billion passengers, and that is in the commercial traffic, plus all of the increase in general aviation. We cannot sit with our head in the sand and not modernize all these facilities, the towers, the facilities, the equipment, the control systems that are necessary to deal with that increase in traffic, and that has to be done. It has already been done in some of our major parts of the country.

The gentleman from Texas has concerns about Texas. The authorizing language which the T&I Committee has reported out includes a system to look at those cases to review and to set up a system for reviewing how those systems will be set up in additional places as the consolidation of TRACONs and the modernization of these facilities and the reequipment of these facilities must go forward.

So I think that that part of it is a red herring, truly. In the case of Chicago and New York and Philadelphia and Washington and California, our heaviest traffic locations in the country, and Atlanta besides, we already have these consolidations in place. And in the case of California, 40-some-odd airports and their tower facilities have been included now in 2 TRACONs where there used to be 8 or more TRACONs in the State of California.

So the number of TRACONs is going to come down. It must come down, and we must get on with this modernization of the facilities and equipment that otherwise would always be very costly. It must be done.

Mr. HASTINGS of Florida. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I would be happy to yield to the gentleman from Florida, though I don't think I have much time.

Mr. HASTINGS of Florida. Just to say, Mr. Chairman, you know there is another component to all of this, and that is that the 16,000 air traffic controllers and the people that work in these modern facilities are overburdened, and I just for the life of me do not understand how we don't understand the dynamics of their work.

And I thank the chairman for yielding.

Mr. OLVER. They will be much less burdened if they have new facilities and new equipment, equipment that is modern and that can manage to handle that traffic in a much more efficient manner.

I hope that the amendment will not be adopted.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

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

Mr. HASTINGS of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT OFFERED BY MR. FRELINGHUYSEN

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FRELINGHUYSEN:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available under this Act may be used by the Federal Aviation Administration to implement its preferred alternative of the New York/New Jersey/Philadelphia Airspace Redesign project.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New Jersey (Mr. FRELINGHUYSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to offer this amendment on my own behalf as well as Congressman GARRETT from New Jersey, my colleague; and Congressman CHRISTOPHER SHAYS from Connecticut.

Mr. Chairman, I am pleased to yield 2 minutes to my colleague from New Jersey, SCOTT GARRETT.

Mr. GARRETT of New Jersey. Mr. Chairman, I thank the gentleman for yielding.

I am pleased to come to the floor today with my colleague from New Jersey, Morristown, and also my other colleague here as well from Connecticut, CHRISTOPHER SHAYS, as we propose an amendment that will ask the FAA to basically more closely consider how their proposed airspace redesign plan will impact upon the quality of life of the residents of the State of New Jersey, from Connecticut, and also from the State of New York as well.

Now, we all recognize that the skies over our area are more crowded than ever before, and air travel is, obviously, a worthy goal. But the FAA must make noise and air pollution a top consideration whenever they work to redesign their airspace.

Residents of the communities across the five States are facing a threat now to the quiet of their communities and also to the value of their homes as well. The residents of my area, the Fifth District of New Jersey, are especially concerned about this. Just recently we held what you call a town meeting of sorts, and nearly 1,500 people came out to the public hearing up in Woodcliff Lake, New Jersey, and that was just about a month ago. And they came out to voice their concerns directly to the FAA.

The FAA received comments from all present, but wouldn't it have been a lot better if the FAA had taken those comments before they drafted their preferred alternative? The citizens who came to that meeting left with a deep concern that the FAA just is not listening. So this amendment is really here to help force the FAA to listen to those people in the area.

So as noise in these communities increases, there is a very real possibility that the values of their homes are going to decrease. Residents are concerned their communities are going to be drastically affected by the fact that the FAA is simply trying to save 2, 3, 4, 5 minutes from the travelers' air time.

So, in conclusion, we are simply asking now through this amendment that the FAA reconsider their preferred alternative with an eye towards protecting the communities and considering that at the same time that they consider the air travelers as well.

Mr. OLVER. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, this and the previous amendment go together. Together, if these two amendments pass, our air traffic control system will be set back years in the process from which they have been going forward in trying to modernize both the air traffic design and the TRACON facilities to be used.

The FAA has spent more than $50 million on airspace redesign in the New York, Philadelphia, New Jersey, western Connecticut area already. They have posted hundreds of outreach meetings to understand the needs and concerns. In addition, the design has undergone independent analysis by the inspector general throughout the process, and the FAA has adopted each of the IG's recommendations.

Now, what are the benefits, what are the purposes of the airspace redesign? Well, number one, we have got this huge expected increase in traffic that I have already spoken to twice.

Secondly, the air traffic region that is being described here, and this amendment only affects that region, not the whole country, only that region, but that air traffic system, that airspace system, is the system where the greatest delays, the greatest delays, are happening as we speak.

The redesign of the airspace would allow for a major reduction in delays, first of all. By so doing, there would be less noise. They would be able to fly at higher altitudes, and use a gradual glide pattern in rather than stepwise glide patterns in, and use the whole airspace so that the net reduction of people who are affected by noise, by the levels of noise, is very large.

In addition to that, environmentally if you are not flying around for long periods of time in the airspace and under delay and in holding patterns and sitting on the tarmac with the engines going, then you are saving a lot of fuel.

□ 1615

There will be much less fuel burned, therefore, much better air quality control in the process.

All of these taken together, along with the fact that if you've got delays in that major area where so much traffic occurs, then there are backups with delays all over the country. So the air space design issue is a critical issue in totality for our modernization of our traffic control.

So, I oppose the amendment, and I hope it will not be adopted.

Mr. Chairman, I would like to yield 1½ minutes to the gentleman from Minnesota, the chairman of the Transportation and Infrastructure Committee.

Mr. OBERSTAR. The New York-New Jersey-Philadelphia metropolitan area has the most complex air space in the United States; that means, the most complex air space in the world. Four of the Nation's five airports reporting the worst on-time performance are Newark, LaGuardia, JFK and Philadelphia. Holding time is five times greater than any place in the country.

The percentage of flights that arrive in Newark over an hour late is 15 percent of all the fights. Seventy-five percent of the Nation's domestic and international flights are affected by delays and inefficiencies in the New York-New Jersey-Philadelphia air space, no matter where they're going.

You have international flights arriving from the transatlantic corridor. You have flights arriving from Canada, flights arriving from South America, flights arriving transcontinental from the United States on the east coast merging into this area. Sure, there are awful noise impacts upon residents, but the redesign will save noise to some 619,000 people, shifting it elsewhere, shifting it away from other people. FAA has held over 120 public meetings since they began the process of the air space redesign. This will save 20 percent of delays and 12 million minutes a year. This is important to the Nation, not just to this region.

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

The Acting CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KNOLLENBERG. I, too, oppose the amendment. I agree that we need to do something with the problems that are out there. We have to strike a balance between our neighborhoods and our close-in airports. And I know that Mr. GARRETT spoke about 1,500 people showing up for a hearing and/or town hall hearing, some kind. That's a lot of people, so there is a lot of grief and upset out there. But the traffic delays of the New York, New Jersey and Pennsylvania airports, as has been pointed out by Mr. OBERSTAR, are the worst in history, and I think it's less than 50 percent of the flights were on time. The FAA does need to act.

At this time, I yield 2 minutes to my friend, Mr. MICA from Florida, a member of the T&I Committee.

Mr. MICA. It is, again, rare that we have the chairmen on both sides of the aisle, the appropriation and authorizing committee, all uniformly in opposition to an amendment. But let me tell you, if you want to close down air traffic in the United States indefinitely in the Northeast, adopt this amendment.

Now, this isn't something that we just cooked up, that we're going to redesign the air space in the Northeast corridor. We started on this in 1998. We haven't redesigned the air corridor in the northeast United States since 1988. Imagine not expanding the roads or the transportation system in the Northeast since 1998 and the congestion you would have, and that's exactly what we've got.

Now, I've been to the districts. I've been to Mr. GARRETT's district, Mr. FOSSELLA's district. I've been to Mr. SHAYS' district. And I continue to work with Members, when I chaired the Aviation Subcommittee, and now as ranking member, and we will work with them, but we have got to redesign the air space. Imagine having no expansion highways. Now, planes are no different than highways; they run in corridors. But we haven't changed it in the Northeast corridor since 1988. We have been working on this redesign since 1998, some 10 years. We have got to make these changes and move forward with them.

And we need to listen to the people. We need to make certain that we don't harm their environment, their noise levels, and take into consideration as many of the points that have been raised. But I urge you to defeat this amendment.

Mr. KNOLLENBERG. Mr. Chairman, might I inquire as to how much time is remaining?

The Acting CHAIRMAN. The gentleman from Michigan has 2½ minutes remaining.

Mr. KNOLLENBERG. I would like to yield 2 minutes to the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. I thank my colleague for yielding.

First of all, let me say that there is no one in this body who pays more attention and is more hardworking in defending the interests of his constituents than Mr. FRELINGHUYSEN, the author of this amendment. But the fact of

the matter is that it's not in the national interest to stop this study in its track. They're not doing it just because they want to. They're doing it because the Nation has grown. The system is at capacity. It needs to be redesigned to accommodate the movement of people by air through this New York region. If we don't do it, they will have to go by train, and that's almost at capacity. And the roads are congested. It will slow down our economy. It will impact and affect the growth of the whole region if this can't go forward.

So, I would urge people to defeat the amendment. We will work with the Member from New Jersey and others to make sure they're sensitive to local noise concerns, but this is not the way to do it.

I urge rejection of the amendment.

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

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself 1½ minutes.

For well over 15 years, I've been an advocate of reducing aircraft noise over northern New Jersey. I have attended dozens of public hearings, had meetings with FAA officials, responded to thousands of letters from constituents whose lives have been negatively affected by the existing air traffic patterns and related noise. I have been more than a proponent of a design of air space over New York and New Jersey metropolitan area, the first such redesign conducted by the FAA, but I have actually been working on funding for this design plan.

And let me say, I respect Mr. OBERSTAR. I respect all of the big guns that are out against this amendment. But the issue is, and Mr. OBERSTAR mentioned it, is that the FAA has always been dismissive of aircraft noise concerns. We're not trying to say that we shouldn't be concerned about airline safety and too much congestion, and we don't want to do damage to our airline industry, but for those in the flight patterns now, what they propose negatively affects our constituents in northern New Jersey.

Quite honestly, the FAA, if you will pardon the expression, has been blowing us off for a long time. They've been dismissive. So this amendment is all about sending a wake-up call to Administrator Blakely.

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

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

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. I yield to the gentleman from Illinois (Mr. COSTELLO).

Mr. COSTELLO. I thank the gentleman for yielding, and I rise today in opposition to the amendment.

As Mr. MICA said, the last comprehensive change to the air space Northeast corridor occurred in 1987 and 1988. Since that time, the traffic has grown significantly. Delays and inefficiencies in the New York-New Jersey-Philadelphia metropolitan area must be addressed as they have reached an all-time high.

Eighty-six percent of the delays caused by the New York center were due to the air space volume. Let me repeat that. Eighty-six percent of the delays caused by the New York center were due to air space volume.

In the first quarter of 2007, the five airports with the worst on-time performance were Newark, LaGuardia, O'Hare, JFK and Philadelphia. Four of the five airports are part of the air space redesign. The New York-New Jersey-Philadelphia air space will handle 15 to 20 percent of all of the air traffic in the Nation by 2011.

The FAA has a specific process in place that it must follow in implementing the air space redesign. Over the course of the project, the FAA has held over 120 meetings to allow stakeholder input, many of which were not required by law. My colleagues, Mr. ANDREWS, Mr. SESTAK and I have asked the GAO to look into the air space redesign to make sure that the FAA has followed the law in implementing this redesign. However, I do not believe that we should be halting the project at this time. It is too critical to our system not to go forward.

Congress should not pick winners and losers in the air space redesign debate. This amendment is asking us to do just that. And for that reason, I ask my colleagues to oppose the amendment.

Mr. OLVER. Mr. Chairman, I yield the remainder of my time to the gentleman from New York (Mr. FOSSELLA).

Mr. FOSSELLA. I thank the gentleman for yielding and rise in strong opposition to this amendment, with much due respect to my friend and colleague from New Jersey.

And in large part it has been echoed, but let me repeat it. If anybody who was sitting on a runway, whether you are across this country, especially in LaGuardia or Kennedy, and in particular, Newark Airport, you would be stampeding this House to ensure that this redesign go through. The reason being, as has been detailed extensively, and who knows it better than the riding public, is that congestion is at all all-time high and only will get worse unless this plan is put in place.

The second, and perhaps I would, quote, in clean hands talk with respect to air noise with the people of Staten Island, that practically every plane that takes off to the south goes over Staten Island. So I can appreciate those who don't want more planes going over because the people in Staten Island suffer every day.

The preferred alternative in the plan will reduce traffic from Newark Airport from about 20 minutes to 12 minutes; will reduce air noise, as I said, over Staten Island; will reduce costs to airlines by $248 million by 2011; and a 1999 study showed that by 2010, we would hurt the U.S. economy by about another $4 billion, and the preferred alternative outlined in the plan could save our economy as much as 7 to 9 billion.

It is important and imperative that this plan go through. The riding public deserves it. Those sitting on runways now deserve it. Those waiting to get to Newark or any other airport deserve it. And I would just urge a speedy and urgent opposition to this amendment.

Mr. FRELINGHUYSEN. Before yielding to my colleague from Connecticut, this appropriations bill relating to the FAA has always carried language directing the FAA to deal with the issue of air noise. It has been repeatedly ignored.

Mr. Chairman, I yield the balance of my time to Mr. SHAYS of Connecticut.

Mr. SHAYS. I thank the gentleman for yielding.

The Frelinghuysen-Shays-Garrett amendment should be adopted. The big guns, the chairman of the Appropriations Committee involved in transportation and, the ranking member and the chairman of the full Transportation Committee, and the ranking member are all against it. And what they're doing is sending a message once again to the FAA that they can continue to be arrogant, that they can continue to ignore the public, that they can continue to do whatever they want as it relates clearly to safety and efficiency, but they don't have to care about anything else. They don't have to care about quality of life. They don't have to listen to anybody about quality of life, particularly as it relates to impact of noise. They can ignore us as they have continued to ignore us throughout the years.

So now what you will have in LaGuardia is planes taking off twice as often. They will veer to the left, then they will veer to the right. They will veer to the left, they will veer to the right. They won't run these planes over Long Island Sound. They will run them right over individual homes. They don't care. They don't listen. They don't give us an opportunity to speak.

I have constituents who have attended hearings, but are told, Listen to us. You can't testify.

If we want the FAA to come and allow testimony, they say we'll come to Danbury (where the planes are at 8,000 feet), but we won't come in to Stamford where they're 4,000 feet. They don't want anyone to know what they're doing. We need to pay attention to them. We need to give some authority to those in the community who have a different view . . . to those who are concerned about noise and quality of life.

I rise today in support of the [Frelinghuysen/Shays/Garrett] amendment that would prohibit funding for the Federal Aviation Administration to implement its New York/New Jersey/Philadelphia Airspace Redesign for one year until FAA Reauthorization is complete.

First, let me say I understand the FAA's desire to improve efficiency at LaGuardia, Newark, Teterboro, Philadelphia and JFK. I represent a great number of business travelers who are frustrated by long delays at many of these airports.

With that being said, however, I strongly oppose the FAA's Integrated Airspace Alternative that would route more air traffic over residential neighborshoods. Over the past few months, the FAA has zeroed in on this proposal as its preferred alternative.

Throughout this time, I have shared my concerns and the concerns of my constituents with the FAA, particularly the fact that the plan brings more planes into the region at the expense of the region's quality of life.

I am particularly disappointed the FAA has not implemented any noise mitigation strategies in the district I represent, or in many districts throughout the Northeast, despite the wide swath of land over the Fourth District that will be adversely impacted by planes flying as low as 4,000 feet.

Even though there is no mandate to consider quality of life issues, the FAA simply must not ignore the hugely negative impacts of air noise in this process.

I believe that if the FAA had to consider the quality of life impacts of the Integrated Airspace Alternative, it would never have concluded that airspace redesign was the appropriate first attempt at relieving air traffic congestion.

It seems to me there are other solutions that should be considered before implementing such a radical alternative that negatively affects so many thousands of residents throughout the Northeast.

In my judgment, a one year delay to this plan is appropriate. We are working to reauthorize the FAA this year. I am hopeful we can give the FAA authority to implement other solutions in the authorization process, and protect precious quality-of-life. I urge adoption of this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. FRELINGHUYSEN).

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

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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT OFFERED BY MR. DEFAZIO

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DEFAZIO:

At the end of the bill before the short title, insert the following:

SEC. ___. None of the funds made available under this Act may be used to establish or implement a cross-border motor carrier demonstration or pilot project or program to allow Mexico-domiciled motor carriers to operate beyond the commercial zones on the United States-Mexico border.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. In May, the Appropriations Committee included language in the FY07 supplemental to impose requirements on the Department of Transportation before they open the U.S. border to Mexican trucks, giving them free range across the United States of America. This language by the committee was the first step in ensuring that the Department of Transportation considered safety and security ramifications before allowing cross-border traffic and before rushing into a pilot. And unfortunately, the Bush administration immediately declared that they were in compliance with the law, making no changes in their program.

□ 1630

This is a paper-based program. They have not inspected physically one Mexican truck. They have not interviewed one Mexican driver. In Mexico, they have no system of drug testing, unlike the United States of America, and no certified drug-testing laboratories, unlike the United States of America. They have no hours of service in Mexico. Mexican drivers are frequently required to drive as long as 72 hours. They take drugs to do it. They freely admit that in the Mexican press.

Mr. OLVER. Mr. Chairman, would the gentleman yield?

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

Mr. OLVER. Mr. Chairman, I would be perfectly happy to accept the gentleman's amendment.

Mr. HUNTER. Mr. Chairman, would the gentleman yield?

Mr. DEFAZIO. I yield to the gentleman from California.

Mr. HUNTER. I thank the gentleman.

Mr. Chairman, I want to join the gentleman in this amendment to strike the funds for this project on the basis that this poses a security risk for our country.

We have absolutely no view of the background of the hundreds and thousands of truckers who will be coming in behind the wheels of these vehicles now with no offload requirement. In the areas of narcotics transportation and potentially terrorist transportation, this is an exposure for the United States.

I support the gentleman strongly.

Mr. DEFAZIO. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I would like to support Congressman DEFAZIO's amendment and appreciate the chairman's willingness to consider it. Coming from the Midwestern part of the country, we literally have had Mexican trucks end up in our region, how, we don't know, where the driver was actually moving the steering wheel with a vise grip. Now, how does that get to the State of Ohio all the way from the border with Mexico? Something is really broken in the system already. We should not expand anything. We should fix the problem that we have today.

Let me tell you, the sheriffs in Ohio along the turnpike and all of our surface roads are busy dealing with traffic that shouldn't be there in the first place. A lot of those vehicles are carrying illegal narcotics into our region. That border is a sieve. We ought to take care of it.

Mr. Chairman, I support the gentleman's amendment and commend him for offering it here today.

Mrs. BOYDA of Kansas. Mr. Chairman, would the gentleman yield?

Mr. DEFAZIO. I yield to the gentlewoman from Kansas.

Mrs. BOYDA of Kansas. Mr. Chairman, I, too, am in strong, strong support of this. The House has overwhelmingly voted 411–3 to pass this amendment. To be honest, I think it is just an egregious grab of power by the administration to take the will of the American people and the will of this Congress and completely disregard it.

There are not systems or laboratories in place to test for drugs. There isn't documentation in order to make sure that we have inspected our trucks, that we have the training, and that there is drug testing. It is just a complete farce to be told that these safety requirements are going to be met.

Mr. Chairman, I know that I, as well as the people of the Second District of Kansas, are strongly urging the President to stop this. I certainly support this bill, which will stop the funding and stop this pilot program.

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

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word. I will be very, very brief.

The Acting CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, I just want to make sure that we are all in agreement here. I think the gentleman from Massachusetts (Mr. OLVER) is. I am. That should be the end of it.

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

Mr. DEFAZIO. I thank the chair and the ranking member for their support on this. This will be a tremendous step toward protecting the American traveling public. It will move us away from a system of faith-based regulation and protection to one based on the rule of law and regulations.

Mr. OBERSTAR. Mr. Chairman, I rise in strong support of this bipartisan amendment. The gentleman from Oregon (Mr. DeFazio), Chairman of the Subcommittee on Highways and Transit, has worked tirelessly on the issue of cross-border trucking in this Congress and I commend his determination in probing the details of the Administration's plans to open the U.S.-Mexico border to truck traffic.

While I strongly support this amendment, I am at the same time extremely disappointed that Congress must take yet another step to compel the Administration to do the right thing and protect the safety of the American people.

Members of Congress face growing frustration with the Administration's clear desire to

open the U.S.-Mexico border at any cost, with minimal regard for the safety of the traveling public, and little attention to the concerns raised by the House and Senate. Today's amendment is the culmination of a mounting effort to ensure safety and to hold the U.S. Department of Transportation (''DOT'') accountable as the Department reveals its plans for opening our nation's southern border.

On February 23, 2007, Secretary of Transportation Peters announced the start of a one-year pilot program to grant 100 Mexico-domiciled trucking companies unrestricted access to U.S. roads, beyond the commercial zones at the U.S.-Mexico border. DOT has acknowledged that this pilot program is the first step to full border opening. This announcement had generated a groundswell of opposition.

Since February, Congress has tried to shed some light on this pilot program. On March 13, 2007, the Subcommittee on Highways and Transit held an oversight hearing on the pilot program. Chairman DeFazio and I have asked the Inspector General of the Department of Transportation to review the proposed pilot program for compliance with all applicable motor carrier safety and hazardous materials laws and regulations.

On March 29, 2007, Representative BOYDA introduced H.R. 1773, the Safe American Roads Act of 2007, of which I am a proud sponsor. This legislation limits the authority of the Secretary of Transportation to unilaterally open the United States-Mexico border to truck and bus traffic under the ruse of a hasty pilot program. Instead the bill provides the U.S. with an opportunity to test, evaluate, and learn from the impacts of allowing Mexico-domiciled trucks on our highways, but only once a strict set of prerequisites are met and only under a specific set of conditions.

At the beginning of May, the Committee on Transportation and Infrastructure ordered the bill reported to the House by a vote of 66–0. The House passed the bill on May 15, 2007, by an overwhelming vote of 411–3.

The message to Secretary Peters has been clear: proceed with caution and do not open the border to Mexico-domiciled trucks until sufficient checks are in place to ensure that they meet U.S. motor carrier safety laws. Yet, DOT opposes the safeguards included in H.R 1773. It continues to charge ahead, and intends to start the pilot program as early as next month.

The agency seems to have little regard for what findings or shortcomings may come to light in the reviews required to date by Congress. DOT has been unwilling to make changes to its plans to bring the proposed pilot program in line with the strict criteria strongly supported by the House. As a result, we must take this action today to bring this program to a standstill.

I continue to question whether DOT is truly ready to open the border, and whether adequate systems are in place to make sure Mexican carriers meet our strict federal safety requirements. It is well-established that Mexican law does not require many fundamental elements of highway safety that are required for U.S. vehicles and drivers, including hours-of-service restrictions, drug and alcohol testing, and commercial driver's licensing requirements. Data collection issues and tracking violations of Mexican drivers while operating in the U.S. also remains a challenge.

The United States is bound to live up to its commitments under the North American Free Trade Agreement (''NAFTA''). However, nothing in NAFTA suggests that we must allow Mexico-domiciled motor carriers to operate throughout the U.S. if they pose a safety hazard to our citizens.

Launching a cross-border pilot program represents a major shift in transportation policy. It is the responsibility of DOT to ensure that any program that allows trucks from Mexico to enter the United States must be conducted with the safety of the American people as the highest priority. We must not forget this in a rush to open the border.

I urge my colleagues to join me in supporting the DeFazio amendment

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

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

The amendment was agreed to.

AMENDMENT NO. 16 OFFERED BY MR. GARY G. MILLER OF CALIFORNIA

Mr. GARY G. MILLER of California. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mr. GARY G. MILLER of California:

At the end of the bill (before the short title), insert the following:

SEC. 410. None of the funds made available in this Act may be used to take any action to issue a final rule or notice based on, or otherwise implement, all or any part of the proposed rule of the Department of Housing and Urban Development published on Friday, May 11, 2007, on page 27048 of volume 72 of the Federal Register (Docket No. FR–5087–P–01), relating to standards for mortgagor's investment in mortgaged property.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. GARY G. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARY G. MILLER of California. Mr. Chairman, I rise today to prevent HUD from implementing a new rule that will effectively close homeownership opportunity to many American families.

In today's housing market, one of the primary barriers to achieving the dream of homeownership is the lack of accumulated wealth and disposable income. Fortunately, some nonprofit organizations have developed programs to provide down payments to qualifying families. Such programs empower individuals and families who lack the necessary funds for down payment and other related costs, but can afford the monthly mortgage payment to become homeowners.

These down payment assistance programs have proven successful in expanding ownership opportunity to low- and moderate-income families. In the past, HUD has permitted the use of these programs in conjunction with FHA-insured loans. Recently, however, HUD issued a proposed rule that would effectively eliminate seller-funded down payment assistance programs.

I am very concerned about the impact of this proposed rule on homeownership in this country. Rather than going too far, I believe we should develop reasonable and fair criteria by which these programs can continue to operate while also protecting the FHA insurance fund. If there are legitimate problems that have been identified by HUD, then let's work together to fix the problems.

The amendment I offer today with Housing and Community Opportunity Subcommittee Chairman WATERS and Mr. AL GREEN of Texas would prohibit funds from being used to implement this proposed rule. It would give Congress time to work with HUD to preserve down payment assistance programs while imposing strong regulations and oversight. This amendment will would allow us to put the control in place that will weed out the bad actors, while still allowing those who help millions become homeowners to continue their good work.

Mr. Chairman, I urge my colleagues to support this amendment to preserve homeownership opportunities for all Americans.

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

Mr. KNOLLENBERG. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

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

Mr. Chairman, I rise in strong opposition to this amendment which would overturn HUD's urgent attempt to halt these scam practices by the so-called nonprofits that operate under the veil of helping people get mortgages.

Under the guidance of the Inspector General, and in coordination with the Treasury Department, HUD is moving to crack down on so-called nonprofits that offer to pay the down payment so that families can purchase a home. This amendment would overturn that effort and cost the taxpayers some millions of dollars in defaulted loans.

While there may be honest nonprofits, and I am sure there are, that genuinely want to help increase homeownership, this program does have many problems.

First, the default rate for mortgages in which the down payment is paid for by nonprofits is three times the national average. That is the default rate. This has cost millions and is a source of instability to the fund, and, according to HUD, is a major reason that the FHA fund is rapidly heading to a deficit situation.

Second, there is no free lunch. The mortgages are simply turned upside down with the down payment added to the price of the home. They are not free to the homeowner. Further, expensive fees are often added to the costs of the mortgage by nonprofits.

The Treasury Department is moving quickly to revoke the nonprofit status

of many of these organizations, but HUD needs to act now and needs to get this rule out as final.

I oppose any attempt to delay the rule and oppose this amendment. I think that if the Federal Government is so concerned about how a program is operating that it feels compelled to draft a regulation, I think we should carefully review the situation before we rush to overturn that effort. Frankly, we have not done that.

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

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

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, I am actually in support of this amendment. I think the authorizers have been hard at work at reforming the FHA program, and I support their efforts to resolve this issue.

I yield to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I rise in strong support of the Miller-Waters-Green amendment to H.R. 3074. On June 22, 2007, the Subcommittee on Housing and Community Opportunity, which I chair, held a hearing on homeowner down payment assistance programs. That hearing provided a window into down payment assistance programs that I had not seen before.

The hearing was prompted by the issuance of the HUD proposed rule on May 11, 2007, to terminate down payment assistance programs. I applaud HUD for extending the comment period for the proposed rule, but that is not enough.

Down payment assistance provided by charitable organizations to low- and moderate-income individuals and families to purchase homes has been a mainstay of HUD and FHA since 1999. In fact, we heard testimony that 30 to 40 percent of FHA loans used some type of down payment assistance.

What was even more astonishing was that HUD proposed a similar rule in 1999, only to have never finalized it. Indeed, HUD's failure to finalize a rule gave de facto approval for the continuation of many down payment assistance programs.

Down payment assistance is often used in conjunction with HUD's mortgage insurance under the 203(b) program administered by FHA. Down payment assistance programs have helped nearly 1 million low- and moderate-income persons become homeowners, providing an instant source of equity for them. Homeownership would be out of reach to thousands of homeowners without down payment assistance programs.

Unfortunately, HUD's issuance of the proposed rule on May 11, 2007, would eliminate the use of down payment assistance programs. FHA opposes the use of direct or indirect funding provided from the sale of property, and that is fine. But an across-the-board rejection of all down payment assistance programs without further review, analysis or clarification from HUD is unacceptable.

Down payment assistance programs do not need to be the scapegoat for, as what one HUD called it, the ''looming shortfall'' in HUD's fiscal year 2008 budget. I believe if HUD is left to its own devices, this is exactly what will happen to down payment assistance programs.

I support down payment assistance programs meeting Federal requirements. Therefore, I ask that you join Gary Miller, Al Green and me in supporting the amendment to prohibit HUD from implementing the proposed rule with any funds from this bill.

Mr. OLVER. I yield to the gentleman from Texas.

Mr. AL GREEN of Texas. Mr. Chairman, I rise in support of the amendment because it is a good amendment, and HUD's language is bad language.

Mr. Chairman, since 1997, this program has assisted literally nearly 1 million families with down payment assistance. In my district alone, it has helped more than 600 families. This program is a privately funded down payment assistance program. I think that is important for us to highlight, a privately funded down payment assistance program.

Yes, there is some concern with reference to the appraisals, but that can be amended and fixed by way of a program similar to what the VA has. The VA has a blind pool appraisal process. With a blind pool appraisal process, you can get the appraisals that are fair market value, and you will save the program that has helped so many families.

This program is viable. It helps community development. It is meaningful. It helps needy buyers. It is workable. It can work through HUD, and it is achievable without this language. I suggest that my colleagues vote for it. Let's save this program. Let's vote for this amendment.

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

Mr. GARY G. MILLER of California. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I respect my good friend's argument on behalf of Treasury and HUD; however, I want to remind my colleagues that it has been just a few years ago that Treasury and HUD came to us and asked us to implement the American Dream Down Payment Assistance Act, which means the Federal Government will give individuals the down payment and closing cost money necessary to be able to own a home that otherwise they would never be able to own a home where they can make the payment.

The argument made to us is the private sector is doing it. We can implement upon what the private sector is doing, and with the government's participation, we can put even more people into homes.

□ 1645

Now, if we have a problem as some say with appraisals that are not being factual enough, then let's implement the same underwriting criteria that FHA will use on zero downpayment and FHA uses on the American Dream Downpayment Act. If you can come up with a reasonable appraisal to give Federal dollars to somebody to buy a home, why can you not come up with the same criteria for a reasonable appraisal to help the private sector put people into homes?

Mr. GREEN made a very good point. We put a million people into homes with the Downpayment Assistance Program provided by the private sector, and the argument made in committee was 15 percent of these loans that were made are troubled. Now, that does not mean that 15 percent are being foreclosed upon. That means 15 percent might have missed a payment at one point in time or had some other problem at some other point in time.

But on the other side, you have 850,000 people, families who own a home today, who built up equity they would not have otherwise have had renting a home and now have a home that had it not been for the private sector would have been renting an apartment or be in section 8 or in government housing.

If that 15 percent relates to 4 or 5 percent in foreclosures, and if that 4 or 5 percent has something to do with underwriting standards being used that do not meet the criteria they should meet, or if appraisals are being implemented that do not meet the criteria they should meet, let's get together as a Congress first in committee, let's deal with the problems and rewrite the law and bring it before this House and debate it, and let's make sure that the bad apples and those that my friend said are practicing scam practices are eliminated.

But to think that we are going to eliminate the possibility in the next 4 or 5 years for a million families to own a home, or have them come to the Federal Government and ask for a downpayment when they could also go to the private sector and ask for a downpayment, it seems some way disingenuous and unrealistic for us to do that. If there is a problem, let's fix it. If FHA can offer a zero downpayment loan under given underwriting criteria, and we use the same underwriting criteria for a downpayment assistance loan and the person owes $200,000 with zero downpayment and $194,000 with the downpayment assistance, they are better off with the program.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. GARY G. MILLER).

The amendment was agreed to.

AMENDMENT NO. 22 OFFERED BY MR. HENSARLING

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment No. 22 Offered by Mr. HENSARLING:

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 Edmunds Center for the Arts, City of Edmunds (WA).

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, there are a number of earmarks in this bill that are somewhat similar to this one. I will be the first to admit I don't know all that much about the Edmonds Center for the Arts. But as I follow these typical earmark debates, I know that soon there will be a Member to come to the floor to tell me he knows his district better than I do. Mr. Chairman, I concede the point.

He will also tell me that this body has the authority to provide for this earmark. Mr. Chairman, I once again concede the point.

I am sure they will come down here and say good things can be done with the money. Mr. Chairman, once again, I will concede the point.

They will also tell us well, it is a very small portion of the Federal budget. Mr. Chairman, I will concede the point.

But here is what I will not concede: the money is a very small portion of the Federal budget. But I fear again that earmarks in general, and perhaps this category in specific, become a larger portion of the culture of spending which is harmful to the Nation. We need to look at it very closely.

Often amendments are brought to the floor that many Members will say this is just draconian. We can't manage to spend less money here. Okay, so we offer earmark amendments and people say, well, it is just a small portion of the Federal budget. It is kind of like either the porridge is too hot or the porridge is too cold. When is the right time to offer an amendment to try to save taxpayers money?

So this is money that under the certification letter the funding would be used for renovation of the Edmonds Center for the Arts. Again, there are a number of earmarks that do this. I assume, frankly, there are Members of both parties that are requesting this funding. But it needs to be put in context because every time we so-called ''invest'' in a project like this, there is somebody out in America that is being divested in order to pay for the investment. So we have to look very closely at where this money is coming from.

Now, Member after Member comes to the floor to tell us we should do everything we can to preserve the Social Security trust fund. We know under our unified budget today that as long as we are running a deficit, and unfortunately we still are, it is declining due to lots of tax revenue, but we still have a deficit. We know that this expenditure is going to come ultimately out of the Social Security trust fund. Yet so many Members come to the floor to decry the practice. So is this money going to the Edmonds Center for the Arts worth raiding the Social Security trust fund? I believe not.

In addition, we know that the Democrats, Mr. Chairman, in their budget resolution, it contains the single largest tax increase in American history. Over 5 years if we don't figure out a way to stop it, the average American family will have an average $3,000 a year tax burden. That is money coming out of their pocket that they could have used for their arts, their entertainment, and their transportation; but they are being divested in order to invest in centers for the arts.

As I said earlier, I have no doubt that the sponsor of the earmark knows his district better than I do, just like I know my district better than he does. In talking to people in the Fifth Congressional District of Texas, they think their tax money might be used for better purposes. And if it is going to go to art centers, they kind of prefer that Mesquite Art Center be funded. They prefer the Henderson County Performing Arts Center be funded. They prefer the Lake Country Playhouse in Mineola to be funded; and they prefer the Kaufman County Civic Theater in Terrell, Texas, be funded, and the list goes on.

Given that we are threatened with the single largest tax increase in history, a vote for this is to raid the Social Security trust fund. And already with the spending we have, we are due to double taxes on the next generation.

I know Congress has the right to do this. I don't question our authority; I question our wisdom in doing that.

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

The Acting CHAIRMAN. The gentleman's time has expired.

Mr. INSLEE. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN. The gentleman from Washington is recognized for 5 minutes.

Mr. INSLEE. This is a misguided amendment. It is quite a surprise that of all of the decent efforts to help communities across the country, for some reason the gentleman picked this one. That is something beyond at least my understanding. The particular project involved here is a community center that is involved in a whole host of youth projects, including the Edmonds Boys and Girls Club, the Sno-King County Youth Club, the Triple Threat Basketball Club, the Brighton School, the Cascade Symphony Orchestra, the Edmonds High School Multi-Class Reunion, the Olympic Ballet Theater, the Sno-King Community Chorale, and Edmonds Community College.

I don't know why those seem like such un-American activities to the gentleman, but to our community and to the country at large, those are integral parts of our communities. I may note this is not a situation where somehow there has been some sort of Federal largesse, that is an intrusion into the community.

This is an effort where we have multiple parties that have been associated with funding this project. This is not just the Federal Government. In fact, it is less than 10 percent of the entire project. It is financed with Federal funds. It is largely a matter of local development, including a variety of local corporations. So where we have less than 10 percent in this final phase, why this has been selected doesn't make sense.

Now there is a difference, I suppose. I hold a press release from the author of the amendment dated February 28, 2007, announcing that the city of Winnsboro, Texas, had received $100,000 in Federal funds. The author of the amendment said: ''I am excited that some of the hard-earned tax dollars sent to Washington are flowing back into the county.'' There is a difference, I suppose, between that money flowing to Edmonds, Washington. In that case it was money going to the proponent of this amendment. In this case it goes to a different one. I am not sure I understand the difference.

I guess the difference is the money that went to Texas was chosen by the bureaucrats. The money that is selected here has been chosen by the United States House of Representatives. Now, I don't know why the proponent believes there is some intrinsic genius of the bureaucrats. Some believe all bureaucrats are smarter than all Congressmen, or the least wise bureaucrat is smarter than the most intelligent Congressman. Some may hold that view; I don't.

We have a valid community purpose here. We have a small Federal commitment, and we have a useful thing that is helping kids at risk as well as community development. I note that an economic evaluation of this particular project showed that it would have significant economic value as well as community value in helping the kids in these local communities.

So I would commend this small investment of Federal dollars in this community.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

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

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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

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

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, I yield time to enter into a colloquy with the gentleman from North Carolina (Mr. SHULER).

Mr. SHULER. Mr. Chairman, I rise today on behalf of myself and the gentleman from Tennessee (Mr. WAMP).

In 1941, the United States was building up for World War II in dire need of new sources of energy. The Tennessee Valley Authority obtained Federal authority for construction of a hydroelectric dam in Swain County, North Carolina. This construction required that an important road be flooded. In a 1943 agreement, the Federal Government promised to rebuild the road.

In the 64 years since the agreement was signed, no road has been completed and no settlement was offered to the people of Swain County. The 2001 Transportation bill provided $16 million to study the environmental costs of building this new road. The National Park Service will complete this study in September.

□ 1700

Mr. Chairman, the financial and economical costs are too high to build this road. The National Park Service has said that the final environmental impact study will recommend a cash settlement with the people of Swain County.

Senators ALEXANDER and DOLE have amended the Senate version of this bill with language to allow the Park Service to use remaining funds from this study for this solution. This commonsense solution enjoys strong bipartisan support in the North Carolina and Tennessee House delegations.

Mr. Chairman, would you be willing to work with me and Congressman WAMP to ensure that this bipartisan language is included in the final conference version of this bill?

Mr. OLVER. I would like to thank the gentleman for bringing this issue to our attention.

Sixty-four years is a long and, it seems, quite unreasonable time to wait for the government to resolve this issue. So I pledge to work with you both on this issue as we move forward in this process and conference this bill with the Senate.

Mr. SHULER. Thank you, and I would like to thank my colleague ZACK WAMP for his hard work along with this bill, and I certainly thank the chairman for your hard work and your dedication.

Mr. OLVER. Mr. Chairman, I yield now to Mr. CROWLEY from New York also for a colloquy.

Mr. CROWLEY. Mr. Chairman, I rise in support of this legislation and want to commend you and the ranking member and your staffs for the hard work that has been put into this bill. I would also like to engage you, as you mentioned, in a colloquy.

Mr. Chairman, I am pleased the committee included $15.8 million to hire and train new air traffic controllers. This will go a long way in helping to ensure the safety of our skies. However, I believe that more needs to be done.

I note that we have 1,100 fewer fully certified air traffic controllers than we did on 9/11.

Mr. Chairman, my concerns were underscored by a recent incident at La Guardia Airport, which is in my district in the Seventh Congressional District in Queens. As you know, La Guardia Airport is one of the busiest airports in the Nation. Over 1,000 flights a day and 27 million passengers a year frequent the airport.

On July 5 of this year, two planes nearly crashed on the runway. While a catastrophe was narrowly avoided this time, many questions remain as to the cause of the incident, including whether it was due to a staffing shortage, a lack of well-qualified air traffic controllers, or simply pure human error.

I believe we must examine the incident at La Guardia while we also examine the larger issue, which is determining how we must address the impending air traffic controller shortage. That is why I believe that Congress must fund a study by the National Academy of Sciences.

This study would examine what factors are contributing to air traffic safety concerns, including human factors, increased traffic activity, and the technology and equipment at our Nation's airports. Ultimately the report will recommend how to address this issue, particularly with regard to staffing standards and whether we need to train more air traffic controllers.

I intended to offer an amendment today to fund this study, but it would have been subject to a point of order. So instead, Mr. Chairman, I am hoping we can agree to work together as this legislation moves forward to find a way to address this issue and potentially fund this study.

Mr. OLVER. Mr. Chairman, this is a vital public safety concern that we must address. I understand that the FAA has been working with the National Academy of Sciences and has factored in many of its recommendations from the Academy. The FAA is also working with Mitre algorithms, models and base assumptions.

I, too, want to ensure that the skies remain safe, and I will work with the gentleman to ensure an adequate number of controllers exist in that area.

Mr. CROWLEY. Mr. Chairman, if I could just respond, I want to thank the chairman, and as you know, if we don't address this issue, the next incident at La Guardia may not be a near miss, but rather a tragedy, one that I hope we would avoid. And I would imagine if it were a tragedy, we would be having a different conversation than this colloquy.

I appreciate the gentleman for his time.

AMENDMENT NO. 21 OFFERED BY MR. HENSARLING

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. HENSARLING:

At the end of the bill (before the short title), insert the following:

SEC. 410. None of the funds made available in this Act may be used for parking facilities.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, this amendment is aimed at limiting funding for parking facilities within this bill, which is not including Federal facilities that might be included within bills dealing with our military bases, GAO, national parks, what have you.

Mr. Chairman, apparently there are about 15 or so of these earmarks covering Members of both parties, and again, as I said earlier, Mr. Chairman, I know that the funds represented are probably a small portion of Federal spending, but I think it is good, I think it is wise that this House pause from time to time and look at the fiscal challenge that we are facing and to remember, if everything is a priority, then nothing is a priority.

So, again, I have no doubt that parking facilities are needed all over America, but I doubt the wisdom within the confines of this bill of using Federal taxpayer money today to pay for them.

Let's take a look at the challenge that we're facing, Mr. Chairman, and just don't take my word for the fact that we have a great fiscal challenge. Let's listen to our Federal Reserve Chairman, Ben Bernanke. He said recently, without ''early and meaningful action'' to address spending in Washington, ''the U.S. economy could be seriously weakened; with future generations bearing much of the cost.''

Let's listen to the Brookings Institute, not exactly a bastion of conservative thought: ''The authors of this book believe that the Nation's fiscal situation is out of control and could do serious damage to the economy in coming decades.''

Let's listen to the General Accountability Office: The rising costs of government spending, specifically entitlements, are ''a fiscal cancer'' that threatens ''catastrophic consequences for our country'' and could ''bankrupt America.''

Let's listen again to the GAO: ''Absent policy changes on the spending and/or revenue sides of the budget, a growing imbalance between expected Federal spending and tax revenues will mean escalating and ultimately unsustainable Federal deficits and debt

that serve to threaten our future national security as well as the standard of living for the American people.''

The Federal budget continues to grow way beyond the ability of the family budget to pay for it, and seemingly, the only standard for spending the people's money today is do we have a noble purpose, and can some good use be made of the money. But, Mr. Chairman, that standard is not sufficient. It's not sufficient when we're threatening future generations with a fiscal calamity. Sooner or later, this body needs to say enough is enough.

Almost every State in the Union, I think, save but two or three, are running a surplus. We're running a deficit, and what are we doing? We're funding local parking facilities.

Now, Mr. Chairman, I'm not here to debate the constitutionality of doing that, but, again, I'm here to debate the wisdom, given the fiscal challenges the Nation faces, and all too often I fear that this body is more focused on the next election and not the next generation. But the Comptroller General has said we're on the verge of being the first generation in America's history to leave the next generation with a lower standard of living.

Mr. Chairman, fiscal responsibility has to be included in each and every bill, and we have a bill that's growing about 6.7 percent. Let's somewhere draw a line in the sand on behalf of American families, on behalf of American taxpayers, on behalf of future generations and just say, you know, today the Federal taxpayer and future generations are not going to have to pay for parking facilities. It's all this amendment is about, Mr. Chairman.

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

Mr. OLVER. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, the author of this amendment is undoubtedly trying to get at some egregious earmarks that are funded in this bill or in some other bill; however, in drafting a provision that is so broad in scope that what we have is an amendment that's careless.

There are legitimate parking facilities that can be built using Federal funds, and I use an example, for instance, the parking facilities that we have with elder housing projects, built in various places around the country, but this amendment would kill that.

Under current law Federal funds can be used to fund park-and-ride facilities and other activities aimed at encouraging carpooling and vanpooling. In fact, these activities are of such a high priority that they're eligible for 100 percent Federal funding and require no State or local match. Similarly, Federal funds are used to build safety rest areas along our interstates. This amendment would put an end to that.

For these reasons and others, this amendment must be defeated.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

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

Mr. FRANK of Massachusetts. Mr. Chairman, I would just point out that this bill funds what we call the 811 program, housing for disabled. Now, I don't know why we would want to say that we would vote money to build housing for the disabled but no parking. Have we found a new group of totally mobile disabled?

I mean, this amendment would say that if you got funds under the 811 program to build housing for disabled people, you couldn't provide parking for vans, for transportation. I'm really baffled as to the scope, and I do think that telling people that they could not provide parking at a disabled housing facility is a very poor idea.

I thank the gentleman for yielding.

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

Mr. HENSARLING. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this money's going to have to come from somewhere. So, again, I would invite the committee chairman to tell us, is this part of the largest tax increase in history? Is this coming out of the Social Security Trust Fund? Is this going to be debt passed on to future generations? Where is the money going to come from? Does it reach that purpose?

And I cannot believe that the only parking lots that are made available to those who are disabled are somehow coming from the Federal taxpayer. I just don't believe it.

With that, I would urge an ''aye'' vote.

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

Mr. OLVER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Massachusetts has 3 minutes remaining.

Mr. OLVER. Mr. Chairman, I yield 30 seconds to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, the answer to the gentleman from Texas is when you have federally funded housing for the disabled, the parking that goes for the disabled and the service vehicles comes from that money. So the gentleman says, why does the Federal Government have to pay for parking? I don't know who else the gentleman thinks is going to pay for parking at housing that is built for people who are disabled.

If the gentleman is unhappy with this, then perhaps he should draft his amendments more seriously.

Mr. OLVER. Mr. Chairman, I yield the remainder of my time to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Chairman, I thank the chairman for yielding.

Parking facilities are eligible under a number of our surface transportation programs, funded out of the Highway Trust Fund. In the SAFETEA-LU legislation, we authorize funding for parking facilities to encourage commuters to park their vehicles and use public transportation.

Congestion is a growing problem all across this country. It costs us $68 billion a year. The more cars we can get off the roadway and more people use public transportation, the better off citizens are in their drive patterns. And the parking facilities encourage carpooling, vanpooling and use of light rail and commuter rail and local bus transit operations.

Furthermore, because they're funded with Highway Trust Fund moneys, no fees can be charged at these parking facilities, so they're not revenue-generating activities.

Furthermore, we have imposed very strict standards for highway safety for long-haul truckers. Hours of service have been limited so that roadways will be safer, but those long-haul truckers, working long hours, need safe places where they can rest.

□ 1715

The hours of service limitation requires them to stay off the roadway before they become fatigued. That's why we have parking facilities to accommodate over-the-road truck drivers, as well as passenger vehicle drivers.

So the parking facilities we provide under the SAFETEA-LU national transportation program is in the best public interest, in the interest of public safety and in the interest of roadway safety, to the best interest of the driving public, reduces congestion, and we ought not to take this broad brush stroke and strike the spending.

No, we carefully considered these issues in the course of fashioning the SAFETEA-LU in the House and the Senate and conference and on this House floor. Let's keep existing policy in place and defeat this misguided amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

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

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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 14 by Mr. WESTMORELAND of Georgia.

Amendment No. 15 by Mr. SESSIONS of Texas.

An amendment by Mr. FLAKE of Arizona regarding Belmont Complex.

An amendment by Mr. FLAKE of Arizona regarding the Wisconsin Regional Planning Commission.

An amendment by Mr. FLAKE of Arizona regarding Woodlake, California.

An amendment by Mr. FLAKE of Arizona regarding the Rails to Trails program.

An amendment by Mr. FLAKE of Arizona regarding the Houston Zoo.

Amendment No. 25 by Mr. HASTINGS of Florida.

An amendment by Mr. FRELINGHUYSEN of New Jersey.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 14 OFFERED BY MR. WESTMORELAND

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 116, noes 307, not voting 13, as follows:

[Roll No. 696]

AYES—116

Aderholt
Akin
Bachmann
Baker
Barrett (SC)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Boozman
Brady (TX)
Brown-Waite, Ginny
Buchanan
Burgess
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Conaway
Davis, David
Davis, Tom
Deal (GA)
Drake
Dreier
Duncan
Ehlers
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Graves
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kirk
Kline (MN)
Lamborn
Latham
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Neugebauer
Paul
Petri
Pitts
Platts
Poe
Price (GA)
Putnam
Radanovich
Ramstad
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shuster
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Upton
Walberg
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wolf

NOES—307

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Burton (IN)
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—13

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Fortuño
Higgins
Honda
Marshall
Myrick
Pence
Tancredo
Young (AK)

□ 1741

Mr. CALVERT, Mr. CLYBURN, Mr. UDALL of New Mexico, Mr. MARIO DIAZ-BALART of Florida, Mr. NUNES, and Mr. RANGEL changed their vote from ''aye'' to ''no.''

Mr. CAMP of Michigan changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 15 OFFERED BY MR. SESSIONS

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

Members will be reminded there will be seven 2-minute votes to follow.

The vote was taken by electronic device, and there were—ayes 139, noes 283, not voting 14, as follows:

[Roll No. 697]

AYES—139

Aderholt
Akin
Bachmann
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bono
Boozman
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Conaway
Cooper
Culberson
Davis, David
Davis, Tom
Deal (GA)
Doolittle
Drake
Dreier
Duncan
Emerson
Everett
Fallin
Feeney
Flake
Forbes
Fortuño
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kirk
Kline (MN)
Knollenberg
Lamborn
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Neugebauer
Nunes
Paul
Pearce
Perlmutter
Peterson (PA)
Petri
Pitts
Price (GA)
Pryce (OH)
Radanovich
Ramstad
Regula
Reichert
Rogers (AL)
Rogers (KY)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Sensenbrenner
Sessions
Shadegg
Shays
Shuster
Smith (NE)
Smith (TX)
Souder
Terry
Thornberry
Tiahrt

Tiberi
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (SC)

NOES—283

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Fortenberry
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Pickering
Platts
Poe
Pomeroy
Porter
Price (NC)
Putnam
Rahall
Rangel
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—14

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Diaz-Balart, L.
Higgins
Honda
Marshall
Myrick
Pence
Sullivan
Tancredo
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised they have less than 1 minute remaining on this vote.

□ 1746

Mrs. BOYDA of Kansas and Mr. PICKERING changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding Belmont Complex on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

Members are reminded to remain in the Chamber.

The vote was taken by electronic device, and there were—ayes 87, noes 335, not voting 14, as follows:

[Roll No. 698]

AYES—87

Akin
Bachmann
Barrett (SC)
Barton (TX)
Biggert
Blackburn
Brady (TX)
Buchanan
Burgess
Burton (IN)
Buyer
Campbell (CA)
Cannon
Cantor
Carter
Castle
Chabot
Coble
Conaway
Cooper
Davis, David
Deal (GA)
Dreier
Duncan
Ehlers
Fallin
Feeney
Flake
Fortenberry
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Goodlatte
Hastert
Hastings (WA)
Heller
Hensarling
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
Kline (MN)
Lamborn
Linder
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul (TX)
McHenry
Mica
Miller (FL)
Musgrave
Neugebauer
Nunes
Pearce
Petri
Pitts
Poe
Price (GA)
Ramstad
Rohrabacher
Royce
Ryan (WI)
Sali
Sensenbrenner
Sessions
Shadegg
Smith (NE)
Souder
Stearns
Sullivan
Terry
Thornberry
Upton
Walden (OR)
Weldon (FL)
Westmoreland
Wilson (SC)

NOES—335

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Farr
Fattah
Ferguson
Filner
Forbes
Fortuño
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Goode
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Herger
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez

Visclosky
Walberg
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—14

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Higgins
Honda
Marshall
Myrick
Pence
Pickering
Reynolds
Tancredo
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are reminded that they have 1 minute remaining to vote.

□ 1750

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding the Wisconsin Regional Planning Commission on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote. Members are admonished to stay in the Chamber.

The vote was taken by electronic device, and there were—ayes 68, noes 356, not voting 12, as follows:

[Roll No. 699]

AYES—68

Akin
Bachmann
Barrett (SC)
Blackburn
Boehner
Burton (IN)
Buyer
Campbell (CA)
Cannon
Cantor
Chabot
Coble
Conaway
Cooper
Davis, David
Deal (GA)
Duncan
Feeney
Flake
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Graves
Hastert
Heller
Hensarling
Inglis (SC)
Issa
Jindal
Jordan
Keller
King (IA)
Kline (MN)
Lamborn
Linder
Mack
Marchant
McHenry
Mica
Miller (FL)
Musgrave
Neugebauer
Nunes
Pearce
Pitts
Price (GA)
Putnam
Radanovich
Ramstad
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Stearns
Sullivan
Terry
Thornberry
Walberg
Westmoreland
Wilson (SC)

NOES—356

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fortuño
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—12

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Higgins
Honda
Marshall
Myrick
Pence
Tancredo
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are reminded that there is 1 minute remaining on this vote.

□ 1755

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding Woodlake, California, on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote. Members are urged in the strongest terms to remain in the Chamber.

The vote was taken by electronic device, and there were—ayes 69, noes 352, not voting 15, as follows:

[Roll No. 700]

AYES—69

Akin
Bachmann
Barrett (SC)
Barton (TX)
Bilbray
Blackburn
Brown-Waite, Ginny
Buchanan
Burgess
Buyer
Campbell (CA)
Cannon
Cantor
Chabot
Coble
Conaway
Cooper
Davis, David
Deal (GA)
Duncan
Feeney
Flake
Fossella
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Graves
Hastert
Heller
Hensarling
Inglis (SC)
Issa
Jindal
Jordan
King (IA)
Kingston
Kline (MN)
Lamborn
Linder
Lungren, Daniel E.
Mack
McCaul (TX)
Mica
Miller (FL)
Musgrave
Neugebauer
Nunes
Petri
Pitts
Price (GA)
Putnam
Ramstad
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Smith (NE)
Stearns
Sullivan
Thornberry
Walberg
Weldon (FL)
Westmoreland
Wilson (SC)

NOES—352

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer

Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Burton (IN)
Butterfield
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fortuño
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Platts
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—15

Bachus
Bishop (UT)
Clarke
Conyers
Cubin
Davis, Jo Ann
Donnelly
Higgins
Honda
Marshall
Myrick
Obey
Pence
Tancredo
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are reminded that there is 1 minute remaining on this vote.

□ 1759

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding the Rails to Trails program on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote. Members are strongly encouraged to remain in the Chamber.

The vote was taken by electronic device, and there were—ayes 81, noes 342, not voting 13, as follows:

[Roll No. 701]

AYES—81

Akin
Bachmann
Barrett (SC)
Biggert
Bilbray
Blackburn
Boehner
Brady (TX)
Brown-Waite, Ginny
Burgess
Burton (IN)
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Conaway
Cooper
Davis, David
Deal (GA)
Dreier
Duncan
Feeney
Flake
Fossella
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Graves
Hastert
Heller
Hensarling
Hulshof
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jordan
King (IA)
Kingston
Kline (MN)
Lamborn
Linder
Lungren, Daniel E.
Mack
McCarthy (CA)
McHenry
Mica
Miller (FL)
Musgrave
Neugebauer
Nunes
Pearce
Petri
Pitts
Poe
Price (GA)
Putnam
Radanovich
Ramstad
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Smith (NE)
Stearns
Sullivan
Terry
Thornberry
Upton
Walberg
Westmoreland
Wilson (SC)

NOES—342

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Buchanan
Butterfield
Buyer
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fortuño
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton

Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—13

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Faleomavaega
Higgins
Honda
Marshall
Myrick
Pence
Tancredo
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1802

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding the Houston Zoo on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote. Members are strongly encouraged to remain in the Chamber.

The vote was taken by electronic device, and there were—ayes 77, noes 347, not voting 12, as follows:

[Roll No. 702]

AYES—77

Akin
Bachmann
Barrett (SC)
Bilbray
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Chabot
Coble
Conaway
Cooper
Davis, David
Deal (GA)
Dreier
Duncan
Feeney
Flake
Fortenberry
Fossella
Frank (MA)
Franks (AZ)
Garrett (NJ)
Graves
Hastert
Heller
Hensarling
Herger
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Jordan
King (IA)
Kingston
Kline (MN)
Lamborn
Linder
Lungren, Daniel E.
Mack
Mica
Miller (FL)
Musgrave
Neugebauer
Nunes
Petri
Pitts
Platts
Price (GA)
Ramstad
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Souder
Stearns
Sullivan
Terry
Thornberry
Upton
Walberg
Walden (OR)
Weldon (FL)
Westmoreland
Wilson (SC)

NOES—347

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Calvert
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortuño
Foxx
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Hooley
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
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
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—12

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Higgins
Honda
Marshall
Myrick
Pence
Tancredo
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1806

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FORTENBERRY. Mr. Chairman, on rollcall No. 702, I inadvertently voted "yes." My vote should have been recorded as a "no."

AMENDMENT NO. 25 OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. HASTINGS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 268, noes 158, not voting 10, as follows:

[Roll No. 703]

AYES—268

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Becerra
Berkley
Berry
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boozman
Bordallo
Boren
Boswell
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown-Waite, Ginny
Butterfield
Calvert
Capito
Capps
Cardoza
Carney
Carter
Castor
Chabot
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Doyle
Ellison
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Fortenberry

Fortuño
Fossella
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gohmert
Goodlatte
Gordon
Green, Al
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Heller
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hobson
Hodes
Holt
Hooley
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
King (NY)
Klein (FL)
Kucinich
Kuhl (NY)
Langevin
Lantos
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
LoBiondo
Loebsack
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (FL)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Neal (MA)
Neugebauer
Norton
Pallone
Pascrell
Paul
Payne
Perlmutter
Peterson (MN)
Platts
Poe
Pomeroy
Porter
Price (NC)
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Stark
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOES—158

Aderholt
Akin
Alexander
Bachmann
Baker
Barrett (SC)
Barton (TX)
Bean
Berman
Biggert
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Boucher
Boustany
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capuano
Carnahan
Carson
Castle
Coble
Conaway
Costello
Culberson
Davis, David
Davis, Tom
Deal (GA)
Dicks
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Everett
Fallin
Feeney
Flake
Forbes
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gillmor
Gingrey
Gonzalez
Goode
Granger
Graves
Green, Gene
Grijalva
Hastert
Hastings (WA)
Hayes
Hensarling
Herger
Hirono
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Jindal
Johnson, E. B.
Johnson, Sam
Jordan
Keller
Kind
King (IA)
Kingston
Kirk
Kline (MN)
Knollenberg
LaHood
Lamborn
Lampson
Larsen (WA)
Larson (CT)
Latham
Lewis (KY)
Lipinski
Lofgren, Zoe
Lungren, Daniel E.
Mack
Marchant
McCrery
McHenry
McMorris Rodgers
Mica
Miller (MI)
Miller, Gary
Mitchell
Moran (VA)
Murphy (CT)
Musgrave
Napolitano
Nunes
Oberstar
Obey
Olver
Ortiz
Pastor
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Price (GA)
Pryce (OH)
Putnam
Reichert
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rohrabacher
Rothman
Roybal-Allard
Royce
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Simpson
Smith (NE)
Smith (TX)
Souder
Spratt
Stearns
Thompson (CA)
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Wamp
Weldon (FL)
Westmoreland
Wicker
Wilson (NM)
Wolf

NOT VOTING—10

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Higgins
Honda
Marshall
Myrick
Young (AK)

□ 1810

Mr. FRANK of Massachusetts changed his vote from ''aye'' to ''no.''

Mr. ISRAEL changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. ROTHMAN. Mr. Chairman, on rollcall vote No. 703 on the amendment offered by Mr. HASTINGS of Florida, I inadvertently voted ''no'', while intending to vote ''aye''.

AMENDMENT OFFERED BY MR. FRELINGHUYSEN

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. FRELINGHUYSEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote. Members are urged to remain in the Chamber.

The vote was taken by electronic device, and there were—ayes 65, noes 360, not voting 11, as follows:

[Roll No. 704]

AYES—65

Aderholt
Andrews
Bartlett (MD)
Blunt
Brown-Waite, Ginny
Buchanan
Calvert
Cannon
Cantor
Carter
Castle
Chandler
Christensen
Culberson
Doolittle
Dreier
Engel
Ferguson
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillibrand
Gohmert
Goode
Hall (NY)
Hastings (FL)
Heller
Hinchey
Holt
Israel
Issa
Jones (NC)
King (IA)
Lewis (CA)
Linder
Matheson
McCarthy (NY)
McCotter
Miller (FL)
Miller (NC)
Murphy (CT)
Nunes
Pallone
Pascrell
Payne
Radanovich
Reynolds
Ros-Lehtinen
Rothman
Sali
Sensenbrenner
Sestak
Shays
Shimkus
Simpson
Tancredo
Terry
Thornberry
Waters
Weller
Whitfield
Wicker
Wilson (SC)
Young (FL)

NOES—360

Abercrombie
Ackerman
Akin
Alexander
Allen
Altmire
Arcuri
Baca
Bachmann
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Burgess
Burton (IN)
Butterfield
Buyer
Camp (MI)
Campbell (CA)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chabot
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
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
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Feeney
Filner
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Frank (MA)
Franks (AZ)
Giffords
Gilchrest
Gillmor
Gingrey
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (TX)
Hare
Harman
Hastert
Hastings (WA)
Hayes
Hensarling
Herger
Herseth Sandlin
Hill
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Lantos
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Matsui
McCarthy (CA)
McCaul (TX)
McCollum (MN)
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Oberstar
Obey
Olver
Ortiz
Pastor
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.

Sanchez, Loretta	Solis	Visclosky
Sarbanes	Souder	Walberg
Saxton	Space	Walden (OR)
Schakowsky	Spratt	Walsh (NY)
Schiff	Stark	Walz (MN)
Schmidt	Stearns	Wamp
Schwartz	Stupak	Wasserman Schultz
Scott (GA)	Sullivan	Watson
Scott (VA)	Sutton	Watt
Serrano	Tanner	Waxman
Sessions	Tauscher	Weiner
Shadegg	Taylor	Welch (VT)
Shea-Porter	Thompson (CA)	Weldon (FL)
Sherman	Thompson (MS)	Westmoreland
Shuler	Tiahrt	Wexler
Shuster	Tiberi	Wilson (NM)
Sires	Tierney	Wilson (OH)
Skelton	Towns	Wolf
Slaughter	Turner	Woolsey
Smith (NE)	Udall (CO)	Wu
Smith (NJ)	Udall (NM)	Wynn
Smith (TX)	Upton	Yarmuth
Smith (WA)	Van Hollen	
Snyder	Velázquez	

NOT VOTING—11

Bachus	Davis, Jo Ann	Marshall
Bishop (UT)	Fattah	Myrick
Clarke	Higgins	Young (AK)
Cubin	Honda	

□ 1814

Mr. BARRETT of South Carolina and Mr. MARIO DIAZ-BALART of Florida changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1815

The Acting CHAIRMAN (Mr. CARDOZA). The Committee will rise informally.

The SPEAKER pro tempore (Mr. RYAN of Ohio) assumed the chair.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 44. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1868. An act to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The Committee resumed its sitting.

AMENDMENT OFFERED BY MS. HARMAN

Ms. HARMAN. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. HARMAN:

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 purchase light bulbs unless the light bulbs have the ''ENERGY STAR'' or ''Federal Energy Management Program'' designation.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from California (Ms. HARMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. HARMAN. Mr. Chairman, this bipartisan amendment is offered by Mr. UPTON, Mr. LIPINSKI, Mr. INGLIS and me, and what it would do is deny funds under this appropriations bill if the ENERGY STAR and the Federal Emergency Management program standards are not met.

Mr. Chairman, it takes 18 seconds to switch one incandescent light bulb. If everyone did this, just one, we would save $8 billion in energy costs, prevent the burning of 30 billion pounds of coal, remove 2 million carts worth of greenhouse gas emissions, and make a big dent in our climate problem.

This amendment has been accepted to every appropriations bill so far, and I would urge its adoption now.

It is now my pleasure to yield to the gentleman from Michigan.

Mr. UPTON. I would just say that this is a bipartisan amendment. We have been asked to expedite our remarks tonight so we can finish votes later this evening.

The Federal Government is the largest purchaser of light bulbs. This will save $30 per bulb, hundreds of millions of dollars to the taxpayers every year. It is something that has been adopted on every bill, and I would like to think that we can adopt it by voice again this evening.

Mr. OLVER. Will the gentlewoman yield?

Ms. HARMAN. Reclaiming my time, I would be happy to yield.

Mr. OLVER. I thank the gentlelady for yielding.

I am quite happy to accept the amendment that is being offered by you and Mr. UPTON.

Mr. KNOLLENBERG. Mr. Chairman, I have no objection. We agree. We accept. Thank you.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. HARMAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PETERSON OF PENNSYLVANIA

Mr. PETERSON of Pennsylvania. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PETERSON of Pennsylvania:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available under this Act may be used to establish or collect tolls on Interstate 80 in the Commonwealth of Pennsylvania.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Pennsylvania (Mr. PETERSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PETERSON of Pennsylvania. I will be very brief because I believe the amendment has been agreed to.

My amendment is a simple amendment that says Federal funds cannot be used to establish or collect tolls on Interstate 80 in Pennsylvania.

Mr. OLVER. Will the gentleman yield?

Mr. PETERSON of Pennsylvania. I will yield to the gentleman.

Mr. OLVER. I am happy to accept the amendment by the gentleman from Pennsylvania.

Mr. KNOLLENBERG. And likewise, I accept as well.

Mr. PETERSON of Pennsylvania. I thank the two gentlemen. We will let the process move forward.

This was offered both on behalf of Congressmen PETERSON and ENGLISH.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PETERSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HUNTER

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HUNTER:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available under this Act may be used to participate in a working group pursuant to the Security and Prosperity Partnership.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Mr. Chairman, I am offering this amendment on behalf of myself and the gentlelady from Ohio (Ms. KAPTUR).

And Mr. Chairman, this is an amendment which goes directly to the security of this country, the homeland security of this country, and particularly the border security and the sovereignty of the Nation.

We have right now in Texas a project that is underway, a massive project to build a 12-lane highway heading north, presumably funded largely by private funds, which will head north toward Oklahoma. And the understanding that I have, looking at the statements which have been made by the Security and Prosperity Partnership, is that this is part of an overall plan to develop a corridor between Mexico and Canada transiting the United States.

Mr. Chairman, the reason for this amendment, which strikes the funds for the administration to spend money with discussion teams and working groups on this particular project, is because this is a project which cries out for congressional oversight, of which right now there is none. Now, as a representative of a border State, and having represented all the California-Mexican border at one time, my questions would be: What security matters are being discussed right now with these thousands of new trucks which will be transiting this 12-lane highway? What percent of the trucks will be checked? What transparency will be involved with respect to the driving records, and more importantly, the criminal records of the people behind the wheels of these trucks? What are the plans in place to put together a security apparatus to ensure that we have more than 1 percent or 2 percent of this vehicular trade checked?

Now, this is a working group which is proceeding, which claims that it has no plans to participate in what they call this private program to deliver this 12-lane highway straight across the middle of the United States connecting Mexico and Canada. Yet, in their own description of what they do, they claim that they undertake these working groups to facilitate multimodal corridors and alleviate bottlenecks at the border.

Alleviating bottlenecks at the border, Mr. Chairman, when you only are checking 1 to 2 percent of the cargo containers coming in right now, is a code word for less security, these so-called ''fast passes,'' these passes in which you go through the security apparatus in a matter of seconds rather than in a matter of hours.

So I think that it's time, before they facilitate this multimodal operation, for the administration to consult Congress. It's time for our oversight.

At this point, I would like to yield to the cosponsor of this amendment, the gentlelady from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman for yielding and in support of the Hunter-Kaptur amendment. It is a simple limitation amendment. And frankly, one of the chief reasons I'm supporting it, in addition to all the excellent reasons Mr. HUNTER has given, is that the administration refuses to report back to Congress its negotiation on this Security and Prosperity Partnership and its impact in a number of areas, including transportation. They have been intransigent, they have been unresponsive and, frankly, they've been secretive. And this is going to have an enormous impact on public welfare across this continent, particularly in our country.

The gentleman talks about security. I support him in that. Right now we've got a situation under NAFTA where so many of our jobs and production platforms have been outsourced to Mexico. We've got all these illegal trucks coming in. They're even making their way all the way to Ohio, up into Detroit, causing us all kinds of difficulty. We need transparency and we need disclosure about what the Security and Prosperity Partnership is all about. The Administration, even on our request, refuses to answer inquiries about the SPP.

Due to NAFTA, we just have tremendous problems with additional illegal drugs in our area coming in transported in a lot of these vehicles that are coming from the border, and in many ways we already have an unregulated flow across our continent.

So I really support the gentleman's efforts here. We need transparency. We need disclosure. We don't need to expand the difficulties we're already having as a result of what has transpired with NAFTA. And with the size of the roadways that are being talked about, and the possibility they will be privatized tollways, we need to have reporting back from this administration.

So I support the gentleman's amendment very strongly.

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

The Acting CHAIRMAN. The gentleman's time has expired.

Mr. KNOLLENBERG. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. KNOLLENBERG. I, frankly, am not in favor, and I must oppose this amendment because I think any superhighway between Mexico, the U.S. and Canada, and there are no funds in this bill for this mythical private road, I just don't believe that this superhighway is something that we should get into.

And furthermore, this amendment puts a stop on several transportation-related initiatives between my State, which is Michigan, my city and Canada. For example, we've been working for years to improve the crossing at the Ambassador Bridge between Detroit and Windsor. That's the busiest, it isn't the second busiest, it's the busiest U.S.-Canadian crossing in our country. This amendment would stop years of work and cooperative efforts that we've been working on.

And another example of a cooperative effort under this partnership is aviation. I've got to tell you that there are three international airports in my area, all of which fly into Canada. DOT and Canada are working together to ensure that travel between the two countries is smooth, free and safe.

□ 1830

I would say, free of any burdensome barriers. This amendment would put all of the U.S.-Canada transportation initiatives to an end. That would be detrimental to the Nation.

I think the amendment is one that is a broad brush. It tries to actually focus on one thing, but it is too broad. In fact, it contains some elements that bring about a real problem. I think that they can do much better if they ever redrafted this.

But here is the story. There is no superhighway in this bill. There is not. But there are good initiatives in this bill, ongoing initiatives, that are vital to our country.

Mr. Chairman, I recommend a ''no'' vote on this amendment.

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

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

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I would just like to respond to the gentleman from Michigan and say that my district borders Canada too, across Lake Erie. The planes fly over our border, and we go up to Michigan and we take the Ambassador Bridge and so forth up into Canada. So we share those concerns. But what we don't share is our dismay at the lack of transparency that characterizes the Bush administration. What exactly are they discussing with the Government of Canada, with the Government of Mexico and other governments in the Americas?

We have a right to know. We have a right to participate. We want transparency and disclosure on the SPP. Their secretiveness about what is going on is a deep concern. Vote for the Hunter-Kaptur amendment.

Mr. OLVER. Mr. Chairman, reclaiming my time, the ranking member, it seems to me, makes some very good points. I know how concerned he is about the impact that this might have, that may be unintended consequences in relation to the northern border with a prohibition of this nature. I think we need to be concerned about unintended consequences in which worthwhile activities that we might want to support might be eliminated by it.

Mr. Chairman, reluctantly I am going to vote against this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. HUNTER).

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

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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. JORDAN OF OHIO

Mr. JORDAN of Ohio. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. JORDAN of Ohio:

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

SEC. ____. 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 6.3 percent.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. JORDAN) and a Member opposed each will control 20 minutes.

Mr. OLVER. Mr. Chairman, we had asked unanimous consent earlier and were given unanimous consent that these amendments would be read. I didn't hear the amendment read.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Acting CHAIRMAN. The Chair recognizes the gentleman from Ohio.

Mr. JORDAN of Ohio. I thank the chairman.

The amendment before you would reduce the appropriations in the bill by $3.2 billion, as was just read by the Clerk.

Even though the majority party will call this a ''cut in spending,'' this is not a cut. This is simply returning the level of spending in this appropriations bill to last year's level. It is level funding, spending the same dollar amount we spent last year. Again, as I have articulated on this floor several times in the appropriations process on other pieces of legislation, it is exactly what all kinds of families across this country have to do.

Mr. Chairman, I want to commend the work of the committee. I don't bring this amendment because I don't appreciate the work that the committee does; I bring it because our country and our government do face a real financial challenge in the future. If we don't begin to get a handle on the spending that this Congress does and that our government does, we are going to have real problems.

The best way to begin to start that, when you think about the challenges and problems that loom in front of us, with entitlements, with Social Security, with Medicaid, with Medicare, the way to start that process, to get a handle on the fiscal crisis that is looming, is to start right here and say, you know what? It is probably not too much to ask for the Congress and for the Government of the United States to spend the same amount that they spent last year. That is why I bring this amendment forward.

I would also point out this: Inevitably, when you continue to increase spending and increase spending and increase spending, it always leads to greater taxes. People talk all the time about tax-and-spend politicians. In truth it is just the opposite. It is spend and tax. Spending drives the equation, and that is why we have to focus on spending if we don't want to raise taxes on the American people, which we surely don't want to do.

Yet the other party is talking about doing exactly that. All you have to do is look at recent press clippings where they talked about raising the tobacco tax to deal with the SCHIP program. They have talked about raising taxes on the top marginal bracket to begin to address the AMT. Both are bad ideas for families, bad ideas for our economy, and not the direction we want to proceed.

Again, I bring this amendment forward because I think it is something that we have to begin to focus on as we look at the financial situation that is just around the corner for this country. All kinds of families, all kinds of taxpayers, all kinds of business owners have to live on last year's spending. It is not too much to ask our government to do the same. It is not to much to ask that our government do exactly what families all across this country have to do.

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

Mr. ISRAEL. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from New York is recognized for 20 minutes.

Mr. ISRAEL. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. OLVER), the distinguished chairman of the subcommittee.

Mr. OLVER. Mr. Chairman, the gentleman's amendment is an amendment that reduces the overall funding in this legislation by $3.2 billion, which is the amount of the budget as passed for the 2007 fiscal year by way of the continuing resolution that was passed back in February. In this process we have had a large number of holes in the legislation that had been presented to us by the President for this year, and in his budget was $2.8 billion under the bill that we had presented here this evening.

In the process there are several items which are very similar and some which are quite different in reaching where we are in this legislation. In particular, the section 8 funding under HUD, we felt that we had to increase the funding for section 8, both for the Tenant-Based Housing Assistance program and for the Project-Based Housing Assistance program, by a substantial sum of money. That is done specifically because there was a change in the CR of the authorizations there for funding vouchers, and in order to make certain that every person had their vouchers and no one was going to lose rental assistance, it was necessary then to add about $1 billion into tenant-based and project-based assistance in order to meet that and fill that need. That is one of the items.

We had also to very substantially increase the programs in transportation in order to reach the guarantees necessary for meeting SAFETEA-LU, which, of course, the President doesn't really care about.

So those items, which I think everybody in this Congress agrees with, have had to be increased and require that we not reduce the funding under the legislation to the level that has been suggested.

Mr. JORDAN of Ohio. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. PUTNAM), the Republican Conference Chair.

Mr. PUTNAM. I thank my friend for yielding the time.

Mr. Chairman, let's take a little status report here. This is the eighth appropriations bill that has moved across this floor, which is commendable, since none have moved across the Senate floor. But it is easier to move legislation when there is no bottom line, when there are no constraints, when you can just put any amount of money into the spending bills. This bill marks the eighth step in the progression towards a $1 trillion fiscal train wreck that is coming this fall because of the inability of the Democratic Congress to adhere to fiscal restraint.

There is a $23 billion difference between what the Democratic Congress would fund and where the President's request is, something that has been dismissed in their letter to the President as ''a mere 1 percent.'' Well, only in the fantasy land of Washington is $23 billion pocket change.

□ 1845

It is vitally important that we restore fiscal accountability to Washington, and it begins with amendments like this one offered by my friend from Ohio that says let's just hold what we had last year. This bill proposes to spend almost 7 percent more than last year and almost 6 percent above what the President requested.

But what's the difference between that 1 percent? You say it is 7 and 6 percent. That is the difference between $2.8 billion and $3.2 billion. The difference between what this Congress would spend and what the President would spend is larger than most States' budgets that meet all of the needs of that State. This is the first step in this bill's process towards restoring the kind of commonsense fiscal accountability that Americans are starving for.

And when we get down into the weeds of these numbers, people just cloud up because it is so hard to comprehend that a mere 1 percent translates into tens of billions of dollars. But mark my words, ladies and gentlemen, the fiscal train wreck is coming this fall because of the inability of this Democratic-led House to restrain itself from spending billions more than are necessary to meet the needs of this government.

And what that will mean undoubtedly as part of their budget blueprint is higher taxes, taxes that will cripple our economy, taxes that will undo the record low unemployment rate, undo a 14,000 point Dow, undo record homeownership.

Mark my words, a trillion-dollar train wreck is coming if you don't adopt amendments like these.

Mr. JORDAN of Ohio. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. DAVID DAVIS).

Mr. DAVID DAVIS of Tennessee. Mr. Chairman, I would like to thank my

friend from Ohio for yielding and for his leadership.

I come from the mountains of east Tennessee. We have a lot of common sense in those mountains. We understand when you spend $3.2 billion, that's a lot of money. We have men and women all around America right now sitting around their kitchen tables trying to decide just exactly how they are going to feed their children, how they are going to take care of their families, how they are going to pay the tuition and buy that next tank of gas.

We talked about in the last election that we are going to be providing a change here in Washington. I believe the freshmen Republicans that came into Congress with me this year are here to offer that change. The way we offer that change is quit spending as much as has been spent in the past. We can do that.

When we have an economy growing about 3 percent and this bill is going to grow by 6 or 7 percent, people understand you can't grow government at twice the rate of the American family's income. It just can't be done. We need to make sure that we use some commonsense when we put these budgets together. We can't spend more money than the American people can earn.

I think the American people did send us here to Washington to rein in that spending, get a handle on our fiscal House. I think this amendment by my friend from Ohio will go a long way towards doing that. This is not about a cut. This is simply about holding the line on spending.

The American people can understand if they have $100 this year and somebody wants to grow it to $200 next year but you can't afford it, and you say, ''I can't give you $200, but I will let you keep your $100,'' if you kept that at $100, that is not a cut. That is staying the same. That is what this amendment does. This simply says we are not going to grow that $3.2 billion.

I thank the gentleman for his amendment.

Mr. JORDAN of Ohio. Mr. Chairman, may I inquire as to how much time remains?

The Acting CHAIRMAN. The gentleman from Ohio has 12½ minutes. The gentleman from New York has 17 minutes.

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

Mr. JORDAN of Ohio. Mr. Chairman, may I inquire, does the gentleman from New York have any additional speakers on the amendment?

Mr. ISRAEL. Mr. Chairman, it is my understanding that I have the right to close, and I am reserving to close.

Mr. JORDAN of Ohio. Mr. Chairman, is he intending to close with a 17½ minute speech?

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

Mr. JORDAN of Ohio. Mr. Chairman, I yield 2 minutes to the gentleman from Idaho (Mr. SALI), a friend and freshman colleague.

Mr. SALI. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, as I have walked around the halls of the office buildings for the House. I have noticed the signs that talk about the truth needing to be told regarding the majority's budget that was passed, the claim that while there is no tax increase in that budget, and technically that is true, Mr. Chairman. There is no language in that budget bill that says taxes are raised on anyone in any manner. There is no claim there are additional taxes. That language is not in that budget.

But the effect of that budget, Mr. Chairman, will be increased taxes. Why do I say that? Well, because the majority has been very vocal throughout the last year, through the last campaign season, that by golly, one of the things we need to do is get our spending under control, get this deficit problem under control.

Well, Mr. Chairman, the problem is not taxes at this point. The problem today, though, is the spending, because if the spending continues at the rate we are going, that the majority is proceeding, one of two things has got to happen: Either we have to increase deficit spending or we have to increase taxes to pay for it.

I would just point out that about $1 in $5 for the budget last year was deficit spending, so how does the majority intend to avoid deficit spending at the same rate that they criticized last year? And, in fact, how will they avoid increasing that deficit spending by spending more this year unless they intend to increase taxes. At some point that choice has got to be made.

Mr. Chairman, it starts with the spending. If we support this amendment, that will be a start in the right direction.

Mr. ISRAEL. Mr. Chairman, I continue to reserve the balance of my time.

Mr. JORDAN of Ohio. Mr. Chairman, because the Democrats are so mesmerized by our presentation, we will continue. It is the first time I have known them to be speechless, but we will continue, and so I yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Chairman, I thank my friend from Ohio for his leadership on this bill, and I am happy to come and lend my comments to the discussion.

Last year the Democrats got elected partly on the basis of their promise to cut spending. They made a big to-do about the fact that we were increasing spending. Republicans had done that. This is not cutting spending; this is holding the line on spending.

The eight appropriations bills that have passed the House so far are $34 billion above last year's spending levels. That is not fulfilling the promises that they made to help hold the line and even cut spending. As my colleagues have said, this inevitably is going to lead to the largest tax increase in the history of this country.

Furthermore, in terms of this bill in particular, I have searched the Constitution and I see no role for the Federal Government in most of what is going to be funded in this bill. But the Democrats have never met a request for spending that they didn't like, and so they are going on willy-nilly increasing spending, putting the American taxpayer at risk, and increasing the deficit in this country; whereas, the tax cuts that were passed in 2001 and 2003 have led us to a very, very strong economy which we know is benefiting the American people right now.

Furthermore, none of the promises that they made about slowing the exploding growth of Social Security, Medicare and Medicaid that would result in deficit reduction have been dealt with in this Congress.

We have simply got to come to grips with the fact that we cannot tax the American people to the level at which they are being taxed and the level to which the Democrats want them to be taxed. We have to hold the line on spending, and I support this amendment.

Mr. JORDAN of Ohio. Mr. Chairman, I yield 5 minutes to the ranking member of the Budget Committee, the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Chairman, I thank the gentleman for posing this amendment.

The reason we are here today, Mr. Chairman, is because this is overbudget. Take a look at this bill right here. It is $2.8 billion above the President's request and includes a $3.1 billion boost for the Department of Housing and Urban Development. There are also some phony gimmicks in this spending bill.

As noted, the bill provides phony offsets for spending increases by rescinding budget authority with no outlay savings. So what you are doing, you are actually canceling something that doesn't really exist to show paper savings so you can spend it somewhere else. Now, this is an old trick that has been done on both sides of the aisle over the years, but it still doesn't make it right.

The problem we have with this bill, as the preceding bills and the following appropriations bills, is it is $34 billion above last year's spending level just for what we have passed so far. That is $19 billion above the President's request. This majority's spending bills are going to be $81 billion above last year's spending level.

When you look at the budget resolution, this bill does conform to the budget resolution. It meets 302(b). What that means in budget talk is they are conforming to their budget. But what does their budget do? Their budget leads to the largest tax increase in American history.

If you accept these spending increases, which, on average, are 9 percent spending increases for discretionary spending, three times the rate of inflation, three times the rate of

wage growth, three times the ability for families to be able to afford this expense, three times the rate that our family incomes go up at best, if you accept these spending increases, that means you are accepting the plan in the budget, and the plan in the budget is to raise taxes. Not by a little bit, by a lot.

What tax increases are they specifically calling for in the budget resolution that this is a part of? Getting rid of the marriage penalty, bringing it back altogether; reducing the child tax credit in half; raising income tax rates across the board for every single working American and every single working family; bringing the death tax back in full force; raising taxes on capital gains and dividends, which makes it easier for people to save for retirement, and that creates jobs.

So the problem we have here, Mr. Chairman, is not a revenue problem. We have had double-digit revenue increases coming to the Federal Government for the past 3 years in a row.

□ 1900

The deficit just went down this year again by 18 percent because of faster revenue growth. So we don't have the problem with the money coming in. We don't need to raise taxes. Plenty of money is coming in to the coffers of Washington.

The problem we have is spending. We are just spending too much money too quickly. If we want to balance the budget without raising taxes, we have to control spending. That's the lesson we've learned.

Now, what does this bill do? This bill irresponsibly increases spending too fast. Are there important functions that are in this bill? Yes. Are there important things that the government needs to do, roads and bridges and transportation? Yes.

The problem I have with this bill is it doesn't have fiscal discipline. It doesn't contain a budget cap that makes sure we won't raise taxes.

So, by subscribing to the budget increases, the spending increases in the bill and the appropriations bills before it and the ones that are yet to come, it puts us on that glide path, on that trajectory to having the largest tax increase in American history. We don't want those taxes to be increased, and we sure don't want to support budgets that put us on the path to making it a sure thing, and that, Mr. Chairman, is why I think we should vote against this.

I think we should also have better budgeting. I don't think we should be rescinding phony budget authority to then use it for outlays. So, if we get rid of the gimmicks, this thing wouldn't even comport with the budget resolution itself.

So with that in mind, Mr. Chairman, I urge a ''no'' vote on this bill.

Mr. ISRAEL. Mr. Chairman, I ask how much time is left.

The Acting CHAIRMAN. The gentleman from New York has 17 minutes. The gentleman from Ohio has 4½ minutes.

Mr. ISRAEL. Mr. Chairman, I would just point out that there is no tax increase in this bill. The other side, Mr. Chairman, they went from saying that there is a tax increase to that this may put us on a trajectory to a tax increase, could be, possibly.

There is no tax increase in this bill.

Madam Chairman, I reserve the balance of my time.

Mr. JORDAN of Ohio. Mr. Chairman, just a few comments before we use the remaining few minutes of our time as well.

Think about this. The ranking member of the Budget Committee pointed out the facts, what's in this bill, the numbers, the budget, and what's going on. But it's always important to come back and focus on how that translates into the lives of the American people and American families.

I think it's important just to remember and think about the typical family across this country. They go to work each day. They go to church on Sunday. They make their house payment. They make their car payment. Maybe they're paying their kids' private school. They're saving for college. They may be saving for a family vacation. They don't get an automatic 7 percent, in this particular bill $3.2 billion, increase. They don't get that. They have to budget. They have to learn to live on less many times.

And that's all this amendment says is, you know what, let's just spend exactly what we spent last year, because if we don't. And we keep on this spending train that we're on, there will be tax increases. And then that family I just described, it's going to be tougher for them to pay for that vacation, pay for their kids' school, pay for the shoes for soccer practice and Little League and pay for all those things that families have to pay for. That's why this is important.

It begins to put us on the path to deal with the problems that are certainly going to be there if we don't start getting a handle on spending. That's why I bring the amendment forward. That's what all our speakers have talked about, because it's that important that we begin to do the right thing here.

Madam Chairman, I reserve the balance of my time.

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

The Acting CHAIRMAN. Does the gentleman from Ohio have any further speakers?

Mr. ISRAEL. Mr. Chairman, do I have the right to close?

The Acting CHAIRMAN. You do.

Mr. ISRAEL. I thank the chairman.

Has the gentleman yielded back his time?

Mr. JORDAN of Ohio. The question from the Chair was do we have additional speakers. My response was no.

Mr. ISRAEL. Mr. Chairman, I reserve the balance of my time. I have the right to close.

The Acting CHAIRMAN. The gentleman from New York has the right to close.

Mr. JORDAN of Ohio. Is the gentleman from New York the only speaker?

Mr. ISRAEL. Mr. Chairman, I am the final speaker, and I have the right to close.

Mr. JORDAN of Ohio. Then I yield back the balance of my time.

Mr. ISRAEL. Mr. Chairman, this is like a soap opera. It doesn't matter when the American people tune it in, turn it on, it's the same script, the same characters, the same plot, the dialogue.

Every week this small group of Members tries to offer these amendments, and every week they're defeated, defeated by the members of their own caucus.

This appropriations bill was passed by the Appropriations Committee on a bipartisan basis. Democrats and Republicans supported this bill because it has the right investments for the American family.

They support the notion that we should make sure that we have children in car seats that are safe. The gentleman's amendment would cut funding for car seat safety for our children.

They support the notion that we should make sure that our highways are safe. The gentleman's amendment would cut funding for highway safety.

They support the notion, Republicans and Democrats alike, that when you go to the airport, there should be enough inspectors to make sure that your plane is safe. The gentleman's amendment would cut the number of inspectors for airlines and increase delays at airports.

Republicans and Democrats on the Appropriations Committee alike agreed with the notion that elderly people who worked hard, raised their families, paid their dues should have a chance, a better chance, to get decent housing. The gentleman's amendment would cut that chance of decent housing for the elderly.

And Republicans and Democrats alike, who share commonsense values and compassion, also agree that if you're disabled, you should have a chance to get some decent housing. The gentleman's amendment would cut the chance of getting decent housing if you are disabled.

Mr. Chairman, the gentleman talked about the common family and the values that they have. Let me suggest to the gentleman one thing, and then I will close.

This isn't really about the argument that the gentleman uses that we should cut spending. With all due respect, the gentleman was nowhere around when we spent and spent and spent and borrowed and borrowed and borrowed for special interests. I will talk about the typical American family.

This morning on the front page of the newspaper there was a story about how

huge tax breaks that some on the other side supported for the largest multinational corporations on Earth, that were promised to create jobs, did the opposite. Two years ago, according to the newspaper, when companies received a big tax break to bring home their offshore profits, the President and Congress justified it as a one-time tax amnesty that would create American jobs, but the companies did not create many jobs in return. Instead, since 2005, the American drug industry has laid off tens of thousands of workers in this country.

And so let's close by returning to that family. The gentleman may have a family in his district, a Jones family. Mr. Jones worked for one of those big multinational corporations that have a P.O. box in Bermuda to escape their fair share of taxes at home. Mr. Jones thought that that tax break to that big company was going to save his job. The company got the tax breaks. He got a pink slip.

Now, if that's not bad enough, the gentleman would propose that Mr. Jones, when he goes on the highway to try and find another job, that he's less safe; that Mrs. Jones, who's working at the Wal-Mart, when she straps her daughter into a car seat, that that car seat be less safe because of the cuts to those programs; if the Joneses have enough money to scrimp and save and maybe visit their parents or grandparents in another State, that they wait even longer to get on the plane, and that the plane not have the inspection as quickly as it needs to; and that if Mr. Jones' and Mrs. Jones' parents or grandparents want to have a decent roof over their heads, that they have to wait longer, in fact may not even qualify, because of the cuts in housing assistance for the elderly and the disabled.

The difference between us is that we want to invest in the American family, and the other side, not everybody on the other side, Republicans and Democrats alike, on a bipartisan basis, passed this bill to invest in the American family.

The sponsor of this amendment wants to continue giving giveaways to the richest special interests. We believe those funds are better spent with the American family.

That's what this is about, and that's why I'm so proud that Republicans and Democrats alike supported this bill in the Appropriations Committee and will defeat this amendment when it comes to the floor later.

Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. JORDAN).

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

Mr. JORDAN of Ohio. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT NO. 20 OFFERED BY MR. PRICE OF GEORGIA

Mr. PRICE of Georgia. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment No. 20 offered by Mr. PRICE of Georgia:

At the end of the bill (before the short title), insert the following:

SEC. ____. Appropriations made in this Act are hereby reduced in the amount of $507,767,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Georgia (Mr. PRICE) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. PRICE of Georgia. I thank the Chair, and I thank the leadership for the opportunity to bring this amendment forward.

This amendment is a very simple amendment. It's an amendment that has come to be known as the Hefley amendment, or at least came to be known as the Hefley amendment, a former Member of this body who offered an amendment to decrease appropriations bills by 1 percent in an effort to begin fiscal responsibility.

And it's my privilege to bring these amendments to the floor again in an effort to take that first step, take that first step to begin fiscal responsibility in this Chamber.

This is a good debate. It's a good debate that we have when we talk about how to spend hard-earned taxpayer money, because, Mr. Chairman, as you know, oftentimes in this Chamber, in fact, we've heard on some of these appropriations bills Members talk about their money, about my money. And it's always important that we remember whose money it is. It's not government money. It's not our money. It's the money of the hardworking American taxpayer.

So this amendment is very simple. It simply says that we ought to reduce by 1 percent the amount of money being spent in this particular appropriations bill. And to be clear, that is still a significant increase in spending over last year, but it's an attempt to begin fiscal responsibility.

One of the numbers, the numbers are that last year this portion of the appropriations bill spent $47.5 billion. The President requested an increase to $47.9 billion for this next fiscal year, and the committee itself brings forward a bill that will spend $50.7 billion. That's $3.2 billion more than last year.

So this amendment would say, well, we ought not spend $50.7 billion. Let's see if we can't get a little fiscal responsibility and instead spend $50.2 billion.

Again, it's not as far as many of us think we ought to go in an effort to try to be more responsible with spending the hard-earned American taxpayers' money, but it is a step in the right direction. It is a step along the line of fiscal responsibility. It is a recognition. It would be the beginning of a recognition that this is not Congress's money, that it is the money of the hardworking American taxpayer.

On many of these bills we seem to get a few more votes each time. I'm hopeful that at some point this House will make a statement, that this House will make a statement and say, yes, we do believe that, in fact, moving forward under the banner of fiscal responsibility dictates that we respect the hard work of the American taxpayer and, in fact, accept one of these amendments as we move forward.

So with that I think it's a commonsense amendment. It's a problem-solving amendment. It's an amendment that speaks to what the American family would do when they have some fiscal challenges, and that is to overall reduce the amount of money that they spend.

So, with that, I encourage my colleagues to support the amendment.

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

Mr. RYAN of Ohio. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from Ohio is recognized for 20 minutes.

Mr. RYAN of Ohio. Mr. Chairman, I reserve my time.

Mr. PRICE of Georgia. Mr. Chairman, I'm pleased to yield 2 minutes to my good friend from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Chairman, I thank my colleague Dr. PRICE for offering this amendment. Certainly the American people can relate to this amendment. It simply says that we will not spend 1 percent of the bill as currently written, 1 percent. Well, that equates to $500 million, a substantial sum of money even in the context of the Federal budget.

What we have in Washington, D.C., is a spending problem. We don't have a problem with income to government. The government will receive about $2.7 trillion this year on a Federal budget that actually spends $2.9 trillion.

□ 1915

What is absolutely fascinating about this is that there are only two countries on Earth with whole economies that are larger than the Federal Government here in Washington, D.C., and that is the governments of Germany and Japan. When we talk about China and the growing threat of China's economy, well, look at the size of the Chinese economy. The whole economy of China is $1.9 trillion. What we have here in Washington D.C. is certainly a spending problem.

What this amendment proposed by Dr. PRICE says is that we should be able to slip off just a little bit of that spending, just a little bit, show the American taxpayers that we can tighten the

belt just ever so slightly, which means, instead of eating that whole cake, which is what the Democrat leadership proposes for dessert, eating that whole cake, we are just going to take off just a little bit of the icing, just a taste of the icing, rather than eating that whole cake.

Now, certainly we can do that. Certainly the American people understand the Federal Government could save 1 percent. Every family budget across America can save 1 percent.

I urge my colleagues, even the liberal Democrats on the other side of the aisle, my friends from the other side of the aisle who said that we want to spend more and more and more. They certainly can say we will, when we are increasing spending so rapidly, what the Democrats are doing here, we could say that just 1 percent, we will take off 1 percent right off the top.

So I urge my colleagues to support this reasonable and commonsense measure that shows some level of restraint, even with bloated Democrat spending in Washington, D.C.

Mr. RYAN of Ohio. Mr. Chairman, I reserve the balance of my time.

Mr. PRICE of Georgia. Mr. Chairman, may I inquire whether it's the intention of the gentleman from Ohio to close when he speaks.

Mr. RYAN of Ohio. It is my intention. I am the final speaker.

Mr. PRICE of Georgia. Mr. Chairman, I yield 3 minutes to my friend from Minnesota (Mr. KLINE).

Mr. KLINE of Minnesota. I thank my good friend and colleague, the gentleman from Georgia, for yielding the time and for bringing up this amendment.

Each time he does, of course, I am reminded of our former colleague, our great friend, Joel Hefley from Colorado who brought this amendment up in past Congresses.

Mr. Chairman, I didn't understand, perhaps I would have to admit, the full significance and importance of what he was trying to do, and that was just to, in a very, very, very modest way, curtail the spending spree that we have here in Washington, that spending spree that our friend and colleague, the gentleman from North Carolina, was just explaining.

Of course, this is a modest effort, 1 percent on one spending bill. We know that the real issue here in Washington is the explosion in entitlement spending. The gentleman from New York earlier said that there was no tax increase in this bill. Of course, we understand that. This isn't a tax bill; this is a spending bill.

But it is tied to a budget, to a budget that significantly did one thing: it brought us the largest tax increase in American history. Yes, that tax increase won't hit in a significant way in this year, but in order to make that budget balance, it was necessary to bring us the largest tax increase in American history so that by the end of the budget period, the budget could balance.

The other thing that budget had, or, more significantly, did not have, it didn't have anything to constrain entitlement spending. Well, it did. It had a small piece, a very small piece, where there was an effort to save less than $1 billion in entitlement spending; and our colleagues on the other side of the aisle stepped up to the plate to save that less than $1 billion and created nine new entitlement spending programs.

We do have a spending problem here, and that is followed by an enormous taxing problem. This is a spend-and-tax issue that I think the American people can understand. Their budgets aren't growing by 7 percent. The Federal Government is growing its spending by more than that. This effort by my good friend from Georgia is, indeed, a modest effort.

This is a tiny, let's save one penny, one penny on the dollar that this spending bill has. We can't seem to find a way to save that one penny, and yet we are letting entitlement spending grow by trillions of dollars.

I think the American people are going to grow increasingly aware that we have an unfunded liability in entitlement spending of trillions and trillions of dollars, well over $50 trillion.

So this is a modest effort, but I would call on my colleagues to take this tiny step that Mr. Hefley brought us in the past and that my colleague, Mr. PRICE, has brought us here.

Let's support the amendment.

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

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. OLVER. I just wanted to respond to the gentleman who had just spoken.

Mr. Chairman, the gentleman from Minnesota has mentioned twice in the comments that he has made, at least twice in the comments, that, again, the idea that this budget that we are dealing with has somehow inherent in it the largest tax increase in American history, twice he has made that comment.

Well, the budget that we are dealing with has no increase in taxes whatsoever related to it. I think the gentleman understands that. In fact, even the budget resolution that guides the budgeting this year for all of our bills, all of our discretionary budget legislation, that budget resolution does not have any tax increase in it either. I think the gentleman understands that as well.

We are making messages here that are really not correct. They are simply not accurate. They are simply not true.

I want to make a couple of points. I want to remind the gentleman and others from the other side who have spoken that since President Bush took office, the national debt has increased by over $3 trillion, $3 trillion, over 3, it's closer to $3.3 trillion. That's 3 with 12 zeros behind it.

Some people have a difficult time understanding a three with six zeros behind it. That's $1 million. But $3 trillion, with 12 zeros behind it is $1 million, million dollars.

That debt increase of $3 trillion that has occurred in the 6 years that President Bush has been in power in the Presidency, that ends up costing us, the American people, us as a Nation, $100 billion each and every year in additional deficit, which is what has happened, an additional deficit, every year $100 billion each year, which is some 200 times the amount of money that is being suggested ought to be cut from this one little budget that we are talking about that provides money for a whole series of very important initiatives that serve the American people.

To close, I could go on substantially on the debt, but the $500 million that has been suggested that should be cut from this budget, this one simple budget that funds housing and transportation programs of the government, this one budget, if one compares the $500 million, that two pieces of the budget, the $500 million is essentially the same money that we had to put back in the budget because Amtrak would have shut down.

$500 million is about the same amount of money as was put into that. It is about one half of the money that was put back in to make certain that not a single family, low-income family, people who are living with incomes of under 30 percent of the adjusted median income in their areas, one half of the amount of money that would allow all of those people who had vouchers and who are getting rental assistance, in that very low-income category, to maintain their vouchers for the next year.

It is also a sum of money which is somewhat less than the amount that we had to put back into the budget to bring it up to these levels, to the 2007 enacted level at $700 million, or the Community Development Block Grant program, which provides money to virtually every community in the country, larger cities, by direct distribution from the Federal Government through Housing and Urban Development, but also to many smaller cities and communities, even quite small communities, through the money that's distributed to the States who then give it back to those communities in order to build affordable housing and build public facilities in their communities.

It is very close to the amount of money that is included in this budget and provides for the construction of elder housing, housing for the disabled and housing for distressed public housing as well.

So that is what is involved in $500 million at this point. I hope the amendment is defeated.

Mr. PRICE of Georgia. Mr. Chairman, I yield 1 minute to my friend from Minnesota (Mr. KLINE) for purposes of setting the record straight.

Mr. KLINE of Minnesota. I appreciate the gentleman yielding me time. I appreciate that because I would like

to respond to the gentleman from Massachusetts on just a couple of points.

One, we had a number of discussions on zeros and what that means when we talk about the debt, nine zeros, 12 zero, six zeros, I would say there are a lot of American families that are concerned about five zeros and what the impact of the tax increase is going to have on that.

With all respect to my friend from Massachusetts, the Democrat budget does have the largest tax increase in American history. In order to make that budget balance, all of the tax relief which we have worked so hard to achieve in the last few years, and which is behind the growth and the economy, all that would go away, tax relief for married families, tax relief for every American worker who pays taxes. All that's erased in the Democrat's budget that is behind this spending bill that we are in today.

I think he helps me make the point that this is, when he talks about trillions of dollars, that this bill, that this amendment is a very modest step in curtailing that spending.

Mr. RYAN of Ohio. Mr. Chairman, I reserve the balance of my time.

Mr. PRICE of Georgia. Mr. Chairman, if I may inquire as to the amount of time remaining.

The CHAIRMAN. The gentleman from Georgia has 11 minutes. The gentleman from Ohio has 20 minutes.

Mr. PRICE of Georgia. Mr. Chairman, I yield 2 minutes to my friend from North Carolina (Ms. FOXX).

Ms. FOXX. I want to thank my colleague from Georgia.

Mr. Chairman, this budget proposal isn't a real surprise; it's business as usual for the Democrats and proves that their promises to be fiscally responsible are just empty rhetoric. If this budget, along with the other budgets that we have been approving, are approved, it signals a return to the Democrats' beloved tax-and-spend model for government. They are very happy to try to run the lives of all Americans from the Federal level.

The 2001 and 2003 tax cuts have produced a real decrease in the tax burden on North Carolina's married couples, single parents, and families. Almost every taxpayer, low-income, married, single or self-employed, will lose valuable tax cuts under the assumptions made in the Democrat budget proposal earlier this year, and that would cover the costs that are in this budget tonight.

The economy is booming. The stock market is doing great. People's 401(k) plans are increasing tremendously. But they want to stop that because they want to spend your money. They think they know better how to spend your money than you know how to spend your money.

The Federal Government doesn't have a revenue problem. Revenues increased by 14.5 percent in 2005, 11.6 percent in 2006, and they are projected to grow by an additional $167 billion, or 7 percent, this year, according to the latest OMB estimate.

Again, the economy is booming, things are going great, but the Democrats would put a halt on that with their profligate spending. To put it another way, the Federal Government is projected to collect $800 billion more in revenue in 2007 than was just the case 4 years ago, $2.6 trillion in 2007 compared to $1.8 trillion in 2003.

□ 1930

We need to slow down spending and allow the American people to keep more of their money. They know how to spend it better than Federal bureaucrats do.

Mr. RYAN of Ohio. I yield 2 minutes to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. I thank the gentleman for yielding.

And I just want to say to the gentlewoman from North Carolina that the absolute platinum standard for fiscal irresponsibility lies squarely on the shoulders of her party and the Presidents of her party.

The national debt for this country when President Carter left office in 1981 was less than $1 trillion. The national debt 12 years later, in the case of President Carter, that represents the debt that had been reached over 180 years of American history. Twelve years later, the national debt when the first President Bush left office was $4.3 trillion, more than four times as much, more than quadrupling the total national debt. That is the gold standard of fiscal irresponsibility.

And then we had 8 years of President Clinton, and the national debt went up another $1.2 trillion, about a 25 percent increase in the national debt in the 8 years that he was President.

But then, under the present President Bush and the Congress of his party in control during those years, the national debt has gone up $3.3 trillion more, a total of about two-thirds more, 67 or 68 percent more in debt. That is the platinum standard in debt increase and in fiscal irresponsibility.

Mr. PRICE of Georgia. Mr. Chairman, at this time I am pleased to yield 1 minute to my friend from Texas, the chairman of the Republican Study Committee, Mr. HENSARLING.

Mr. HENSARLING. I thank the gentleman for yielding.

I must admit, every time I come to the floor and a Democrat lectures me on fiscal responsibility, I feel like I am having an Alice in Wonderland experience; and that is because the deficit is the symptom, it is spending that is the disease. And so we have Democrats come to the floor and say, well, when you Republicans were in power, you spent too much. Well, some of us Republicans agree. So what is your answer, Mr. Chairman? Well, they want to spend even more.

For the last 10 years, look at the record. Every time the Republicans offer one budget, the Democrats offer a budget that spends even more. And then they say it is fiscally irresponsible that the national debt went up from $5 trillion to $8 trillion. I don't like that a bit. But, guess what? Because the Democrats' budget was stone cold silent on entitlement spending, the national debt unfunded obligations is $50 trillion. So I will be glad to accept responsibility for $3 trillion when my friends on the other side of the aisle accept responsibility for their $50 trillion.

Mr. RYAN of Ohio. I continue to reserve my right to close.

Mr. PRICE of Georgia. Mr. Chairman, I am tempted to ask my good friend from Ohio whether it is the final right to close, or whether it is otherwise.

Mr. RYAN of Ohio. I will continue to reserve my right to close, unless my chairman wants more time.

Mr. PRICE of Georgia. Mr. Chairman, at this time I am pleased to yield 5 minutes to my good friend from Arizona (Mr. SHADEGG).

Mr. SHADEGG. I thank the gentleman for yielding, and I like us being pleasant with each other.

I think this is a fascinating debate and an important debate, and, quite frankly, I have watched it unfold over the bills earlier this year. And the reality is, in Washington, nobody has the high ground on spending.

When I and my colleagues as fiscal conservatives get up on this side and say cut spending, as we are in this amendment by a mere 1 percent, it is absolutely fair and absolutely true for my colleagues to get up on the other side, as they have done and done well, and lecture us about spending. You guys are the, to use the words a moment ago, platinum standard on spending. And in many ways they are absolutely right.

I note with chagrin that because neither Republicans nor Democrats have the high ground on spending, something has to be done, and I would suggest at some point we have to begin. Maybe it is with this amendment, maybe it is not with this amendment, maybe it is with something else. But let's talk about spending.

On our watch, on the Republicans' watch, family income grew from 1995 to 2004 by 8.2 percent. Pretty good. Not bad. We could all wish it had been better. But what did Republicans do on spending? Republicans grew Federal outlays by a staggering 25 percent. You are right, we don't have much high ground to talk about. But when, then, will we start? And who will it be that starts?

Your side of the aisle encouraged the American people by saying, JAMES CLYBURN, Democratic House chairman, said in a press release on October 10, 2006: ''Democrats offer a new direction which includes fiscal responsibility.''

Speaker-elect NANCY PELOSI in a press release November 16 said: ''We will work together to lead the House of Representatives with a commitment to integrity, to civility, which we have

seen a little bit of tonight, and to fiscal responsibility.''

And Majority Leader STENY HOYER said: ''It is imperative to the future of our Nation, and I agree with him, that we come together, Democrats and Republicans, and restore fiscal responsibility.''

There are some hard facts that both sides have to deal with. Those hard facts include: As we stand here debating this bill, it will increase spending by 6.7 percent over last year, this particular bill. That is nearly three times the rate of inflation. It might be less than Republicans grew the spending in some occasions; but nonetheless, if we keep growing spending at three times the rate of inflation, we will double the size of this government in a short 10 years.

I would simply suggest that neither Republicans nor Democrats can defend putting that kind of a tax burden on our economy and on our taxpayers and sustain it. And I would suggest that the respected leaders of the Democrats' party, Mr. CLYBURN, Ms. PELOSI, Mr. HOYER, acknowledged that when they said it is time to restore fiscal responsibility.

This kind of an explosion in Federal spending is simply not sustainable. Now, I have listened to my colleagues on the other side say, well, you guys spend in this area or that area. Now you want to cut here. You come in and say, we spent in an inappropriate way on, call it corporate subsidies, call it tax giveaways, whatever it is. So be it. That is fair criticism, too.

But the question I think that presents itself to all of us, Republican and Democrats alike, is: When do we reduce spending?

If you don't want to reduce spending on this bill by 1 percent or on the next amendment by one-half percent, then where are we going to cut spending? Because at the end of the day, this economy, I do not believe, will sustain, whether it is driven by Republicans or Democrats, a continued growth of three times the rate of inflation.

The average American gets by without anywhere near that kind of an increase in their spending. The average American's budget doesn't double in that short a period of time. It doesn't go up by 6.7 percent per year. And it seems to me, whether it is on your watch on this bill, on your watch on a different bill, or on our watch someday down the line, we have got to rein in government spending, or we will cripple this economy. And if you want to change the priorities and spend in different places, that is your right. You are the majority. But somebody, whether it is you or whether it is us, has got to reduce the level of spending, because it simply isn't sustainable.

Mr. PRICE of Georgia. Mr. Chairman, may I inquire as to the amount of time remaining?

The Acting CHAIRMAN. The gentleman from Georgia has 3 minutes; the gentleman from Ohio has 18 minutes.

Mr. PRICE of Georgia. I thank the chairman.

I think this has been a healthy presentation from this side. The muted response from the other side is understandable.

When you have instituted in your budget the largest tax increase in the history of the Nation, when you continue to increase the spending at a rate that is greater than inflation, greater than the increase in population for our Nation, then the response, I suspect, ought to be muted.

My good friend from Ohio has said he will close, and I look forward to that response. I am reminded, prior to him standing up, though, that a wise individual once said: When you don't have the facts on your side, then you ought to raise your voice, and you ought to raise it very loud. And so I ask my colleagues to pay attention to what is about to come.

I do want to recognize what my good friend from Texas said, though, and that was talk about Alice in Wonderland. I have dubbed it Orwellian democracy that we are involved in here. My friend from Massachusetts talks about the railing against the Republicans who spent too much and increased the debt. And so what is the response to that? It is to increase it even further, spend more money. They use the grand line of we are interested in investing in the American family. Well, Mr. Chairman, the American families all across this Nation know that when the majority party, when the Democrats talk about investing, what they mean is to hold on to your wallet because that means that taxes are coming; and the budget indeed includes the largest tax increase in the history of the Nation.

This bill, this bill in and of itself, a $3.2 billion increase, 6.7 percent over last year. Why is it that we can't just decrease that by 1 percent? By 1 percent. Is that too much to ask?

Mr. Chairman, I would urge you, if you have any questions about what kinds of money we are talking about, it is H.R. 3074, you can go on line. You can find this bill on line, and you can go to any line item. And I would suggest, Mr. Chairman, when you do that, that if you take any specific line item and you say to yourself, is it possible that they might be able to get by with 1 percent less, 1 penny out of a dollar, $1 out of every $100? Again, that is what American families all across this Nation do. When they find themselves in a little bit of financial difficulty, when they find that their wallet is a little pinched, what they do is they look at their expenditures and they say, we are going to have to cut back. And that is exactly what we, the American family, want to do is to cut back.

That is what this is. This is a sincere and a commonsense attempt to try to begin fiscal responsibility here in the House of Representatives. I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. RYAN of Ohio. I thank the gentleman for his fine arguments, and all of the gentlemen and ladies who have made their presentation here tonight. And I would also like to thank the Appropriations Committee for the Transportation and HUD bill. This was passed out of committee in a bipartisan way unanimously with Democrats and Republicans. So, again, we come to the floor to have a discussion with a very small group of fringe Members from the other side, Mr. Chairman, so that we can continue to get fiscal responsibility lectures from the Republican Party.

Now, getting lectures on fiscal responsibility from the Republican Party is like getting lectures on animal welfare from Michael Vick. It really doesn't have any credibility. It really doesn't have any credibility.

So we need to look at what the two different approaches here. And I am not going to be long because we have a lot of votes tonight, and we want to get the Members out of here as soon as possible.

There is a difference in philosophy, and the bottom line is this: There are certain things that individual members of our society cannot do. One of them is build a road. Another is build a bridge. And others that we have already had discussions about are going to college and being able to afford college and making sure some families have loans to go to college. And that is what we are here for. That is what we are here for. We are here to do the things that individual citizens cannot do for themselves, and that is what is included in this bill.

We have had talks about trillion-dollar train wrecks coming up, and I appreciate the gentleman from Arizona stating the fact that, yes, the party in power over the past 6 years, $3 trillion was borrowed primarily from China, Japan, and OPEC countries.

□ 1945

And our friends on the other side had to go to the Treasury Department and ask for the debt limit to be raised so that they could go out and borrow more money. So the lectures have all been given and we've heard them, and we'll probably hear them again later this week and we'll probably hear them again next week.

One of the Members mentioned entitlement spending. It was the Republican Party, Mr. Chairman, who passed the largest increase in entitlement spending with the Medicare part D. And you want to talk about fiscal irresponsibility; they passed it without even giving the Secretary of Health and Human Services the ability to negotiate down the drug prices. That is the platinum standard for fiscal irresponsibility.

So we move forward. What would this cut do? What would this 1 percent cut?

And as the gentleman from New York stated earlier a few of the programs, I think it's important that the Members

know what exactly is going to be cut here. Safety belt performance grants, going to be cut. Occupant protection incentive grants, going to be cut. State traffic safety information system improvement grants, going to be cut. All of the investments in future growth.

In aviation, the inspectors, the budget for inspectors in aviation for this country will be cut under this amendment. There will be less inspectors inspecting the maintenance of our airplanes than there would normally be if this amendment doesn't pass.

Transportation, Housing and Urban Development programs. Airport safety grants under this amendment will be cut. There'll be less money for airports. $6.9 billion in this bill for air traffic services. That will be cut.

Continue on. Rail, passenger rail grants, those will be cut. Improvement and safety grants, those will be cut.

This is the kicker. Housing for the elderly. That will be cut under this amendment. Housing for the elderly will be cut under this amendment.

And we don't say that these are going to be cuts just because they're going to be cuts, and we're not saying we're spending money on these programs just to spend money. This is the difference.

I think this amendment, Mr. Chairman, is very simple and it sounds good. Why can't we just cut 1 percent across the top of this budget?

There's changes going on in the world that make it a little more complex than we would normally think it is. I'll give you some examples. Traveling on our Nation's highways has grown by 94 percent from 1980 to 2005, from 1.5 trillion miles to 3 trillion miles. Of course you're going to need to spend a little bit more money if you have more people on the roads and you have more roads.

Now, the congestion has resulted in 2.3 billion extra gallons of fuel being burnt. That means $794 per commuter. Now, there's no way a commuter can get the $300 tax cut that they got a few years ago and go out and somehow fix the congestion problem. There's no way to do that.

We had this same discussion with brownfields. An individual citizen can't clean up a brownfield. You need the Federal investment.

And when you're talking about elderly housing, the elderly population in the United States, Mr. Chairman, is going to grow over the next 25 years by millions and millions and millions of seniors, so it's important that we make these investments.

Another program that will be cut is housing for the disabled. 49.7 million Americans live with a disability. Forty-three percent of those are women. Forty percent of men 65 and older have disabilities. If they had the money to pay for it themselves, they would pay for it and we wouldn't need to be here.

We're making these bipartisan investments, Republicans and Democrats, on the Appropriations Committee to help move the country forward. And one of the key approaches that we've had when we started this year, under the leadership of Chairman OBEY, is to figure out what the world's going to look like in 10 years so that the investments we make today will have our society ready to compete in the global economy 10 years from now, 20 years from now.

And the bottom line is, this bill here reflects the values of this country, passed by Democrats and Republicans in the committee. And those 1 percent cuts may not mean a whole lot to me, may not mean a whole lot to the chairman, but if you're an adult with a disability, elderly senior, if you're a disabled citizen of this country, if you use the aviation system.

How do you fix the aviation system by yourself? You need to do that together, and that's the investment that we make here. So I appreciate the difference in philosophy.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. PRICE).

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

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT OFFERED BY MRS. MUSGRAVE

Mrs. MUSGRAVE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mrs. MUSGRAVE:

At the end of the bill (before the short title), insert the following:

SEC. ___. Appropriations made in this Act are hereby reduced in the amount of $253,690,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Colorado (Mrs. MUSGRAVE) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentlewoman from Colorado.

Mrs. MUSGRAVE. Mr. Chairman, we've had an interesting discussion here tonight. I am offering an amendment that would propose to reduce the amount by one-half of 1 percent, a mere 50 cents on $100.

As we look at this appropriations bill, this is $3.2 billion over last year, or a 6.7 percent increase. My amendment would take it to a 6.2 percent increase.

As we think about this, I hear many things from my friends on the other side of the aisle about ''investments.'' You can use that word euphemistically when we talk about investments, because what I'm thinking when I hear that word is tax increase on the American family.

We hear many worthy things that this money will be spent for, but there is a philosophical difference in this chamber. And as my friends on the other side of the aisle, Mr. Chairman, talk about us being fringe Members over here, what they're acknowledging is that we were not part of the spending problem for our party. We were the folks in the back of the room raising our hand and saying, we are spending too much money.

We do not have a revenue problem. We have a spending problem. As we've seen in recent years under different Presidents and different Congresses, when we lower the tax rate, the revenues increase. So we don't have a revenue problem. What we have is this spending problem.

But my friends on the other side of the aisle, as they spoke tonight, Mr. Chairman, they talked about the needs of disabled people and elderly people and safety and highway issues and air travel, but what we have to admit in this Chamber tonight is that there is a finite amount of money, Mr. Chairman. And it doesn't matter how worthy the spending is. There is a finite amount of money.

When individuals in this country get up in the morning, get their children ready for school and then they go off to work, they realize that they have to work a long portion of the year to pay their taxes. And every time we have another appropriation bill in front of us, we're getting to the point in this Chamber where it's nearly $82 billion over last year's spending. And the American family knows that they're going to have to work longer in the year before they work long enough to pay their taxes, Mr. Chairman. And I think no matter how worthy the spending is, we need to exercise some fiscal discipline.

My friends on the other side of the aisle have said it half jokingly, but referred to us as fringe Members of Congress. And I have to tell you, sometimes we have to be tenacious about reminding our colleagues how we're going down a road where we're going to have that fiscal train wreck. And I am happy to offer this modest proposal tonight to cut this increase, to lower the increase from 6.7 to 6.2 percent increase and exercise the fiscal discipline that I truly believe the American families, the citizens of this country that pay these taxes want us to have.

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

Mr. SCHIFF. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIRMAN. Does the gentleman oppose the amendment?

Mr. SCHIFF. Yes, I do.

The Acting CHAIRMAN. The gentleman from California is recognized for 20 minutes.

Mr. SCHIFF. I thank the chairman of the committee for his superb work on

the bill and the chairman of the full committee, as well as the subcommittee.

I'm going to reserve the balance of my time, but I do want to acknowledge what the gentlelady has said before reserving the balance of our time, and that is, there is a deep philosophical difference between the Members of the minority party who are here today and those of us speaking in opposition to the amendment. And of course there's a philosophical difference between the Members that are here on the floor today and their fellow Republicans in committee who unanimously supported this bill, those Republicans on the committee and in the House as a whole who have made every effort to work with Democrats and find common ground in dealing with the fiscal challenges that we face, but also recognizing the need to invest in America as our parents' generation did and as their parents did.

Yes, there's a philosophical difference. We're facing a constrained fiscal environment. We've got to get our budget in balance. Some here on the floor tonight we'll hear say, well, we can afford to balance that budget by taking it out of funds for the elderly or taking it out of funds for the homeless, taking it out of funds that help serve Native Americans, taking it out of funds that would make our aircraft more safe.

That's a philosophical difference, I think, with a bipartisan majority of this House that thinks that those aren't the right places to find savings, that we ought to look elsewhere. We ought to look, for example, at the generous corporate welfare payments that we make at a time when the oil industry, for example, has not only had record profits of the year or record profits of the decade, but record profits in the entire history of the oil industry. And not just the history of the oil industry, but record profits of any corporation at any time in the history of the world.

Now, that corporate welfare, my friends on the philosophical other side of this issue don't want to touch. That's sacrosanct. They won't cut those historic profits by 6 percent, or by 1 percent or even by a half of one percent because that's contrary to the philosophy. But they're more than willing to cut those who are desperately in need. And that's where we do have the divide. It's what I will be addressing when I conclude the remarks on our side of the aisle.

But at this point, I will reserve the balance of our time.

Mrs. MUSGRAVE. Mr. Chairman, I'd like to yield 4 minutes to my friend from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Mr. Chairman, I recall last term in the 109th Congress in the Budget Committee where I served the gentleman from Minnesota who's no longer with us, Mr. Gutknecht, who made a point with regard to spending by this House and Washington, D.C. You know, in that committee you could always put up charts on the wall with regard to spending, chart A on mandatory spending or B on discretionary spending or health care or other spending. You would put them all up there. And Gil one time went through all the charts and he said, now, can you put up the chart of all the people and lobbyists that come down to Washington to ask for a reduction in their program and spending? And of course they put up a blank screen. Of course, Gil's point was, no one ever comes to Washington, no lobbyist ever comes before the House or committee and says that their program should see a flatlining or a reduction in their programs. And that's really the point here tonight, and it has been all last week.

We are here to set the priorities because everyone that comes to every Member of Congress looks for us to spend more on them, and so we must set priorities because they won't do it for us. So just as the American family has to set priorities, we do. Just as the American family says, we're not going to buy a cable TV system and a Dish TV system and a satellite TV system, we're going to set priorities, pick one if we can afford it. Maybe we can't afford it at all. And when it comes to heating our house, we're not going to have electric heat and hot water heat and coal heat and gas heat. We're going to pick one, hopefully the most efficient. That's what families do. And we would hope that Congress does the exact same thing with the money. Set priorities.

And this amendment really just calls us on doing that, looking to see, not a 6.7 percent increase but a 6.2 percent increase and try to set priorities.

□ 2000

Now, the other side of the aisle says, well, we are being stingy with all these programs if we are not able to go up by a 6.7 percent increase.

I would suggest to the other side of the aisle maybe they are not looking at the right side of the ledger, the right side of the equation. Look at the families who have to pay for all these inefficient, duplicative, and unnecessary programs that they want to spend taxpayer dollars on. Look instead at the American family when it comes to education.

When it comes to education, well, if they do successfully pass the largest tax increase in U.S. history, which they are about to do, the American family is going to have to see their educational spending cut. The American family is going to have to decide whether they can send all of their children to college or not.

The other side should look at the issue of health care for the American family because what they want to do is tell the American taxpayer, you have to cut your spending on health care. Maybe you have a child that needs new braces or glasses or something like that. Well, with their tax increases, the American family is asked to cut their spending.

How about housing? The other side of the aisle would say the same thing. Maybe it is a young family trying to start off to save enough money to buy their first house. Well, the other side of the aisle would like to raise their taxes on them so that they can put these duplicative programs through, and they will not be able to afford their housing.

Finally, most importantly, after the other side puts on all these burdens when it comes to cutting the taxpayer with regard to education or health care or housing, the biggest burden is on time. When the Democrats raise the largest tax increase in American history on the American family, what they are also doing is taking away time from the American family because now families which weren't working two jobs now have to work two jobs. Families that weren't working overtime before now have to work overtime just to pay for the extra burden that this government in Washington, under Democrat leadership, is imposing on them.

So the most basic thing we could all look for, time with our family, is being robbed, is being taxed, is being taken away from the American family just so we can implement what the Democrats see as necessary, but truthfully we have shown are not priorities, truthfully are unnecessary, duplicative, hugely increased, inefficient programs.

Let's focus again back on the American family. Let's focus again back on allowing them to have time with their family and put the burden where it should be.

I support this amendment and encourage my colleagues on both sides of the aisle to do so as well.

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

Mrs. MUSGRAVE. Mr. Chairman, I yield 5 minutes to my friend from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Chairman, I thank the gentlewoman for yielding.

I have heard many interesting things from the other side of the aisle tonight. I am reminded that people are entitled to their own opinions, but they shouldn't be entitled to their own facts.

I hear a lot of accusations that we have amendments tonight that cut Federal spending. I kind of wish it were true. But last I looked, we had an amendment that level-funded this bill, that spent the same amount of money this year as last year. Now we had an amendment that would increase funding in this bill 5.7 percent. Now we have an amendment that would increase spending up to 6.2 percent. Now, it is less than what the gentleman from Massachusetts desires, and so I guess under his definition that if you spend less money than somebody in the universe desires, that is a cut. So I think, one, we ought to have the facts on the table.

Second of all, I have heard many Democrats bristle at the idea that

their budget resolution included the single largest tax increase in American history. Well, don't take my word for it, Mr. Chairman. The Washington Post, not exactly known as the leading conservative publication in America, wrote: ''And while House Democrats say they want to preserve key parts of Bush's signature tax cuts, they project a surplus in 2012 only by assuming that all these cuts expire on schedule in 2010.'' Now, that is the Washington Post, which most people view as one of the more liberal newspapers in America. That's what they say.

Now, my friends from the other side of the aisle, Mr. Chairman, may say we are not raising taxes; we are just letting tax cuts expire. Well, Mr. Chairman, if you have the same salary or wage next year as you had last year, but somehow your tax burden is greater, I can tell you this much: Anybody in the Fifth Congressional District of Texas is going to call that a tax increase.

Now, something that my friends from the other side of the aisle don't seem to get, because they say that we need money for housing, we need money for transportation, we need money for this, we need money for that, there is another budget in America that funds housing, that funds transportation. Mr. Chairman, that is the family budget. And the only budget that is being cut tonight is the American family budget, and it is being cut by Democrat colleagues.

I talk to a lot of hard-working people in my congressional district, in the Fifth Congressional District of Texas, and I hear from them because more spending like what is included in this bill fuels more taxes, the largest single tax increase in American history. And I ask them, how is this tax increase going to impact your family budget?

So I hear from people like the Peterson family in Van, Texas: ''If you divide the amount by 12 months of the year, this tax increase comes out to $229.58 per month. I am a widow, full-time college student, and single mother of a growing preteen boy. This amount would be impossible to squeeze out of my already overextended monthly income . . . This monthly amount is more than half of my monthly vehicle installment . . . A tax increase of that magnitude would mean that something would have to be given up in my household.''

That is the budget that is being cut here, Mr. Chairman. The Peterson family in Van, Texas, they are having their budget cut. They are having their transportation budget cut. They can't afford their monthly car payments because of this bill, which, even though they deny it, is part of the single largest tax increase in American history.

Or from the Jordan family in Forney, Texas, in my district: ''All of us have been affected by large increases in the price of gas for our cars, electricity rates, cost of water, and cost of food. My husband and I both drive older vehicles and turn up our thermostat to uncomfortable levels . . . This tax increase reinforces the feeling that elected leaders could care less about the struggles of families trying to avoid going into ever-increasing debt.''

Well, guess what? I agree, because once again we have a bill brought to the floor by the Democrat majority that is going to cut the family budget, that is going to cut the Jordan budget in Forney, Texas. And there are family budgets all across America that are going to be cut because this bill spends too much of the people's money. It takes away from their housing priorities, it takes away from their transportation priorities to fuel the government's, Washington's, view of their priority.

And that is why you are either part of the problem, or you are part of the solution. And the gentlewoman from Colorado's amendment is part of the solution, and we should adopt it.

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

Mrs. MUSGRAVE. Mr. Chairman, could I inquire as to how much time is remaining?

The Acting CHAIRMAN. The gentlewoman from Colorado has 7½ minutes remaining, and the gentleman from California has 17½ minutes remaining.

Mrs. MUSGRAVE. Mr. Chairman, at this time I would like to yield 3½ minutes to my friend from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Chairman, I thank the gentlewoman for yielding.

I stand in full support of her amendment to cut one-half of 1 percent from a $51 billion appropriations bill.

Mr. Chairman, a few minutes ago when my colleague from Georgia had an amendment that wanted to cut 1 percent, 1 percent, 1 penny on the dollar, you ruled that the voice vote was enough, that the Democratic majority had rejected my colleague from Georgia's amendment to just cut 1 penny. And now my colleague from Colorado, you won't accept that. So we are asking you would you cut 50 cents, one-half of 1 percent?

When my colleague from Georgia was talking, the gentleman from Ohio called us this ''fringe group'' on that side of the aisle. This ''fringe group.'' Well, Mr. Chairman, I am a proud member of that fringe group, as well as another 104 Members on this side of the aisle that are part of that fringe group, indeed, the majority of the minority. The gentleman from Ohio, who is part of that fringe group, the 30–Somethings, the next time I say that to him, I will say I am paying him a compliment. He is too young to remember the song from the musical ''Oklahoma'': ''The Surrey With the Fringe on Top.'' But it is that fringe on top of the surrey that makes that carriage so beautiful that it is going to deliver some fiscal responsibility to the great people of this country.

And how many times, Mr. Chairman, have you seen a spot on television or the radio where they tug at your heartstrings by asking, won't you just give 1 penny to the children, or won't you just give 1 penny to the starving people in Bangladesh, or won't you just give 1 penny to the veterans, or won't you give 1 penny to this group or that group? And what we are saying on this side of the aisle, Mr. Chairman, is won't you just return 50 cents to the hardworking taxpayers of this country who are sweating, slaving, and working every day trying to make ends meet?

And as the gentlewoman from Colorado pointed out, this is not a cut. This is just reducing the increase from 6.7 percent of what we spent in fiscal year 2007 to 6.2 percent. And say to my friends, the Democratic majority, who want to increase spending $81 billion in this fiscal year, when they are complaining about an $8.9 trillion debt, how does that make sense, if you are concerned about the debt, and you have got these signs all over the Capitol, and you want to increase spending $81 billion?

Let's get real. Let's get real. We asked you to cut 3 percent; you won't do that. We asked you to cut 1 percent; you won't do that. You won't even give a penny back. And we ask you to give half of a penny now in the gentlewoman's amendment from Colorado. It is the compassionate thing to do.

Vote ''yes'' on this amendment.

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

Mrs. MUSGRAVE. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Chairman, I thank the gentlewoman for yielding.

I rise in strong support of this amendment. It is an amendment that I hope all our colleagues understand. It would reduce the increase in spending not by 3 percent, not by 1 percent, but by one-half of 1 percent. Now, it is not a cut.

The word ''cut'' gets misused on this floor, and we have heard it misused and misused and misused and misused here tonight. No one is proposing a cut.

We just heard a long discussion about how the last amendment was going to cut spending for airport security. It was going to cut spending for housing for the elderly. It was going to cut spending for this program and that program and the other program.

Let's assume every single one of those programs is a very worthy program. There is no doubt that they are. They are indeed very worthy programs. But not a single amendment has been proposed tonight, not one amendment, not one amendment proposed by my colleagues, would cut spending. Every single amendment proposed by this side, every single amendment proposed by my colleagues over here who have said we want to change the bill a tiny amount, would increase spending, but we would reduce the increase by a tiny amount.

□ 2015

Only in Washington can a reduction in an increase be called a cut with a straight face.

This bill grows spending by 6.7 percent. Almost no American is going to get an increase in their income this year, in their salary this year of 6.7 percent. So we said wait, wait, let's reduce the increase. We're going to have an increase; every amendment is going to have an increase. Let's just reduce that increase by a tiny amount, by a 3 percent reduction in the increase, or a 1 percent reduction in the increase, or on this one, one half of one penny on the dollar. And that's too radical. And that's called a cut.

Well, let's be honest; it's not a cut. None of these are a cut. But it is time to slow the pace of growth of government spending. It is time to slow the pace of that growth because it imposes a burden on every single American. And we are simply standing here, and I'm proud to stand here, and if somebody wants to call it a ''fringe group,'' that's their choice. But I'm proud to stand here in defense of the American taxpayer and not to slash and burn and cut. There is no cut.

What we're saying is this side has proposed spending at an increase of 6.7 percent, almost three times the increase in inflation. We're simply saying how about take off one half of one penny.

I think the lady's amendment is right, and I urge my colleagues to support it.

Mrs. MUSGRAVE. Mr. Chairman, may I inquire as to how much time is remaining.

The Acting CHAIRMAN. The gentlewoman from Colorado has 1 minute; the gentleman from California has 17½ minutes.

Mrs. MUSGRAVE. Mr. Chairman, as I listen to this discussion tonight, I think about how varied the Members of Congress are. There are Members, I dare say, in this Congress that have never had a job, particularly a job that is menial labor.

I grew up in a home where we were poor, and at the time that was very difficult; but I look back on that and I'm happy that I learned to work. I'm happy, as a parent, that one of the values that we taught our children was to work and to work hard.

It was interesting to watch the experience of my teenagers when they had their first job outside the home. They worked really hard. And some of them had a pay schedule where they got paid after 2 weeks of work. And to see how they responded when they got their first paycheck, because they were startled about how much was taken out of their paycheck because they were anticipating a certain amount of earnings, and they didn't get all that money because they had to pay quite a bit in taxes. And I just am asking for a modest restraint here, one half of 1 percent.

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

The Acting CHAIRMAN (Mr. WEINER). The gentlewoman's time has expired.

Mr. SCHIFF. Again, I thank the gentlewoman for offering the amendment to this bill, as she did to one of the prior bills, because it really does highlight the philosophical difference between the bipartisan majority of the House and the self-described ''fringe'' represented by the views we've heard tonight.

What is that philosophical division between the bipartisan majority and the Members that we have heard from this evening? Well, the bipartisan majority of this House believes that if we're going to ensure a stronger America, then we have to make an investment in that America. But we have to make the same kind of investment that our parents made and their parents so that we can enjoy the prosperity that we enjoy now; that we can't simply say, well, we're going to let our children and our grandchildren fend for themselves.

The bipartisan majority believes that that requires a responsible investment in our roads and our highways; a responsible investment in our aviation system; a responsible investment in our aviation security; a responsible investment in housing for the elderly, for the disabled, for those who are in need. That is a priority of the bipartisan majority. This is our philosophy.

Now, my friends expressing the minority view say, well, let's look at what the American family would do when the American family is facing budgetary pressures. So let's look at what the American family would do. My friends expressing the minority opinion tonight say they would set their priorities. Well, that's absolutely right, they would set their priorities, which means they wouldn't cut everything identically in their lives, which is just what the gentlewoman's amendment would do. It would cut everything across the board.

The American family, when they're facing a fiscal constraint, doesn't say, we're going to cut our medicine equally, we're going to cut our food equally, we're going to cut our essentials equally with how we cut cable TV, was one illustration given by my friends in the minority. No. They don't say we're going to cut the necessities the same amount we're going to cut the luxuries. They prioritize.

But my friends in the minority, with their across-the-board cuts, don't prioritize. And so they do make cuts, real cuts, not like my friend from Arizona claimed, which is, unfortunately, not correct. My friend from Arizona just claimed that nothing is really cut in the across-the-board amendment. But the reality is there are a great many things that are cut, real cuts, that don't have an increase in the bill sufficient to offset what the gentlewoman's amendment would cut.

So what are some of the real cuts the gentlewoman is proposing tonight? She is proposing real cuts to the number of critical safety staff in aviation, safety staff that deals with the Office of Flight Standard and Aircraft Certification. They would be real cuts. Not cuts in growth, but real cuts, fewer people doing the safety inspections for our aircraft. Is that what the American family would choose to do when they're faced with a fiscal constraint? Would they choose to cut things that have the effect of making their families less safe? I don't think that's where they would look for the cuts.

What other real cuts has the gentlewoman been advocating? She's advocating real cuts in emergency response training for hazardous material transportation. That's a real cut the gentlewoman is advocating.

She is also advocating cuts in Native American housing grants. Is the gentlewoman prepared to tell the Native Americans back in her State that she favors real cuts to their housing assistance? I will be willing to yield on that question if the gentlewoman is ready to say, not hide behind an across-the-board amendment, but is ready to say to the Native Americans in her State, I support real cuts to your housing.

I will yield if the gentlewoman would like to respond to that question. Is the gentlewoman prepared to say, yes, I'm advocating tonight real cuts to the American housing in my State?

I yield to the gentlewoman from Colorado.

Mrs. MUSGRAVE. What I would like to say to the citizens in the Fourth District in Colorado is that I'm very willing to take the increase from a 6.7 to a 6.2 percent increase.

Mr. SCHIFF. Well, I yielded the time to the gentlewoman, but she did not answer the question. Evidently she wasn't willing to tell the Native American population in her home State she is proposing an amendment to cut their housing tonight. She is willing to hide behind an across-the-board amendment, but is not willing to tell them directly what the effect of that amendment is.

The gentlelady's amendment would also cut, in very real terms, homeless assistance grants.

Now, let's get back to that philosophical difference between the bipartisan majority and the minority here tonight. One of my colleagues, my colleague from New Jersey, said, well, the American family has to make tough choices. And maybe they need to make the choice that not all of their kids can go to college. Well, that's the philosophical view of the minority opinion we hear tonight. Maybe the American family needs to make the choice that not all of their kids can go to college.

Well, the philosophical view of the bipartisan majority is that every child in America that wants to go to college should have the ability to go to college, notwithstanding whether they are rich or poor. That's our philosophy. And that's why we increased support in the Labor-HHS bill which, again, the

gentlewoman wanted to cut, to help more kids go to college. That's our philosophy, that if we're going to look after the future of this country, we're going to have to invest in the future. That means investing in our kids. And that means not putting American parents in a position where they have to say this child goes to college, this child does not. That is not our philosophy. It may be the philosophy of the gentleman from New Jersey; it may be the philosophy of the minority on the floor here tonight. It is not the philosophy of the bipartisan majority of this House, nor the American people.

Now, some of my friends in the minority here tonight say, okay, 6 years of GOP rule; we ran the country into the ground financially, we admit it. But we weren't responsible, we few here on the floor tonight, because we were standing up at the time. Well, I have to say that when we could have used your voices, we didn't hear them. When we could have used your voices, for example, earlier this year to try to achieve savings in the expenditures on oil and gas, when people go to the pump and they're paying record amounts, when we wanted to try to take that and invest it in the country's future instead of investing it in oil company profits, the friends in the minority here tonight had nothing to say. None of them were on their feet saying, yes, this is the time where we must cut corporate welfare because we can't afford it. Let's cut it 1 percent across the board.

When our seniors are trying to buy medicine and can't afford it and we take action here to bring down the cost of that medicine and save the government money because we're living in a finite world, did our friends stand up and say, yes, we have to be fiscally responsible? We have to try to help those families who are working, both heads of household, and can't afford medicine, or those seniors who can't afford medicine, so we're going to stand up for them; we're going to cut those corporate subsidies and corporate welfare? No. They were silent. It's only when it comes to cutting homeless assistance, cutting assistance for the elderly, and even cutting support for additional safety inspections for aircraft that our friends in the minority here tonight are willing to stand up.

So, yes, there is great philosophical difference here tonight between the bipartisan majority that believes we have to invest in the future of this country, between the bipartisan majority that doesn't think a parent should have to decide which child can go to college and which child can't, not based on the merit of that child, not based on the academic ability of that child or the gifts of those children, but because they can't afford to send both children to college.

There is a philosophical difference between the bipartisan majority that says that is unacceptable in America, that is not the America we want to see in our future, and the philosophical views of the minority here tonight that say that's fine with us. We won't look elsewhere. We are willing to balance the budget on the backs of our kids and their kids, the homeless, the elderly and the others. Just stay away from corporate welfare because that is untouchable.

That is not the philosophy of the majority of this House. It will not carry the day when this amendment comes to a vote.

I urge my colleagues to join with the bipartisan majority and defeat these cuts to these vital services, and also to step up to the plate when we have the opportunities to reduce corporate welfare so that we can finance these essential services to let their voices be heard.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Colorado (Mrs. MUSGRAVE).

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

Mrs. MUSGRAVE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Colorado will be postponed.

AMENDMENT OFFERED BY MR. PRICE OF GEORGIA

Mr. PRICE of Georgia. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. PRICE of Georgia:

At the end of the bill (before the short title), insert the following:

SEC. 410. None of the funds made available in this Act for the mortgage insurance programs under title II of the National Housing Act (12 U.S.C. 1707 et seq.) may be used for any housing trust fund established under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.).

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Georgia (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. PRICE of Georgia. I would urge my colleagues to take a clear look at this commonsense amendment.

This is an amendment that addresses an area of the bill. The underlying bill itself, this appropriations bill, allows for money to be placed in a slush fund that would be used essentially for political purposes.

So, Mr. Chairman, I rise to offer this commonsense amendment that would prohibit the FHA from diverting money to help fund a ''housing trust fund.'' This name for this is actually part of the Orwellian democracy that I've talked about extensively with this new majority.

□ 2030

Because it really isn't a housing trust fund. It is a fund that is wholly unnecessary and wholly political.

This amendment would shield middle-class homeowners from the new majority's desire to fund a new expansion of government-built housing; again, with completely political paybacks. HUD already has a number of programs, a number of programs, Market-to-Market, the American Dream Downpayment Initiative, which are aimed at preserving existing affordable housing and expanding affordable homeownership.

The HOME Investment Partnerships Program, also administered by Housing and Urban Development, is the largest Federal block grant to State and local governments. It is dedicated exclusively to creating new affordable housing to low-income households.

The new Affordable Housing Trust Fund that is pending funding in this bill derives part of its funding from skimming money, and a lot of it, from FHA mortgage premiums and creates another mechanism which forces the Federal Government into the homebuilding business and with political nuances to it all.

As Assistant Secretary for Housing, Federal Housing Commissioner of the United States, Department of Housing and Urban Development, Mr. Brian Montgomery, pointed out at a recent hearing before the House Committee on Financial Services, FHA receipts are already credited toward HUD appropriations. As a result, any new program, any new program, like this one, takes that revenue at the expense of the previous HUD programs that I mentioned earlier. As Mr. Montgomery testified, we will be ''robbing Peter to pay Paul.'' Now, why would we do this? Well, we would do it, I guess, because the majority party desires to have political direction over that money.

Mr. Chairman, is there any doubt that the provisions of the FHA modernization bill will create an incentive for FHA to charge higher premiums than is safe or prudent given that incentive? Pressure to hit certain revenue targets will cause a dramatic departure from today's environment where the FHA is able to work to ensure that low-income and first-time homebuyers are being charged the lowest possible premium. It will be those borrowers who pay the cost of this new housing trust fund, those least able to afford it, and likely those least able to desire any activity that smacks of the political cronyism that this slush fund would bring about.

Mr. Chairman, I urge my colleagues to take a serious and prudent look at this commonsense amendment. I believe it is something that the entire House should be able to embrace. I hope they will support the amendment.

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

Mr. OLVER. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Thank you, Mr. Chairman.

Mr. Chairman, I rise in opposition to this amendment. The gentleman from Georgia is attempting to renew an authorizing fight, which is only a matter of days old, on the fiscal year 2008 appropriations bill, and that is not the appropriate way to handle the question of the affordable housing trust.

Our capable authorizers, the chairman of the Financial Services Committee Mr. FRANK, and the Chairman of the Housing Subcommittee of that committee Ms. WATERS, have included an Affordable Housing Trust Fund in their FHA reform bill. That bill was passed by the House last week or 2 weeks ago. I forget which week it was.

Clearly there is a need for more affordable housing in this country. The Joint Center for Housing Studies at Harvard University has documented that from 1993 to the year 2003 alone, we have lost 1.2 million affordable units. It is also documented that we have some 8 million households in this country who have incomes below 30 percent of the adjusted median income in their area. Those households all fall within the lowest, most vulnerable category of people who are eligible for assistance under the Housing and Urban Development Department. We are only providing somewhere in the total of 2.5- to 3 million units for all of that 8 million people and households who are falling within that very low-income category. However, we don't intend to step on the turf of our authorizing committee by renewing the fight about that bill, which passed, as I said, just a few days ago, on this bill tonight.

Mr. Chairman, I oppose this amendment and urge a ''no'' vote.

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

Mr. PRICE of Georgia. Mr. Chairman, I appreciate those comments. I understand the lack of desire on the part of the appropriators to get into the business of the authorizers, but that is the way the system works here. One committee will authorize, and then the Appropriations Committee comes along and determines whether or not there ought to be money.

What this amendment says is that this House ought to say no, we ought not put money into a slush fund, into a housing slush fund that actually takes money away from programs that are demonstrated to have had excellent results, Market-to-Market, the American Dream Downpayment Initiative, the HOME Investment Partnerships Program.

This slush fund will take money away from those programs that have been very, very helpful to individuals across this Nation, low-income individuals across this Nation, who are trying to get into a home. What it will do is substitute it with a slush fund that will be used for political purposes. There is no doubt about it. So it doesn't surprise me, I guess, that the majority party would oppose this amendment.

But I would ask my colleagues on both sides, Republicans and Democrats, to clearly look at this amendment and appreciate that none of us, none of us, ought be using this kind of money, the kind of money that allows low-income Americans to get into their home and have the American dream, realize the American dream, but to do so with political slush fund money. It just isn't appropriate. It is just not right.

So I urge my colleagues to take a serious look at this amendment and support the amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. PRICE).

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

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT OFFERED BY MR. WALBERG

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. WALBERG:

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 by the Department of Transportation to promulgate regulations based on race, ethnicity, or sex.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Michigan (Mr. WALBERG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. WALBERG. Mr. Chairman, I come to the floor today to pose an important question to this House, and that question is this: Do we really need race, ethnic or gender-based preferences for roads?

Today I am offering an amendment to the transportation bill we are currently debating that would stipulate no funding in this bill may be used by the Department of Transportation to discriminate based on race, ethnicity or sex.

Though this policy may be motivated by good intention, I agree with Justice Clarence Thomas about the DOT's affirmative action programs where he states, ''The paternalism that appears to lie at the heart of this program is at war with the principle of inherent equality that underlies and infuses our Constitution.''

Last fall in my home State, Michiganders voted overwhelmingly, 58 percent to 42 percent, in favor of amending our State constitution to outlaw racial preferences in public education, employment and contracting. Like my constituents in south-central Michigan, I oppose any and all forms of discrimination. But I also support nondiscrimination, the practice or policy of refraining from discrimination.

My support of nondiscrimination compels me to state on this floor that every American deserves equal treatment when competing for business contracts, and our Federal Government should treat all applicants for such contracts on an equal basis. The Federal Government should never view any American as part of a group, but rather look at them as an individual. By granting the Department of Transportation the ability to discriminate based on race or sex, this House would essentially create affirmative action preferences for our Nation's highways.

I urge my colleagues to support my amendment and ensure that all American businesses competing for public works projects are given a fair, nondiscriminatory opportunity.

Mr. Chairman, I reserve the balance of my time

Mr. OLVER. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

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

Mr. WALBERG. Mr. Chairman, I appreciate the opportunity to go further on it. I think it is rather self-explanatory that we are talking here of just assuring the practice that we don't commit discrimination in the process of our hiring and contracting practices.

We in the State of Michigan labored long and hard during the last election cycle, from both sides, to indicate what value there was in making sure that under the context of our Constitution and the laws that have been put in place to enforce that Constitution, that we are each given rights to benefit from those unalienable rights, namely the right of life, liberty and the pursuit of happiness or property. If we were to bridge that with any discriminatory practice, we take that away from one, and we can take it away from all.

For that purpose, this amendment is offered. I would appreciate the support of my colleagues.

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

Mr. OLVER. Mr. Chairman, I continue to reserve my time.

Mr. WALBERG. Mr. Chairman, I am almost speechless with the fact that this very simple amendment has not been challenged aggressively yet. It is a straightforward amendment. As I said very clearly and sincerely, not only am I opposed to discrimination, I am also strongly supportive of nondiscrimination. For that reason and

that reason alone, I ask that this amendment be adopted by my colleagues.

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

Mr. OLVER. Mr. Chairman, I reserve my time.

Mr. WALBERG. Mr. Chairman, I would ask my esteemed colleague if he has any speakers prepared to draw attention to this amendment? Otherwise, I think that we ought to close with acceptance of this amendment.

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

Mr. OLVER. Mr. Chairman, I reserve my time.

Mr. WALBERG. Mr. Chairman, I would ask that my colleagues on both sides of the aisle come together in unity on this and accept this proposal that seeks to provide that we don't have discriminatory practices that go on within our Department of Transportation.

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

□ 2045

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

Either this is not a serious amendment or it is an exceedingly serious amendment. This amendment is either totally unnecessary or it has a really nefarious purpose. We do have rules and regulations, I think, that might come under the material of the legislation that support and require certain set-asides for minority or women-owned businesses in providing among all of our contracting in transportation departments, in some of those departments, and under certain circumstances. I think those are entirely appropriate.

I don't know whether this is the sort of thing that the gentleman was trying to get at, but I think that this has some entirely unknown effects. Perhaps I should have asked the gentleman whether he had particular things in mind that he knew about because I couldn't at first think of any.

Mr. Chairman, my chairman says I should accept the amendment, and I am going to accept the amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. WALBERG).

The amendment was agreed to.

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

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. I yield to the gentleman from Georgia (Mr. LEWIS) for a colloquy.

Mr. LEWIS of Georgia. Mr. Chairman, I rise today to engage in a colloquy with the chairman of the subcommittee. The chairman has been a long-time advocate in improving safety standards in our Nation's transportation system. I appreciate his willingness to include report language regarding occupant ejection and motor coach and school bus standards in this legislation.

In March, a horrific accident occurred in my district when a bus carrying the Bluffton University men's baseball team crashed on Interstate 75 in Atlanta, Georgia, en route to a tournament in Florida. Six people were killed and 29 others were injured.

That week, Dr. Jeffrey Solomone from Grady Hospital's trauma center, where most of the victims were treated in Atlanta, called my office outraged. He knew that their deaths could have been prevented if they were simply wearing seat belts. Imagine working to save young lives when you knew their injuries were caused not from impact but from being thrown from the vehicle.

Last year, two teenage girls were killed in a similar accident in Beaumont, Texas. Advocates and family members accurately highlighted that the National Transportation Safety Board recommended that the National Highway Traffic Safety Administration develop a safety standard in 1999.

In 2005, the SAFETEA–LU legislation reiterated this request and called for a national standard to be developed no later than October 1, 2009. I applaud the committee for demanding a status report on these standards. Simply said, it should not take 10 years to figure out a way to save lives. How much longer must we wait until a simple regulation is developed?

Mr. OLVER. Mr. Chairman, I want to assure the gentleman from Georgia that this and other important safety standards are the utmost priority of the committee, as they have been all of the years I have served on, earlier, the Transportation Subcommittee and now the Transportation and Housing and Urban Development Subcommittee.

Occupant ejection prevention is critical to saving lives. Motor coach and school bus accidents are not necessarily commonplace, but when these tragedies occur, they shake the Nation to its core. The committee highlighted that motor vehicle crashes are a leading cause of death for young Americans, and strong safety standards are the cornerstone to protecting American lives.

I appreciate the gentleman's attention to this issue, and I remain committed, as will the committee, to ensuring that NHTSA meets this and subsequent deadlines to develop national standards that save lives in an expeditious manner.

Mr. LEWIS of Georgia. I look forward to continuing to work with the gentleman to make sure that we do not have to wait until the last possible moment in 2009 for changes to be made.

I want to thank the gentleman from Massachusetts and his staff for working so hard on this legislation and making a commitment to safety and security on America's roads.

Mr. OLVER. I would just comment it should be possible to get out this kind of regulation earlier than October 1, 2009. We will see what we can do about that.

Mr. LEWIS of Georgia. I thank the gentleman.

Mr. OLVER. Mr. Chairman, I wish to continue the colloquy with the gentleman from Georgia on an additional subject, and I continue to yield to the gentleman from Georgia.

Mr. LEWIS of Georgia. Mr. Chairman, I come to the floor to compliment the chairman of the Transportation Appropriations Subcommittee, Mr. OLVER, on preparing an excellent and well-balanced appropriation bill.

The large number of important priorities included in this bill create difficult choices, and the chairman has done an excellent job balancing the competing interests and preparing a good bill for consideration in the full House.

As the co-Chair of the House COPD Caucus, I want to speak about one item that falls under the jurisdiction of the subcommittee, and that is the implementation of the 1986 Air Carrier Access Act. This act was intended to protect individuals with disabilities who fly on commercial air carriers from discriminating practices. The legislation has done a reasonably good job of protecting most passengers.

The Acting CHAIRMAN. The time of the gentleman from Massachusetts has expired.

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

The Acting CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. I yield to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. I thank the chairman for yielding.

While the legislation has done a reasonably good job of protecting most passengers with disabilities, it has had limited success in influencing air carriers to accommodate the needs of disabled individuals who require supplemental oxygen.

Currently, as an example, air carriers have the authority to allow or disallow the use of portable oxygen systems aboard their planes even when the Department of Transportation and the FAA find that the systems are safe. This leaves the use of oxygen systems supplied by the carrier. Potential layovers and delays between flights are an additional health risk and barrier to access to air flight.

In September 2005, the Department of Transportation recognized this problem and issued a notice of proposed rulemaking to clarify this situation to assist the flying public who are in need of assisted breathing devices.

Mr. Chairman, I come to the floor to commend the Department of Transportation for recognizing the problem and for issuing this proposed rule. The final rule will provide uniform standards that will allow passengers to carry

their FAA-approved devices onboard. I ask the chairman to work with me to encourage the FAA to issue a rule expeditiously.

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

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

Mr. OLVER. In answer, I thank the Congressman from Georgia for bringing this issue to my attention, to our attention. I am sure that the Department will consider all valid points of view in this process, and I stand committed to making certain that the Department issues its final rule as you've suggested in an expeditious manner in the very near term.

Mr. LEWIS of Georgia. I thank the chairman.

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

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. KING of Iowa:

At the end of the bill (before the short title), insert the following:

SEC. 410. None of the funds made available in this Act may be used to provide homeownership assistance for applicants described in 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

Mr. OLVER. Mr. Chairman, I would like the gentleman from Iowa (Mr. KING) to know if he would not speak on the matter, I am quite willing to accept the amendment.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, I appreciate the offer of the chairman. I wonder if he might concede to a 15-second blurb here in order to get a couple of words into the RECORD. I appreciate the incentive and the concession.

This amendment simply says none of the funds shall be used to hire people who are not legal and eligible to work within the United States. That's it. I think we have a consensus on this.

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

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

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. This amendment is merely a restatement of current law which already prohibits the employment of unauthorized aliens. I do not read it as imposing any new burden on those who use funds appropriated under this act. Rather, it is fully consistent with the current legal obligations imposed on all homeownership assistance applicants regardless of whether or not they use such funds.

I accept the amendment and yield back.

Mr. KING of Iowa. Mr. Chairman, I appreciate the gentleman's acceptance of the amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. KING of Iowa:

At the end of the bill (before the short title), insert the following:

SEC. 410. None of the funds in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

This amendment follows through on the theme of the previous amendment, only it addresses that no homeownership assistance will be applicable to those who aren't legal to work or lawfully present in the United States. Again, it is a simple concept. It supports current law.

Mr. OLVER. Will the gentleman yield?

Mr. KING of Iowa. I am happy to yield.

Mr. OLVER. As far as I can see, the amendment is essentially the same. It is based on exactly the same citation in the U.S. Code but has a different target. But again, the amendment is merely a restatement of current law which already prohibits the employment of unauthorized aliens. So again, the rest of my previous statement applies, and I am willing to accept the amendment if the ranking member is also willing to do so.

Mr. KING of Iowa. I thank the chairman for his comments. I urge adoption of the amendment, and I yield back the balance of my time.

Mr. KNOLLENBERG. I accept the amendment as well.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The amendment was agreed to.

□ 2100

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. KING of Iowa:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available under this Act may be used may be used to implement the provisions of subchapter IV of chapter 31 of title 40, United States Code (relating to wage rate requirements; commonly known as the Davis-Bacon Act).

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, this is the amendment that strikes the requirements for the Davis-Bacon Act within the appropriations of this bill, and the Davis-Bacon issue is something that I have lived with for at least my 28 years in the construction business as an owner and operator, and we'd add about four or five more years as an employee.

I have received Davis-Bacon wage scales. I've paid Davis-Bacon wage scales. I've managed my way through the combination of paperwork and requirements that are part of this. I'm maybe the only one in Congress who has real hands-on experience for years of dealing with the additional costs that are involved with the Federal wage scale that's Davis-Bacon.

And my numbers throughout my history of working with these projects vary from anywhere from 8 percent increase in the cost of the projects up to 35 percent increase in the cost of the projects. I round that down to a round number of 20 percent additional costs.

We're in a situation where we're arguing that we need to bring in more labor from foreign countries to do this work, and yet we're setting a Federal wage scale for this work, and we know that labor is developed by supply and demand. I am a supporter of labor being able to collectively negotiate the value of their work, but I'm not a supporter of the Federal Government telling the workers and the employers what they need to pay their employees.

I believe that if two adult individuals want to enter into a contractual agreement, they should be able to do so without interference of the Federal Government. This is not a prevailing wage in practice. It's only a prevailing wage by statute. Actually, it is union scale imposed upon wherever the money is spent.

Any construction project with $2,000 or more in it takes the inflationary cost of a Davis-Bacon wage scale. Some places, it's actually below the prevailing wage. Other places, it distorts that prevailing wage dramatically. In almost all cases, it costs a lot of money, and for example, if it's a 20 percent increase, then if you can build five projects or 5 miles of road, this will let you build six. Why would we limit the resource and the infrastructure that we are building with this project by imposing such a draconian, top-down,

Federal management tool that not only costs a lot more money, but it makes it a lot, lot harder to manage your projects?

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

Mr. OLVER. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, I rise to oppose the amendment.

The amendment would eliminate the requirement that the funding provided in this bill comply with the prevailing wage requirements of the Davis-Bacon Act.

Let me remind my colleagues that the Davis-Bacon law was enacted about 75 years ago by a Republican Congress and a Republican administration.

The law sets minimum labor standards for workers employed in Federal contract construction and ensures that workers are paid at least the locally prevailing wage. There's no good reason for denying prevailing wage protection to workers involved in transportation. This is an issue of fairness for working men and women.

Without Davis-Bacon, the transportation construction industry, which is responsible for building our highways and transit systems, might suffer from low-bid firms that aim to undercut local wages and perform construction on the cheap.

Davis-Bacon encourages a higher quality of workmanship, and we should not do away with the law for transportation construction where we need the highest quality and the longest lasting workmanship.

I urge a rejection of this amendment.

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

Mr. KING of Iowa. Mr. Chairman, may I inquire as to the amount of time I have remaining?

The Acting CHAIRMAN. The gentleman from Iowa has 2½ minutes remaining.

Mr. KING of Iowa. Mr. Chairman, I rise as one, again, who has worked on union shop and merit shop jobs, both as an employer and as an employee. As an employer, having been a union shop, I have paid union scale and also, of course, prevailing wage, Davis-Bacon wage scale. I've worked under a union shop, and I've worked on a merit based, and to look at the difference in the workmanship, I don't think we can apply high quality strictly to union. In fact, merit shop employees do a fantastic job with the work that they're doing, and they take pride in it, and they have to compete in the competition of the project.

My son's now in the construction business, the second generation King Construction. I know the decisions he has to make, and sometimes he will pick up a set of plans and take a look at that and figure on bidding that project and find out that it's a Davis-Bacon wage scale. He understands that that messes up his flow of his employees, and it limits his ability to manage those employees on the job.

For example, if you're paying an excavator operator $24 an hour and you're paying your laborer on the ground with a shovel or a grease gun let's say $10, that man is not going to get off of that excavator and pick up that grease gun or pick up that shovel, even if it's for a half hour or an hour if he knows he's going to be paid union scale for that when he could be paid the $24 an hour to sit on the machine. Those things work against our efficiency.

My greatest frustration with Davis-Bacon wage scale is not the wage itself. It's that it takes away my ability to manage a project and my ability to provide incentives for employees to make decisions themselves on the ground.

I have to manage them more when they're under a Davis-Bacon wage scale. I have to tell them what to do. I know people that are owners and operators of their company who get up in the morning and go out to the job at five o'clock to grease and service their machines because they can't afford to pay their operator to get out the grease gun and do it, and they'll be there at night, too, working 16 hours a day while that employee is at 8 hours a day on a Davis-Bacon wage scale.

It distorts the work we do. It distorts the skills and the complement of the skills, and it raises the cost of everything that we do in the construction business. It injects the Federal Government in the way between that relationship between an employer and employee.

Additionally, my employees have received 12 months of work, not seasonal work, health insurance benefits and vacation pay, all of that flowing because we can pay them what they're worth for a week's work as opposed to an inflated value of what they're worth for an hour's work. They make out better, we make out better, and we've got more consistent employees. That goes across this country almost universally.

So I would urge adoption of this amendment.

The Acting CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. OLVER. Mr. Chairman, I urge rejection of this amendment, and I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

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

Mr. KING of Iowa. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT OFFERED BY MR. CONAWAY

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

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. CONAWAY:

At the end of the bill (before the short title), insert the following:

SEC. ____. It is the sense of the House of Representatives that any reduction in the amount appropriated by this Act achieved as a result of amendments adopted by the House should be dedicated to deficit reduction.

Mr. OLVER. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. The gentleman from Massachusetts reserves a point of order.

Pursuant to the order of the House of today, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. Mr. Chairman, I take this opportunity tonight to point out one more time one of the quirks of the rules that we operate under.

We have heard over the last 2 days many of my colleagues come to these microphones and propose reductions in spending in this particular area of the Federal budget, very eloquent, very passioned, to try to reduce this spending.

But the harsh reality is, should any of those amendments have passed or should any of the ones that we're about to vote on pass, the reality is that that spending does not, in fact, get cut out of this budget. This spending would simply be spent in conference and would not reduce the deficit or, should we ever get to that point, increase the surplus.

So my amendment would simply state the sense that instead of continuing the practice, the age-old practice of spending whatever is in 302(b) allocation, whether it's warranted or not, we would actually take an opportunity to reduce spending which I think folks on both sides of the aisle, many people on both sides of the aisle would say is arguably one of the things that we ought to be doing and studying.

This is not a revolutionary position to take, but it's one in which I think it makes sense. Most folks in Texas in District 11 would clearly understand the intent of what I'm trying to do. In fact, it would come as a shock to them to know that if we found 218 votes to adopt the 1 percent cut or the half a percent cut or the 25-basis point cut, that all of that hard work would be for naught and that that money would still get spent.

So I understand there's a point of order that lies against this. I will not push for a ruling from the Chair. I just wanted to simply take the opportunity tonight to point out to my colleagues that we need to change the rules. We need to change the way we operate in this House, and this would be one of those that we ought to seriously consider doing so that the will of the House could operate to actually change spending if that were, in fact, the case.

So, Mr. Chairman, I appreciate this opportunity to say this tonight, and I will not push the point of order.

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

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

At the end of the bill (before the short title), insert the following:

SEC. ___. The amount otherwise provided in this Act for ''Grants-in-Aid for Airports'' administered by the Federal Aviation Administration of the Department of Transportation is hereby decreased by $10,000,000 and increased by $10,000,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished chairman and I thank the distinguished chairman of the subcommittee and the ranking member of the subcommittee. Let me thank both of the individuals, the chairperson, Mr. OLVER, and the ranking member, Mr. KNOLLENBERG, for their leadership. I thank you so very much.

We've worked on this issue in the past, and I think many of us are aware of the surrounding neighborhoods around large airports, and I know that as Members of Congress we have been challenged by that because we recognize that the vitality of airports certainly support the economy of our cities.

I happen to represent a very large airport in Houston, Texas, and I also represent the neighborhoods that surround it. At this time, of course, we are working on a number of noise studies in our area, and it is a continuing journey as our airport continues to expand. Sometimes it takes money but sometimes it takes policy.

We recognize that one of the advantages of modern life is the convenience of air travel. America's air transportation system is the best and safest in the world, but airports are not quiet. If you ask any resident that lives near a busy airport, you will hear many grievances about the noise level.

Although there is no way to make airports soundproof, it is possible to reduce airport noise so it is less disruptive to the lives of the families that live near some of the Nation's busiest airports who work and pay their taxes.

Mr. Chairman, the purpose of my amendment is to encourage the Federal Aviation Administration to be more proactive in helping communities reduce, eliminate or cope with the ever increasing levels of airport noise.

Specifically, I call upon the FAA to undertake a nationwide study of airport mitigation problems and best practices at the 10 busiest airports in America and report its findings, along with recommendations to address major problems found to be existing, to the Congress within 180 days.

□ 2115

Under the airport improvement program administered by the FAA, grants are available to airports and local governments to fund noise reduction projects located in areas significantly affected by airport noise above 65 decibels over a 24-hour average, as indicated by the notation 65 dB(A) DNL. Noise mitigation grants are generally not available for areas in which the noise level may be substantial, but does not exceed 65.

Please, all of you, join me in those surrounding neighborhoods, and try to be able to resolve or to be able to accept the noise at that level. Therefore, money does not solve the problem; policy does. So we would like to ensure that we have the real information opportunity to determine the impact, substantial impacts that occurred to millions of people well below the 65 decibel level.

Information generates policy. This value is inadequate for several reasons. We find from the scientific perspective, it is not supported by research. The 65 decibel level is derived from the Schultz curve, which correlated people reporting being highly annoyed by noise with noise levels. Substantial impact occurs well before people become highly annoyed. In addition, the data used in the Schultz curve for airports show that highly annoyed occurs around 57 decibels, not 65. That comes from the Journal of Acoustical Society of America.

The EPA has identified 55 dB(A) DNL as a more appropriate noise level. The day-night average sound level is the level of noise expressed in decibels as a 24-hour average, and averages do not adequately account for the impact of aircraft noise on individuals.

Research has shown that the noise disruption as low as 55 decibels can negatively affect communities near airports. Our airports are trying. In my own district, we have had several meetings. I know that this issue is a concern, because we have addressed this question in airports and cities around the Nation, including the State of Minnesota.

It is important to stress that this amendment does not entitle any airport, local government or other eligible entity, to receive a noise mitigation grant, nor does it have any financial impact that reduces funding in noise mitigation. This amendment provides for an opportunity for focusing on the issue of noise mitigation and the difficulty of using a singular number, 65, while communities around the Nation suffer.

We are going to continue to pursue this. We have done this every year to bring attention to this problem of noise mitigation and the fact that no person who lives in and around an airport acknowledges the fact that the airport is not important, but what we are trying to emphasize is that we must provide solace for those who live surrounding airports.

I ask my colleagues to support my amendment.

Mr. Chairman, sometimes it takes money, but sometimes it takes policy. We recognize that one of the advantages of modern life is the convenience of air travel. America's air transportation system is the best and safest in the world, but airports are not quiet. If you ask any resident that lives near a busy airport, you will hear many grievances about the noise level.

Although there is no way to make airports soundproof, it is possible to reduce airport noise so it is less disruptive to the lives of the families that live near some of the Nation's busiest airports, work and pay their taxes.

Mr. Chairman, the purpose of my amendment is to encourage the Federal Aviation Administration to be more proactive in helping communities reduce, eliminate, or cope with ever-increasing levels of airport noise. Specifically, I call upon the FAA to undertake a nationwide study of airport noise mitigation problems and best practices at the 10 busiest airports in America and report its findings, along with recommendations to address major problems found, to the Congress within 180 days.

Mr. Chairman, under the Airport Improvement Program administered by the FAA, grants are available to airports and local governments to fund noise reduction projects located in areas significantly affected by airport noise above 65 decibels over a 24-hour average, as indicated by the notation 65 dB(A) DNL. Noise mitigation grants are generally not available for areas in which the noise level may be substantial but does not exceed the 65 dB(A) DNL. Thereby money does not solve the problem; policy does.

However, substantial impacts occur to millions of people well below the 65 decibel level. This value is inadequate for several reasons:

From a scientific perspective, it is not supported by research. The 65 decibel level is derived from the Schultz Curve which correlated people reporting being highly annoyed by noise with noise levels.

Substantial impact occurs well before people become highly annoyed. In addition, the data used in the Schultz Curve for airports shows that ''highly annoyed'' occurs around 57 decibels, not 65, and that comes from a Journal of the Acoustical Society of America.

The EPA has identified 55 dB(A) DNL as a more appropriate noise level. The day/night average sound level is the level of noise expressed in decibels as a 24-hour average, and averages do not adequately account for the impacts of aircraft noise on individuals.

Research has shown that noise disruption as low as 55 decibels can negatively affect communities near airports. Unfortunately, communities that have a dB(A) less than 65 are precluded from applying for an Airport Improvement Program grant to reduce airport noise. We need to help them. I have even

heard from cities in Minnesota. It is all over the country.

It is important to stress that this amendment does not entitle any airport, local government or other eligible entity to receive a noise mitigation grant. Nor does it have any financial impact. This amendment does not even affect an applicant's eligibility to be considered for an airport noise reduction grant. Each applicant must demonstrate that its proposed project deserves to be funded, but no applicant can be disqualified from consideration merely because the area covered by the grant request does not have a dB(A) DNL greater than 65.

Mr. Chairman, communities coexisting with major airports is one of the great challenges of modern life. My amendment is intended to help us rise to that challenge.

I urge all members to support my amendment.

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

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, I too am concerned about the environmental impact of aviation. Noise is a very serious issue and impossible to solve to the satisfaction of all. Although new technologies and planes and air space redesign will assist in the noise problem with the number of passengers projected in the near future, noise will continue to be a problem.

I commend the gentlewoman for bringing this issue to our attention, as she has time after time. As I say, it will continue to be a problem. I am willing to accept the amendment.

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

Mr. KNOLLENBERG. Mr. Chairman, I am willing to accept the amendment as well.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

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 in violation of section 8 of the National Labor Relations Act of 1935, with respect to workers on federally-funded transportation projects.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I thank the two subcommittee Chairs. Might I just for a moment thank them for a bill that is enormously challenging, transportation and housing.

I want to thank the staff for their very hard work and the commitment that this particular bill has in place as it relates to the Treasury and other agencies. Let me acknowledge the importance of hard work as well.

Mr. Chairman, we can't do without the workers that provide the engine of our economy. If we are to appreciate workers, I think it is extremely important that we do not have outside forces that would, in fact, take away from the dignity and the responsibility to the American worker; and that's what my amendment is about.

It is a very simple amendment. It is sometimes fashionable to speak ill about working Americans who are in unions. This amendment simply provides support for union workers on federally funded projects, simple without any additions to it. It is to reinforce the importance of that work and to reinforce the importance of those workers.

I believe that the engine of America is fused by American workers, and many of them are both union and nonunion workers. I stand today to affirm all workers. My amendment simply asks that those Federal funds that are utilized, nothing is done in the federally funded project to undermine America's workers.

I believe that we have had a long history of the American labor movement. It was started by a group of dreamers who simply believed that we should have the best working atmosphere for America's workers. Employees represented by free and democratic unions of their own choosing participate actively in determining their wages, hours and working conditions.

Their living standards are the highest in the world. Their job rights are protected by collective bargaining. They have fringe benefits that were unheard of less than a generation ago.

I know that the support of these workers is bipartisan. I ask my colleagues to join me in a very simple amendment that ensures that these projects that are federally funded comply with the law, simply comply with the law, and do not undermine the working people of America.

I ask my colleagues to support working people, working people of America, as we issue Federal funds so that they can be protected.

My amendment is simple but makes an important contribution to the legislation. My amendment simply provides that none of the funds made available in this appropriations bill shall be used in a manner inconsistent with the National Labor Relations Act.

Mr. Chairman, I know it is fashionable today to disparage, downplay, or minimize the importance of organized labor to our country. That is easy to do but it would be wrong. In the post 9-11 age, where our transportation systems and infrastructure have been demonstrated to be targets of those who would do us harm, it is more important than ever that those who work in the transportation sectors are the best, most able, most professional, most experienced, and committed workers this nation has to offer. To do otherwise would put the security of our nation at risk.

Mr. Chairman, those who would destroy or further limit the rights of organized labor—those who would cripple collective bargaining or prevent organization of the unorganized—do a disservice to the cause of democracy.

Fifty years or so ago the American Labor Movement was little more than a group of dreamers, and look at it now. From coast to coast, in factories, stores, warehouse and business establishments of all kinds, industrial democracy is at work.

Employees, represented by free and democratic trade unions of their own choosing, participate actively in determining their wages, hours and working conditions. Their living standards are the highest in the world. Their job rights are protected by collective bargaining agreements. They have fringe benefits that were unheard of less than a generation ago.

Our labor unions are not narrow, self-seeking groups. They have raised wages, shortened hours and provided supplemental benefits. Through collective bargaining and grievance procedures, they have brought justice and democracy to the shop floor. But their work goes beyond their own jobs, and even beyond our borders.

Our unions have fought for aid to education, for better housing, for development of our national resources, and for saving the family-sized farms. They have spoken, not for narrow self-interest, but for the public interest and for the people.

Mr. Chairman, unions are as important as they ever were—because corporations are just as dedicated to their bottom line, regardless of the consequences for workers. The nature of work in America is changing. Employers are trying to shed responsibilities—for providing health insurance, good pension coverage, reasonable work hours and job safety protections, for example—while making workers' jobs and incomes less secure through downsizing, part-timing and contracting out. Working people need a voice at work to keep employers from making our jobs look like they did 100 years ago, with sweatshop conditions, unlivable wages and 70-hour workweeks.

In my hometown of Houston, I know first-hand the commitment, dedication, and professionalism of organized transit workers employed by the Metropolitan Transit Authority of Harris County (METRO). These workers are making the transportation system of Houston one of the best in the nation. Accordingly, I want to take this opportunity to extol their accomplishments and to express my commitment to the protection of their hard won right to engage in and enjoy the benefits of collective bargaining. I think most of my colleagues can agree that these hard won rights should not be taken away or undermined, and my amendment reaffirms this proposition.

And lest we forget, Mr. Chairman, it was the men and women of organized labor who rushed into the burning World Trade Center Towers when others were rushing out. The men and women of organized labor put their lives on the line for their fellow Americans every day. They do not ask for much. All they ask is to be treated with respect and dignity. They want what we all want: to do their jobs and to make a better life for their families.

The least we in the Congress can do, Mr. Chairman, is to go on record in support of our working men and women in the vitally important transportation industries of our country. We can and should affirm that none of the funds made available in this appropriations bill shall be used in a manner that undercuts the hard won rights of American workers that are reflected in the National Labor Relations Act and other important federal labor laws.

I urge all members to support my amendment.

Mr. KING of Iowa. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIRMAN. The gentleman from Iowa is recognized for 5 minutes.

Mr. KING of Iowa. Mr. Chairman, as I reflect on what the Labor Relations Act of 1935 means, it says specifically in the act that there will be no discrimination with regard to hire or tenure of employment or any term or condition of employment by membership in any labor organization, et cetera, and essentially says, by my recollection, that no one shall be coerced into joining a union, nor shall they be discouraged from joining a union.

It's a balanced labor relations act that's there, but the statement that was made by the gentlelady from Texas said it provides for a report for projects on federally funded projects. I don't know where that might exist in the statute.

Mr. Chairman, I yield to the gentlelady from Texas for a question. I noticed in your remarks your amendment provides for a report for union workers on federally funded projects. I don't recognize where that might be in the 1935 act, and I am wondering, since I don't see it in your amendment, what the basis of that might be.

Ms. JACKSON-LEE of Texas. I think you might have misheard me. I think I indicated that in the past amendment I asked for a report from the FAA.

My concern here is simply a statement of affirmation that federally funded projects protect the workers that are on those projects and protect those who may be associated with the union. I don't believe that we asked for a study.

Mr. KING of Iowa. Reclaiming my time, I thank the gentlelady from Texas. I did happen to write that quote down verbatim, I am confident.

We have a lot of debate here on the floor. Some of us offered more than one amendment. I would simply thank the gentlelady for that statement.

I, for myself, we have the law on the books, and this law is a neutral law. It's not one that promotes union labor, and it's not one that promotes nonunion labor. It's one that promotes the freedom and the discretion of the employee to make that decision.

It does allow for union members to approach workers on the job. That's a protection that's in there, but it also allows the freedom for those workers to make the decision as to whether they would want to collectively bargain or not based upon a vote within that workforce.

Mr. Chairman, may I inquire how much time I have remaining.

The Acting CHAIRMAN. The gentleman from Iowa has 2 minutes remaining.

Mr. KING of Iowa. Mr. Chairman, I reserve the balance of my time.

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

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. I yield such time as is needed by the gentlewoman to finish the explanation of her amendment.

Ms. JACKSON-LEE of Texas. I am grateful that the gentleman from Iowa raised the question, if you would, because I do want to reinforce what the amendment says.

The amendment specifically says, with respect to workers on federally funded transportation projects. So your sensitivity is clarified by the amendment.

As I indicated in my remarks, I am affirming all workers, labor and union and nonunion. It is a generic term. I want to make sure that we treat workers on federally funded projects fairly and balanced, and that they are not diminished if they are on federally funded projects. We have many individuals who work after the project is finished, and I want to make sure that they are protected as well, union and nonunion.

The amendment is simply a straightforward affirmation of the protection of workers on federally funded transportation projects.

With that in mind, I would ask my colleagues to affirm the importance of protecting workers on federally funded transportation projects, under section A of the National Labor Relations Act of 1935.

With that, I would ask my colleagues to support this amendment. I thank the gentleman for yielding to me. I would hope that my colleagues would see this as an affirming amendment of all American workers.

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

Mr. KING of Iowa. Mr. Chairman, I want to thank the gentlelady from Texas for that clarification. I listened carefully to the presentation, and the clarification comes now that it is union and nonunion workers protected equally alike, on balance, between union and merit shop employees.

The advocacy here is for current law.

Now, as we have made this clarification into this record, I appreciate that.

Mr. Chairman, I withdraw my opposition to the amendment and congratulate the gentlelady from Texas. I appreciate her patience.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

□ 2130

AMENDMENTS EN BLOC OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I have two amendments that I would like to subsequently withdraw. I would like them taken en bloc.

The Acting CHAIRMAN. Without objection, the amendments will be considered en bloc.

There was no objection.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendments.

There was no objection.

The Clerk read as follows:

Amendments en bloc offered by Ms. JACKSON-LEE of Texas:

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 prohibit transportation workers from having walkie talkies, two-way radios, or any other handheld communication device.

___

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available under this Act may be used to limit the use of any available technology in the development of modular or manufactured temporary disaster housing.

Mr. OLVER. Mr. Chairman, I reserve a point of order on the en bloc amendments.

The Acting CHAIRMAN. The gentleman from Massachusetts reserves a point of order.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. It is my intent to withdraw both of these amendments, and I will just briefly describe my intent to continue to work with authorizers on these two very vital points.

We have firsthand experience with the tragedy of Hurricanes Katrina and Rita, and many of the constituents in my congressional district are alumni of trailers, the same trailers that have proved to be dangerous and unhelpful and unuseful. I hope that we will continue to work with the relevant agencies to look at alternative technology for housing so that in our future disasters, we can be able to work effectively. There has been effective legislation moving on this issue, and I know that the many constituents that are impacted by poor housing will welcome this Congress continuing to work on that particular issue.

I move quickly to the question of security and safety on the question of transportation workers who drive a number of transportation vehicles throughout America. In many instances, in my own hometown of Houston, these very transportation workers, particularly bus drivers, do not have the necessary safety equipment such as walkie-talkies, such as two-way radios, such as other handheld communication devices. I will look forward to working with the appropriate committees to address the question of these particular workers who are begging for relief. A recent tragedy in Houston with an assault on a bus driver brought this particular issue to a head. We look forward to working with the various committee Chairs on trying to bring some

response to those transportation workers across America driving transportation vehicles.

I ask for unanimous consent to withdraw the two amendments that have been placed pending on the record, to withdraw both amendments.

The Acting CHAIRMAN. Without objection, the en bloc amendments are withdrawn.

There was no objection.

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

The Acting CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Chairman, earlier today during the consideration of H.R. 3074, this body considered an amendment from Mr. FRANK and Mr. RANGEL, providing that no funds in this act may be used to implement the community service requirement of public housing residents. At that time I accepted the amendment, as did the ranking member Mr. KNOLLENBERG, and the amendment was adopted by a voice vote. At the behest of the Republican leadership, I intend to ask unanimous consent to vacate that vote and have a recorded vote.

At this point I yield time to the gentleman from Massachusetts (Mr. FRANK) to explain what this amendment did, since at that earlier time I had wheedled him out of his time by accepting the amendment in the first place, and he needs to explain the amendment.

Mr. FRANK of Massachusetts. I thank the gentleman for yielding.

I will not object to the unanimous consent request. It will forestall a 15-minute vote and make it a 2-minute vote. And I appreciate the cooperative spirit from the gentleman of Michigan on this as throughout he has been cooperative. I understand other decisions get made, but I did just ask the indulgence of the House because people shouldn't be voting on something with no explanation.

There was implemented in 1998 in legislation, and I think it was part of an appropriations bill then, a requirement that everybody who lives in public housing who is not otherwise fully employed work 8 hours a month in community service. It is not highly regarded by the people who run public housing. It costs money to do this. Understand, when a similar amendment was proposed for the section 8 vouchers, it was defeated, it authorized the Housing Authority to hire someone to administer it. This is not work that is terribly useful.

The way the amendment is written, if you were working, and you are fired or your job ends because of trade or other problems as some people in public housing and you are unemployed, you then have to do 8 hours a month of make-work. So it is a make-work requirement does nobody any good, it is based on the assumption that you can't trust those lazy people in public housing across the board, and it costs money to administer. So that is why the gentleman from New York (Mr. RANGEL), who has long been a proponent of it, and myself have offered this amendment.

I thank the gentleman for a chance to explain it.

Mr. OLVER. I yield back the balance of my time.

Mr. Chairman, I ask unanimous consent that the adoption by voice vote of the amendment offered by the gentleman from Massachusetts (Mr. FRANK) be vacated, to the end that the Chair put the question de novo.

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

There was no objection.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. FRANK).

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

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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 22 by Mr. HENSARLING of Texas.

Amendment No. 21 by Mr. HENSARLING of Texas.

An amendment by Mr. HUNTER of California.

An amendment by Mr. JORDAN of Ohio.

Amendment No. 20 by Mr. PRICE of Georgia.

An amendment by Mrs. MUSGRAVE of Colorado.

An amendment by Mr. PRICE of Georgia.

An amendment by Mr. KING of Iowa.

An amendment by Mr. FRANK of Massachusetts.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 22 OFFERED BY MR. HENSARLING

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HENSARLING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 97, noes 327, not voting 12, as follows:

[Roll No. 705]

AYES—97

Akin
Bachmann
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Blackburn
Boehner
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Conaway
Cooper
Davis, David
Deal (GA)
Duncan
Feeney
Flake
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Gordon
Graves
Hall (TX)
Hastert
Heller
Hensarling
Herger
Hunter
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Lamborn
Linder
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul (TX)
McHenry
Mica
Miller (FL)
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Petri
Pitts
Platts
Poe
Price (GA)
Putnam
Ramstad
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Stearns
Sullivan
Tancredo
Terry
Thornberry
Walberg
Wamp
Weldon (FL)
Westmoreland
Wilson (SC)

NOES—327

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortuño
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Goode
Goodlatte
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey

Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—12

Bachus
Bishop (UT)
Clarke
Conyers
Cubin
Davis, Jo Ann
Honda
LaHood
Marshall
Moran (VA)
Radanovich
Young (AK)

□ 2205

Messrs. HINCHEY, PASCRELL and TANNER changed their vote from ''aye'' to ''no.''

Mr. BARTLETT of Maryland changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 21 OFFERED BY MR. HENSARLING

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HENSARLING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 86, noes 338, not voting 12, as follows:

[Roll No. 706]

AYES—86

Akin
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Blackburn
Boehner
Boozman
Buchanan
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Coble
Cole (OK)
Conaway
Cooper
Davis, David
Deal (GA)
Doolittle
Dreier
Duncan
Fallin
Feeney
Flake
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Goode
Graves
Hall (TX)
Heller
Hensarling
Herger
Issa
Jindal
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Lamborn
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McHenry
Miller (FL)
Moran (KS)
Musgrave
Myrick
Neugebauer
Paul
Pearce
Pence
Petri
Pitts
Platts
Poe
Price (GA)
Radanovich
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Sali
Sensenbrenner
Sessions
Shadegg
Smith (TX)
Stearns
Sullivan
Tancredo
Thornberry
Walberg
Westmoreland
Wilson (SC)
Wu

NOES—338

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Fortuño
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pickering
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wynn
Yarmuth
Young (FL)

NOT VOTING—12

Bachus
Bishop (UT)
Blunt
Clarke
Conyers
Cubin
Davis, Jo Ann
Honda
LaHood
Marshall
Peterson (PA)
Young (AK)

□ 2210

Mrs. SCHMIDT changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HUNTER

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. HUNTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote. Members are urged to remain in the Chamber.

The vote was taken by electronic device, and there were—ayes 362, noes 63, not voting 11, as follows:

[Roll No. 707]

AYES—362

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen

Altmire
Andrews
Arcuri
Baca
Bachmann
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Christensen
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Costa
Costello
Courtney
Cramer
Crenshaw
Culberson
Cummings
Davis (AL)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Duncan
Edwards
Ellison
Ellsworth
Emerson
English (PA)
Eshoo
Etheridge
Everett
Faleomavaega
Fallin
Fattah
Feeney
Ferguson
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hulshof
Hunter
Inglis (SC)
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kildee
Kilpatrick
King (IA)
Kingston
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
Lamborn
Lampson
Langevin
Lantos
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
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
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Norton
Nunes
Oberstar
Obey
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reyes
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Solis
Souder
Space
Spratt
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Upton
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOES—63

Bean
Berman
Blumenauer
Blunt
Cannon
Capps
Conyers
Cooper
Crowley
Cuellar
Davis (CA)
Delahunt
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dreier
Ehlers
Emanuel
Engel
Farr
Filner
Flake
Fortuño
Fossella
Frank (MA)
Gonzalez
Harman
Herger
Hoyer
Inslee
Israel
Johnson, E. B.
Kennedy
Kind
King (NY)
Kline (MN)
Knollenberg
Larsen (WA)
Lofgren, Zoe
Lungren, Daniel E.
Markey
McCrery
McDermott
Meeks (NY)
Neal (MA)
Olver
Price (NC)
Rangel
Reichert
Reynolds
Ros-Lehtinen
Ruppersberger
Rush
Sánchez, Linda T.
Shays
Smith (WA)
Snyder
Tauscher
Towns
Udall (NM)
Van Hollen
Wasserman Schultz
Weller

NOT VOTING—11

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Gutierrez
Honda
LaHood
Marshall
Stark
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members have 1 minute remaining to cast their vote.

□ 2215

Mr. PASCRELL, Mr. WELCH of Vermont, Ms. WATSON, Ms. DEGETTE, and Messrs. WEINER, HINOJOSA, and LANTOS changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. JORDAN OF OHIO

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. JORDAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote. Members are urged to remain in the Chamber.

The vote was taken by electronic device, and there were—ayes 133, noes 292, not voting 11, as follows:

[Roll No. 708]

AYES—133

Akin
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Culberson
Davis (KY)
Davis, David
Deal (GA)
Diaz-Balart, M.
Drake
Dreier
Duncan
Everett
Fallin
Feeney
Flake
Forbes
Fortuño
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Jordan
Keller
Kingston
Kline (MN)
Lamborn
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Pickering
Pitts
Poe
Price (GA)
Putnam
Radanovich
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Walberg
Wamp
Weldon (FL)
Westmoreland
Wilson (SC)

NOES—292

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Fortenberry
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gohmert
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg

Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Platts
Pomeroy
Porter
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Reichert
Renzi
Reyes
Rodriguez
Rogers (AL)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—11

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Honda
King (IA)
LaHood
Marshall
Price (NC)
Young (AK)

□ 2219

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 20 OFFERED BY MR. PRICE OF GEORGIA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. PRICE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 250, not voting 9, as follows:

[Roll No. 709]

AYES—177

Akin
Altmire
Bachmann
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Drake
Dreier
Duncan
Ellsworth
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Lamborn
Lampson
LaTourette
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pitts
Platts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Tanner
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (FL)

NOES—250

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doolittle
Doyle
Edwards
Ehlers
Ellison
Emanuel
Emerson
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Frank (MA)
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Reichert
Renzi
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—9

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Honda
LaHood
Marshall
Young (AK)

□ 2224

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MRS. MUSGRAVE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Colorado (Mrs. MUSGRAVE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 198, noes 229, not voting 9, as follows:

[Roll No. 710]

AYES—198

Aderholt
Akin
Alexander
Altmire
Bachmann
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)

Conaway
Cooper
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Drake
Dreier
Duncan
Ellsworth
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lampson
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
McNerney
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Tanner
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOES—229

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doolittle
Doyle
Edwards
Ehlers
Ellison
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Regula
Reichert
Renzi
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—9

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Honda
LaHood
Marshall
Young (AK)

□ 2228

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PRICE OF GEORGIA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. PRICE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 142, noes 283, not voting 11, as follows:

[Roll No. 711]

AYES—142

Aderholt
Akin
Alexander
Bachmann
Baker
Barrett (SC)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Hensarling
Herger
Hoekstra
Hulshof
Inglis (SC)
Issa
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Moran (KS)
Musgrave
Myrick
Neugebauer
Paul
Pearce
Pence
Petri
Pickering
Pitts
Poe
Price (GA)
Putnam
Radanovich
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Stearns
Sullivan
Tancredo
Thornberry
Tiahrt
Tiberi
Walberg
Wamp
Weldon (FL)
Westmoreland
Wicker
Wilson (SC)
Wolf

NOES—283

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Hooley
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Platts
Pomeroy
Porter
Price (NC)

Pryce (OH)
Rahall
Ramstad
Rangel
Renzi
Reyes
Rodriguez
Rogers (MI)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NOT VOTING—11

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Honda
LaHood
Marshall
Walsh (NY)
Whitfield
Young (AK)

□ 2231

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. KING OF IOWA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 148, noes 278, not voting 10, as follows:

[Roll No. 712]

AYES—148

Aderholt
Akin
Bachmann
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Blackburn
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Doolittle
Drake
Dreier
Duncan
Ehlers
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fortuño
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Platts
Poe
Price (GA)
Pryce (OH)
Putnam
Ramstad
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Walberg
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOES—278

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Fossella
Frank (MA)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Petri
Pomeroy
Porter
Price (NC)
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—10

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Honda
LaHood
Marshall
Walsh (NY)
Young (AK)

□ 2235

Mr. SHUSTER changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. SCHMIDT. Mr. Chairman, please note that I mistakenly voted "yes" on amendment 8, the King Amendment, regarding the funding provisions and the Davis-Bacon Act. I meant to vote "no" but voted "yes." It was too late to change the vote. Given the opportunity I would have voted "no."

AMENDMENT OFFERED BY MR. FRANK OF MASSACHUSETTS

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. FRANK) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 207, noes 220, not voting 9, as follows:

[Roll No. 713]

AYES—207

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boswell
Boucher
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Chandler
Christensen
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Green, Al
Grijalva
Gutierrez
Hall (NY)

Hare
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Perlmutter
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Snyder
Solis
Spratt
Stark
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Wilson (OH)
Woolsey
Wynn
Yarmuth

NOES—220

Aderholt
Akin
Alexander
Altmire
Bachmann
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Cramer
Crenshaw
Cuellar
Culberson
Davis (AL)
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green, Gene
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Hobson
Hoekstra
Holden
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Salazar
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Sestak
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Space
Stearns
Stupak
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Wu
Young (FL)

NOT VOTING—9

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Honda
LaHood
Marshall
Young (AK)

□ 2239

Mr. MCINTYRE changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008''.

Mr. GENE GREEN of Texas. Mr. Chairman, I rise today in support of H.R. 3074, the FY08 Transportation-HUD Appropriations bill.

I want to thank Chairman OBEY, Chairman OLVER, Ranking Member KNOLLENBERG and the Appropriations Committee for their hard work on this piece of legislation.

This bill contains vital funding for the Houston METRO's North and Southeast New Starts projects. The New Starts project will allow METRO to continue funding implementation of rail and bus rapid transit portions in the North Corridor Project and the Southeast Corridor Projects that are in or service our district.

METRO will use this funding for final design, land acquisition and construction for the North Corridor Project and the Southeast Corridor Projects.

Houston is the Nation's fourth largest city and the region is becoming increasingly congested. We have a critical need for a comprehensive rapid transit system.

The funds that have been allocated for the New Starts Program will improve mobility and transportation options for my constituents and benefit the greater Houston area.

This bill also contains funding for an Economic Development Initiative for the Harris County Community and Economic Department's Community Transit Study.

This funding will allow HUD to study two areas in our district, the Northshore area and city of Galena Park, for transit improvements such as sidewalks, street lights, and transit shelters.

Unfortunately, this bill does not provide funding for several projects that I strongly support.

These projects are: the Harrisburg Grade Crossing, Texas Department of Transportation's Design and Construction of Direct Connectors from Beltway 8 to U.S. 59 North, the city of Baytown's Texas Avenue Streetscape Program, the Brays Bayou Bike/Pedestrian Bridge at Mason Park, the Houston Zoo's Enhanced Zoo Interpretives Project, and the Houston Port Region's Economic Recovery Task Force.

While it is impossible to fund all of the projects that we request, I believe that these programs need Federal funding.

Mr. SIMPSON. Mr. Chairman, in accordance with House earmark reforms, I would like to place into the RECORD a listing of Congressionally-directed projects in my home State of Idaho that are contained within the report to the Transportation, Housing and Urban Development Subcommittee. I am grateful for their inclusion in this bill.

I'd like to take just a few minutes to describe why I supported these projects and why they are valuable to the Nation and its taxpayers.

The bill contains $900,000 for the City of Rocks Back Country Byway in my Congressional District. This 16.7 mile long project is located on the popular City of Rocks Back Country Byway in Cassia County, Idaho, and provides the only direct access to the City of Rocks National Reserve. When fully completed, the project will pave a 1.0 mile gravel segment, reconstruct 15.7 miles of deficient roadway, correct deteriorated road and slope conditions, provide a wider road with shoulders and guardrail, and improve the road's alignment by reducing the number and severity of sharp curves and steep grades. These improvements will increase safety for the driving public and provide safer access for bicycle and pedestrian traffic. These improvements will also significantly reduce the amount of ongoing maintenance required to keep the route usable. This project has received Federal funding in previous years. This project was requested by the Idaho Transportation Department.

The report contains $300,000 for the I–84, Curtis Road to Broadway IC Widening. This project would widen I–84 through east Boise, adding eastbound and westbound fourth lanes. This widening is needed to alleviate congestion and safety issues caused by the continued fast growth in the Treasure Valley. This project was requested by the Idaho Transportation Department.

The report contains $500,000 for the Idaho Transit Coalition's program to improve bus and bus facilities all across the State of Idaho. The funding will assist Ada County Highway District's Commuteride, Boise State University, the Coeur d'Alene Tribe, the City of Ketchum, the Ketchum/Sun Valley Transit Authority, KART, the City of Moscow, the City of Pocatello, the University of Idaho, and Valley Regional Transit. The majority of these projects are identified in the ''Idaho Statewide Public Transportation Needs and Benefits Study'' compiled by the Idaho Transportation Department in 1996 and subsequent local studies and plans. All projects are identified in the Transportation Improvement and the Statewide Transportation Improvement Plan. The current request represents only a small amount of what will be needed to maintain and expand Idaho's public transportation capital system to meet the demands of the State's rapidly growing population. This project has received federal funding in previous years. The funding was requested by the Idaho Transit Coalition.

The report contains $150,000 for the Historic Wilson Theater Restoration Project in Rupert, Idaho. The Wilson Theater was built in 1920 and is on the National Register of Historic Places. The Theater is also part of Rupert's Historic Business District. Rupert is a predominandy rural community that recently experienced the closure of its largest employer, Kraft Cheese. The restoration of this theater is one aspect of the community's effort to revitalize itself, attract new employers and generate interest in the community. The community thus far has raised over $1 million in private donations to restore the building, and federal funds will be only a small part of overall expenses. This project was requested by the non-profit Renaissance Art Center, Inc. in Rupert, Idaho.

The report contains $50,000 for the Custer County Economic Development Initiative in Custer County, Idaho. The vast size of Custer County presents enormous financial challenges for a county that is overwhelmingly owned by the federal government. Custer County has a very small tax base with very large costs for maintaining roads and service over a very large area. This funding will permit the county to purchase and renovate an old middle school in Challis that would become a government and business center housing the offices of the City, County, and Economic Development offices and making them ADA compliant. Additionally, funding would help to provide for improvements to a multi-government complex in the City of Stanley and the rodeo grounds in the City of Mackay. This project would relieve an enormous strain on the limited yearly budget of Custer County and allow it to more efficiently deliver services to residents and visitors alike. This project was requested by Custer County, Idaho.

I appreciate the opportunity to provide a list of Congressionally directed projects in my region and an explanation of my support for them: 1.) $150,000 for Historic Wilson Theater Restoration Project; Rupert, Idaho; 2.) $50,000 for Custer County Economic Development Initiative; Custer County, Idaho; 3.) $900,000 for City of Rocks Back Country Byway, Idaho; 4.) $500,000 for Idaho Transit Coalition buses and bus facilities; and 5.) $300,000 for I–84, Curtis Road to Broadway IC Widening, Boise, Idaho.

Ms. DELAURO. Mr. Speaker, I rise today in support of the FY08 Labor/HHS & Education Appropriations bill. I want to commend the Chairman and the staff for an excellent bill which signals a new direction and reflects our priorities as a Nation.

The goal of this bill has always been to make a strong investment in our future—to take seriously our responsibility to the American public, on the issues that affect people every day from our health to our children's education to the scientific research that will find the cures of tomorrow, from protecting workers to providing the training they need to make it in today's economy. I must say that this time around, our bill does not disappoint.

To help States serve 6.8 million unemployed and 13 million jobseekers, the bill provides a $227.4 million or 1.9 percent increase over fiscal year 2007 for employment, training, and worker protection programs. On worker protection, the bill provides a $45.5 million increase to key programs to improving safety and health for 113 million workers.

On education, the bill provides historic increases in No Child Left Behind, 8.4 percent above 2007, including $1.9 billion more for Title I grants to schools. For students with disabilities, the President's budget proposed to cut IDEA Part B grants by $291 million or 2.7 percent below the fiscal year 2007 level. In contrast, this bill provides a $299 million or a 2.8 percent increase over last year. More importantly, this bill reverses a 2-year decline in the federal contribution toward the rising costs of special education for 6.9 million children with disabilities.

It also makes real progress toward college affordability with a significant increase in Pell Grants, allowing us to raise the maximum Pell Grant by $390 to $4,700 and benefiting over 5.5 million students without reducing or eliminating other student financial assistance programs.

In the area of medical research, the bill provides continued investment at the NIH and CDC for innovative programs that save lives. With a $750 million increase over last year, NIH will be able to support another 545 new and competing research grants over last year's level and 1,262 over the President's request.

The bill also provides much-needed investments in programs that support low income people: An increase of $500.8 million or 23.2 percent above last year for LIHEAP to secure energy assistance for approximately 1 million more low-income seniors and families than last year. $660.4 million for the Community Services Block Grant allowing states to expand critical services, such as housing, home weatherization, parenting education, adult literacy classes, and emergency food assistance. And a down payment of $75 million or 3.6 percent in child care assistance, the first increase in discretionary spending for this program in more than five years.

Mr. Chairman, this bill reflects a real commitment to our longstanding responsibilities and true fiscal responsibility. Each of us should support the FY08 Labor/HHS & Education bill—a bill each of us can take home and proudly share with our constituents.

We will accomplish a lot of good with this bill, but I especially want to highlight and commend Chairman OBEY, for the ''Reducing the Need for Abortion Initiative'' included in the bill, which parallels legislation spearheaded by Representative RYAN and myself.

With close to $650 million in increased funding over last year and approximately $1.4 billion for programs such as Title X, Healthy Start, teen pregnancy prevention, adoption awareness, after school programs, and child care programs for new parents attending college, just to name a few, we are promoting policies so critical to reducing the need for abortion in this country.

This bold initiative represents a considerable investment in preventing unintended pregnancies and supporting new parents. It is strong on prevention, strong on family income supports, and it makes clear that we are serious about addressing the issue of abortion head on. That, for all of us, it is a matter of conscience.

Again, Mr. Chairman, I am proud to be a Member of this subcommittee, its Members, and the work we have done this year. With this bill, we make opportunity real for millions of Americans and we give people the tools they need to grow and thrive tomorrow.

Mr. NADLER. Mr. Chairman, I rise to support the bill and, in particular, its provisions to help families obtain affordable housing with Section 8 vouchers and to help people with HIV/AIDS to secure housing with the assistance of the HOPWA program.

I want to thank the chairman for including $300 million in this bill for Housing Opportunities for People With AIDS, the highest funding level ever for this program; and for providing $403 million more than current funding for the Section 8 Tenant-Based Rental Assistance program. For years, we have had to fight for every nickel of funding and offer amendments for modest increases. It is a true pleasure to be working with a Chairman who better understands the needs of the American people and who is able to dedicate resources to areas of great need.

Rising housing costs and stagnating incomes have created serious housing affordability problems for growing numbers of low-income families. Years of Republican budget cuts have seriously damaged our public housing stock and forced thousands of people onto waiting lists for assistance. The list in NY grew so long that they stopped accepting applications. They have only recently announced their intention to reopen it, and they have been inundated by qualified people seeking help. To reduce the number of low-income families with severe housing affordability problems, it is critical that Congress increase Section 8 funding and resume funding for incremental vouchers, which I am pleased this bill does. The section 8 housing voucher program provides safe affordable housing to approximately 2 million American families in urban and rural communities in every State across our country. These vouchers are often the only resource for low-income families confronted by our Nation's affordable housing crisis.

In the past, my colleague Representative VELÁZQUEZ and I, often with the support of Chairman FRANK, have offered amendments that have passed with bipartisan support to increase the Section 8 program. We were successful in passing amendments in 2003, 2005, and 2006 to increase funding so that more families would be able to obtain affordable housing. While we can always do more and clearly there are still many unmet needs, I am pleased by the increases in today's bill.

[See Roll Call 267, 109th Congress 2nd Session (243–178), Roll Call 339, 109th Congress 1st Session (225–194), Roll Call 453, 108th Congress 1st Session (217–208)].

HOPWA is the only Federal housing program that specifically provides cities and states with the resources to address the housing crisis facing people living with HIV/AIDS. Americans living with HIV/AIDS are often forced to choose between expensive drug treatments and necessities such as housing. According to the National AIDS Housing Network, rates of new HIV diagnoses among the homeless are 16 times the rate in the general population, and HIV/AIDS death rates are five to seven times higher. People with AIDS who are homeless are more likely to be uninsured, use an emergency room, and be admitted to a hospital.

Inadequate housing is not only a barrier to treatment, but also puts people with HIV/AIDS at risk of premature death from exposure to other diseases, poor nutrition, stress and lack of medical care. Tragically, at any given time, one-third to one-half of all Americans with HIV/AIDS are either homeless or in imminent danger of becoming homeless.

There is a desperate need for HIV/AIDS housing, and HOPWA answers this need. By providing suitable, reasonably-priced housing, HOPWA enables cities and states to design and provide community-based, cost-effective housing for thousands of people living with HIV/AIDS and their families. It provides maximum flexibility so that states and communities can implement strategies that respond to local housing needs and shortfalls. In addition, the administrative costs of the program are capped, ensuring the money goes directly to serving people with HIV/AIDS.

Providing supportive housing is crucial to the well-being of thousands of people living with HIV/AIDS, and is a cost-effective approach to the AIDS housing crisis. Again, I thank the chairman for supporting HOPWA and Section 8.

Mr. OLVER. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCNULTY) having assumed the chair, Mr. WEINER, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3074) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, he reported the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under House Resolution 558, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. LEWIS OF CALIFORNIA

Mr. LEWIS of California. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LEWIS of California. In its present form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Lewis of California moves to recommit the bill, H.R. 3074, to the Committee on Appropriations to report the same promptly with an amendment to prohibit the Department of Housing and Urban Development from deriving any portion of the $1,300,000,000 rescission included in title II of the bill from recaptures or other reductions of funds previously appropriated for the following:

(1) the Homeless Assistance Grants Program account (including funds provided to make grants to programs which assist homeless veterans);

(2) the Housing for Persons with Disability Program account (including funds provided for grants to programs which assist disabled veterans); and

(3) the Housing for the Elderly Program account.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. LEWIS of California. Mr. Speaker, title II of the bill requires HUD to rescind $1.3 billion in the funds that the Congress provided in 2007 or prior years. Frankly, HUD cannot meet this rescission without doing great harm to the most vulnerable of our population, those low-income individuals who are elderly, low-income, disabled persons and homeless families and individuals. As much as 40 percent of the homeless population in this country, Mr. Speaker, as much as 40 percent, are veterans.

Congress has always provided the section 8 program with full funding, knowing that if not all the funds were used, they would be recaptured and rescinded and used by the Congress for other high priority programs. However, this bill states categorically that if funds for the section 8 program are more than actually get used by the Public Housing Authority, they may not be recaptured or rescinded, even though they are clearly in excess.

Let me quote the report accompanying this bill: ''The Department is not permitted to recapture these reserves for the rescission.''

Just where is the Department expected to go to get these funds? The answer is very simple and very unfortunate. They would, first and foremost, eliminate funding for the construction of facilities that provide assisted living for low-income elderly persons, for low-income disabled individuals and homeless shelters, as well as other permanent housing for the homeless.

□ 2245

Let me repeat, other permanent housing for the homeless, as much as 40 percent of the homeless population are veterans.

These funds are not in excess. Quite to the contrary, they are very much in use. But construction programs spend out slowly and so the funds are there waiting to be applied towards various stages of construction. Unlike the section 8 funds, these funds would never be in excess. They are simply in the pipeline, fully obligated or committed to specific projects and ready for use.

So when HUD takes these funds, it means that facilities for these vulnerable groups will be eliminated. HUD has no other choices since there are no other programs with this much money still available from 2007 or prior years.

Mr. Speaker, however you look at it, this is a very bad outcome and every measure must be taken to prevent cutting programs that serve the most vulnerable, especially programs that serve the homeless veterans. My motion to recommit does just that. It protects those programs from being slashed as sacrificial lambs to a new policy that says excess voucher funds are more important than building facilities to house the elderly and disabled and homeless, especially homeless veterans.

I urge a ''yes'' vote on this motion.

Mr. Speaker, I yield the balance of my time to the gentleman from New York (Mr. WALSH), the former chairman of the VA–HUD Subcommittee and a tireless advocate for housing programs that serve vulnerable populations.

Mr. WALSH of New York. I am entirely familiar with the long-standing practice of Congress to fully fund the section 8 voucher program to be sure all vouchers could be used but recognizing that this rarely happened and that excess funds would be recaptured and rescinded in the next fiscal year.

I am also very familiar with the fact that HUD programs serve the most vulnerable of our populations, and that veterans are one of the most impacted by the HUD programs in general, and especially the homeless program.

I was disappointed to hear that this cycle has been broken, that this Congress has decided that keeping the funds at the public housing authorities is more important than funding facilities for low-income elderly and disabled. But that is exactly what this bill does. It imposes a rescission of a magnitude that would be in excess of the section 8 program need each year, and then precludes the recapture of those funds. The report specifically tells HUD that section 8 funds are off limits for rescission or recapture.

To put this in perspective, section 8 voucher funding is 40 percent of HUD's entire project. So HUD is now forced to take the entire amount of the $1.3 billion from a small universe of programs.

I urge all of my colleagues to support the motion to recommit and protect the poorest in our communities.

Mr. OLVER. Mr. Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Speaker, there are two problems with the motion to recommit, one major and one tricky. First, I will take the major one. I want to point out to the Members of the House that the adoption of the motion to recommit offered by the gentleman from California will derail the bill. The motion instructs the committee to report the bill back promptly rather than forthwith. Unlike a motion to recommit with instructions to report back forthwith, a motion with other than forthwith instructions proposes to take the bill from the floor without reaching the question of passage.

Mr. Speaker, section 1002(b) of the House Manual states, ''Unlike the case

of the motion to recommit with instructions to report back forthwith, the adoption of which occasions an immediate report to the floor, the adoption to a motion to recommit with instructions to report back other than forthwith sends the bill to committee whose eventual report, if any, would not be immediately before the House.''

Mr. Speaker, a vote for this motion to recommit takes the bill off the floor. A vote against the motion will allow the bill to go forward to final passage. For that reason, I urge defeat of the motion to recommit.

Secondly, the bill before us includes a rescission of $1.3 billion, which is exactly the same size that the President proposed for the 2008 budget and which is, in fact, lower than what was rescinded last year. HUD refuses to tell specifically where it will take the rescission from, but the President obviously believes that HUD can meet the rescission. The motion purports to disallow rescission from certain accounts, but HUD has traditionally not used those accounts, so the President must have believed that he could meet the rescission without rescinding funds from those three specific accounts.

So again, this one is the tricky one, and I would say that given the trickiness of it, that we should defeat the motion to recommit and go on to passage of the bill. For both reasons, I urge the Members to vote against recommittal of the bill.

I yield the balance of my time to the gentleman from Maryland.

Mr. HOYER. Once again we are confronted with politics, not substance. The groans you hear are those of the self-indicted. If you were serious, if you were concerned about the veterans, if you were concerned about those in need, then this would be a substantive amendment subject to consideration now, not later, not tomorrow.

My friend will ask the rhetorical parliamentary question in a few minutes that he has asked every time we have done this, and every time this process is political only.

If it were substantive, I tell the gentleman from New York, if you wanted to accomplish this objective, you may get the votes on this side, but you will not get the votes on this side to kill this bill.

We have now taken 50 hours longer on consideration of appropriation bills than we did last year with unanimous consents from Mr. OBEY. You can groan, but the people who are looking for these funds, the people who want the benefits of this bill, the people who understand the work on both sides of the aisle that has gone into fashioning this bill, the people who have seen us vote on rejecting amendment after amendment on substantive grounds that you offered, and you could have offered this amendment, of course, as well, know full well this is a political process, not a substantive process. Reject this process. Let us move on with the business of the American people. Let's do what they sent us here to do. Let's act. Reject this motion.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

PARLIAMENTARY INQUIRY

Mr. WESTMORELAND. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. WESTMORELAND. Mr. Speaker, is it not true that, if indeed this motion passed, this bill could be reported back to the committee it was assigned to and that bill could be reported back to the House tomorrow?

The SPEAKER pro tempore. The Clerk read the motion. The Chair is confident that the Members understand its portent. As affirmed by the Chair on May 24, 2000, and reaffirmed as recently as July 19, 2007, unlike a motion to recommit with instructions to report forthwith, a motion with ''nonforthwith'' instructions proposes to take the bill from the floor without reaching the question of passage.

Mr. WESTMORELAND. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. WESTMORELAND. Mr. Speaker, is it not true that having reported this bill back to the committee from which it was designated, that it could be brought back to the floor as early as tomorrow?

The SPEAKER pro tempore. The Chair has ruled and is not in a position to interpret the gentleman's understanding.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. LEWIS of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 201, noes 220, not voting 10, as follows:

[Roll No. 714]

AYES—201

Aderholt
Akin
Alexander
Altmire
Bachmann
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOES—220

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)

McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—10

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Honda
King (IA)
LaHood
Marshall
Young (AK)

□ 2312

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 268, nays 153, not voting 10, as follows:

[Roll No. 715]

YEAS—268

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Frank (MA)
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Petri
Pomeroy
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Reichert
Renzi
Reyes
Rodriguez
Rogers (AL)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

NAYS—153

Aderholt
Akin
Alexander
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Costello
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Kuhl (NY)
Lamborn
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Walberg
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)

NOT VOTING—10

Bachus
Bishop (UT)
Clarke
Cubin
Davis, Jo Ann
Honda
LaHood
Marshall
Meeks (NY)
Young (AK)

□ 2318

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON H.R. 3161, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Ms. DELAURO, from the Committee on Appropriations, submitted a privileged report (Rept. No. 110–258) on the bill (H.R. 3161) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

HONORING CAPTAIN CLYDE CAMPBELL

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

Mr. GOHMERT. Madam Speaker, on Thursday evening, July 26, Gregg County, my home district, First District of Texas, will gather for a day of remembrance in honor of our great servicemembers who were held as prisoners of war or were missing in action.

July 26 is a special day because it will be the 63rd birthday of U.S. Air Force Captain Clyde Campbell, around whom this occasion is centered.

I, unfortunately, will be unable to attend since I will be here in Washington DC, but I send these remarks. Unfortunately, Captain Campbell will also be unable to make it on his own birthday celebration because he or his remains have not been brought home from Laos.

Clyde Campbell was born in Eagle Lake, Texas, in 1944, and graduated from Longview High School in 1962. After graduating from Texas A&M University, he answered the call to service and joined the United States Air Force. An ambitious and talented young pilot, Captain Campbell was stationed at Nakhon Phanom Royal Thai Airport Base in Thailand, ready to sacrifice his all for the Nation that he loved so dearly.

In March 1969, he took off in his Douglas A1 Skyraider on a bombing

pass, but Captain Campbell's plane was shot down and crashed in Laos.

I will speak more about Captain Campbell during Special Orders.

SPECIAL ORDERS

The SPEAKER pro tempore (Ms. HIRONO). 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.

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.)

HONORING CAPTAIN CLYDE CAMPBELL

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

Mr. GOHMERT. Madam Speaker, on Thursday evening, July 26, Gregg County, my home district, First District of Texas, will gather for a day of remembrance in honor of our great servicemembers who were held as prisoners of war or were missing in action.

July 26 is a special day because it would be the 63rd birthday of U.S. Air Force captain Clyde Campbell, that is the man around whom this occasion is centered.

I, unfortunately, will be unable to attend since I will be here in Washington. Unfortunately, Captain Campbell will also be unable to make it on his own birthday celebration because he or his remains have not been brought home from Laos.

Clyde Campbell was born in Eagle Lake, Texas, in 1944, and graduated from Longview High School in 1962. After graduating from Texas A&M University, he answered the call to service and joined the United States Air Force. An ambitious and talented young pilot, Captain Campbell was stationed at Nakhon Phanom Royal Thai Airport Base in Thailand, ready to sacrifice his all for the Nation that he loved so dearly.

In March 1969, he took off in his Douglas A1 Skyraider on a bombing pass, but Captain Campbell's plane was shot down and crashed in Laos.

It is now 2007, almost 40 years later. Although his crash site has been identified, Captain Campbell's remains are in a land that is not his home.

The Campbell family has spent nearly four decades requesting help to have this patriot returned. But so far, that help has not come. I am ashamed that the Federal Government has not used anywhere near the devotion to giving his family closure as the devotion Captain Campbell provided this Nation in her time of need.

This family deserves better. Captain Campbell deserves better, and I, as are many others around here, am determined to see that his remains are removed from Laos and given a proper burial here in the United States.

He and those who gave their last full measure of devotion for this country, as well as their beloved family members who have waited so long, deserve action, and they deserve results.

Captain Campbell and the Campbell family deserve our deepest gratitude for their sacrifice. May God bless them and comfort them, and may God and the Campbell family forgive this Federal Government for its 30 years of inadequate service to them.

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

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

ARMENIAN GENOCIDE—THE WAR TRIBUNALS

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

Mr. PALLONE. Madam Speaker, the denial of the Armenian genocide is an absurdity. Looking at the history of this catastrophic event from 1915 to 1918, it is impossible to deny that this was indeed genocide on all accounts.

One way to bear witness to the truth is to make reference to the war trials that took place immediately following the end of World War I. Looking at the substantial evidence and testimony gathered during these war trials proves that this was an indisputable genocide aimed at destroying a race of people.

Following the Ottoman Empire's defeat in World War I, a new government formed and accused its predecessor, Young Turk regime, of serious crimes. These accusations led to the court-martialing of the leadership of the Committee on Union and Progress, the party that had seized and held power since 1908.

Nearly 400 of the key government officials implicated in the atrocities committed against the Armenians were arrested. They were deported to Malta, where they were held while searches were made of archives in Istanbul, London, Paris, and Washington to investigate their actions. The charges included the unconstitutional seizure of power, wartime profiteering, and the massacre of Armenians.

At least six regional courts convened in provincial cities where massacres had occurred. The first recorded trial took place in Yozgat, charging three officials, including the governor, of mass murder of the Armenians of Ankara.

Testimony revealed Major Tevfik Bey, commander of the Yozgat military police, had almost completely wiped out the Armenian population of Yozgat. It confirmed that the deportation of the Armenians was ''a policy of extermination,'' and that the people were marched off with ''arms and hands tied up'' and later killed with ''axes, spades, swords, knives and hatchets.'' Meanwhile, Governor Kemal told the captain that he had ''made a vow on the honor of the prophet: I shall not leave a single Armenian alive in the sanjak of Yozgat.''

The most famous trial took place in Istanbul in April 1919. There, 12 defendants, all members of the Committee on Union and Progress leadership and former ministers, were tried. Seven key figures, including Talat Pasha, Minister of Interior; Enver Pasha, Minister of War; and Cemal Pasha, Governor of Aleppo, had fled and they were tried in absentia. One authenticated secret telegram from July 17, 1915, quoted orders from Pasha that quoted: ''The salvation of the country requires the elimination of the Armenians.''

Even more evidence against these top officials was delivered in the key indictment which included 42 incriminating documents that had been gathered by the Mazhar Commission. These documents, such as telegrams, memos, statements, and depositions all confirmed that the campaign to exterminate the Armenians was premeditated and deliberate.

Some of the accused were found guilty of the charges. There were three hangings and numerous convictions. Most significantly, the ruling triumvirate of Young Turks consisting of Mehmed Talaat, Ismail Enver, and Ahmed Djemal, were condemned to death. They, however, eluded justice by fleeing abroad. Many more of the convicted did not serve out their prison sentences, and a majority of the perpetrators escaped punishment after a prisoner exchange deal. To this day, there is still no justice for the victims of the Armenian genocide.

Madam Speaker, I wish to express my support for swift passage of House Resolution 106, which reaffirms the Armenian genocide. It now has 224 cosponsors, a majority of the House. As the first genocide of the 20th century, it is morally imperative that we remember this atrocity and collectively demand reaffirmation of this crime against humanity.

We must stand up and recognize the tragic events that began in 1915 for what they were, the systematic elimination of the people. By recognizing these actions as genocide, we can renew our commitment to prevent such atrocities from ever occurring again.

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

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LEE) is recognized for 5 minutes.

(Ms. LEE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mrs. MCCARTHY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

CODEL TO IRAQ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BURGESS) is recognized for 14 minutes as the designee of the minority leader.

Mr. BURGESS. Madam Speaker, I come to the floor of the House tonight having just returned from the country of Iraq yesterday afternoon. And even given the lateness of the hour, I wanted to come address the House because there are some issues that are, in fact, very timely and time-sensitive, and I thought it was important to get them spoken on the floor of the House.

My intention is to come back with the other Members who were on the trip with me, Mr. CARTER of Texas, Mr. BRADY of Texas, Mr. JORDAN of Ohio, Mr. DAVIS of Tennessee, and talk about this in some depth in the weeks to come. Mr. KING of Iowa was also with us on the trip. But because of the lateness tonight and the lateness that we are likely to go tomorrow night and Thursday night, it may be next week before we can actually do that formal presentation, and there were some things that I wanted to get on the floor of the House this week.

Madam Speaker, I would report to the House that as of the third week of July 2007, it is still a very mixed report about the situation in Iraq. My overall impression from this latest trip is that significant successes have occurred and are likely to continue to occur as far as returning control of the country to the Iraqi Government and delivering it out of the hands of criminals and murderers. At the same time, it is still a very dangerous situation, and the sacrifice is very real.

Madam Speaker, the future of America is vastly different depending upon the outcome of what happens in the country of Iraq. A stable country, a country with a representational government, a country able to act as a partner for peace in the Middle East would be vastly preferable to a lawless land ruled by terrorists and criminals providing a base for training operations and, Madam Speaker, a source for funding for further enlargement of their activities.

Almost without question, the divergent future was on the minds of almost everyone I talked with during the 2-day trip. Certainly America's best interest is going to be served by stability in that country and with their active participation in stabilizing a very troubled region.

It has been just over a year since I last traveled to Iraq. A lot has changed both at home and in Iraq over that time. There is no question that the news reports coming out of Iraq have almost been universally pessimistic for about 10 months' time. I was obviously very concerned about what I would encounter upon my return to that country, but the trip made over the weekend, a Saturday and Sunday, a very condensed time frame with a great deal to see, we learned a great deal.

Starting with a 2 a.m. departure from the military airport in Kuwait City, we loaded on the C–130 for the flight into Baghdad. The plane was cramped and fully loaded. Already at 2:00 in the morning, it was over 90 degrees. The plane contained a large number of soldiers and marines who were returning to Baghdad. Because of the very early hour and the loudness of the aircraft, there was not much time for conversation; but after the plane landed and the engines were stopped, there was a brief episode where conversation was possible.

For most, this was their second or third rotation. Their deployments had been extended through 15 months, and most would not go home for almost a year from that point. When several who were standing next to me learned who I was, there was obviously an eagerness for conversation.

Since February, there has been a change in how they have done their work. Now most were placed alongside Iraqi soldiers in smaller groups around town. They were no longer attached to the larger, more protected bases, and the soldiers were clearly seeing a greater amount of activity, and it concerned them.

I spoke in some depth with the soldier in front of me. He had 10 months left in his rotation, and sometimes he wondered if the generals knew what they were up against in this deployment. He complained about the long hours and the heat. He complained about being separated from his family. He had been reading a book on the plane, and I asked him about this. He said it was a book about philosophy, so I naturally assumed that upon leaving the Army at the end of his deployment, he would likely return to school, or perhaps he had a job waiting for him, and I asked him about this. He looked at me strangely. ''Well, I just reenlisted for 5 years,'' he said tersely.

We left the plane and parted ways. He got on an armored convoy, and we were loaded in Blackhawk helicopters for the next leg of our trip down to Ramadi. It was still very early in the morning, and the sun was barely breaking through the low dust layer that always seems to hang over Baghdad in the summer. The temperature was already in excess of 100 degrees, but in many ways my conversation with this soldier underscored the ambiguities, the inconsistencies, and the incongruous nature of life in Iraq.

Over the next 48 hours, we would see stories of great heroism and great hope. At the same time, the frustration of buying time and space for a young government, sometimes a dysfunctional government, of a war-torn country was underscored at several junctures.

From a military perspective, success has been made and continues to be made on a near daily basis. Indeed, the primary enemy, al Qaeda, has not only been beaten, but vanquished every time there has been an encounter. And because of the increased military activity, the encounters have been more frequent. At the same time, a very young government seems to have already developed entrenched bureaucracies because of the centralized nature of the government in Iraq. As military successes are happening around the country, aid from the central government is slow to be dispatched out to the outlying communities.

As is probably the case with every other conflict in our Nation's history, there are widely distributed data points, and one can take one or two of these and make virtually any argument that one wishes to make. It takes a more disciplined outlook to analyze the data, look at the trendlines, but that is a discipline that must be exercised.

Madam Speaker, the city of Ramadi in the al-Anbar Province in Western Iraq was the first stop for us on Saturday. This is a city the size of Fort

Worth, Texas, back in my home district. One year ago when I was in Iraq, Ramadi was held by insurgent representatives of al Qaeda. In July of 2006, there would have been no way for a congressional delegation to travel to this city as it would have been seen as too dangerous a mission.

But things began to change last February. The historic tribal leaders began to clearly understand that life alongside al Qaeda was not going to improve; and in a stunning reversal, the town's leaders began to seek out and embrace American protection. Popular support was now no longer available to al Qaeda in a city that had been destined to be the provincial capital of the resurgent Caliphate. This represented a striking strategic failure for the enemy. Their shadow government which had intended to establish a capital of a radical Islamic state was forced out of the city, and, indeed, subsequent armed attempts to retake control were successfully repelled. People in town began identifying where the terrorists lived, who was making the bombs, who was putting the city and their daily lives in jeopardy.

Now, the task of rebuilding a civil society, the municipal government has certainly significant tasks ahead of it. And, Madam Speaker, I might add to that it was the additional soldiers and marines provided by what is called the surge last February, particularly the soldiers of the 2nd Marine Expeditionary Unit force just north of al-Anbar, that made a lot of this possible. They intercepted the vehicle-borne improvised explosive devices as they were on their way down to Ramadi; they found the factories where these were manufactured, and were able to provide additional breathing space and additional room as the city was recontrolled by the Americans.

Because of the distance from Baghdad and the central government, there has been some isolation, and significant efforts have been made by the Army to ensure that the local mayor has the ability to provide for his citizens. And this, Madam Speaker, underscores one of the real difficulties ahead for this country. As areas are reclaimed and stabilized, the central government must be able to quickly provide the financial and security support that will be required to sustain this early success.

This also underscores one of the important recognized benchmarks, that of holding the provincial elections. During the electoral process 2 years ago, most of the Sunni population was involved in an electoral boycott. Now they see the fundamental error of that decision, and they are eager to see new elections that would permit a more popular representation.

After 2 or 3 years of serious brutality at the hands of al Qaeda, the population now sees America as helpers and sees Americans as protectors. The tribal leaders had originally feared that Americans were occupiers, that they would stay forever, but now they have come to understand that the Americans have no such interests. The same could not be said for al Qaeda's interests. Their clear intent was to hold the town for their purposes for the foreseeable future.

The point was made during our visit that there are no overnight solutions to the problems in Iraq. Leadership cannot be bought, and this has to be an evolutionary change. But this change can occur if the correct environment is provided.

As if to underscore the recent success in Ramadi, we were taken out of the military base, down the main street of town, right into the marketplace. We were permitted to walk freely in the marketplace and observed many of the items for sale in what appears to be a very normal Arab market.

Madam Speaker, I did provide a photograph from that visit, and here you can see again one of the stalls of the market. You can see the goods for sale, the pots and pans up there, coolers for water or whatever other beverage one might want to have. You can see the smiles on the young children. They didn't know we were going to come to town that day; it just happened that we showed up, and they were apparently glad to see us. You see the men there bargaining in the background. It doesn't really look like a street scene of people that are under great stress or duress. It looks like a normal marketplace with normal people doing normal Saturday-morning activities.

The vehicle you see just a portion up here at the edge of the photograph was actually a municipal vehicle, a city vehicle. They were repairing one of the sewer lines in the street. Many of the sewer lines and water lines in this town had been broken by improvised explosive devices that had gone off during the more active and kinetic phases of the retaking of the city from the al Qaeda groups. But it wasn't Americans who were out repairing the sewer pipe, it was actually the municipal government of the city of Ramadi who was taking care of that task, as they should, as is appropriate for a municipal government, the appropriate way for a municipal government to behave.

I would also point out some of the clothing that is for sale.

Madam Speaker, I just have to say in this trip to Iraq one of the things I saw that really struck me as being significantly different from other trips, not just in Ramadi, but in Baghdad and some of the other areas we visited, many more women were in evidence out on the streets and out in public, significantly different from other times when I have been there. And I take that as a good sign, a good sign as for the resurgence of civil society.

But there is pretty striking evidence of the prior combat in the town all around us. But the evidence of active reconstruction and a crew working on the sewer line in the middle of the street as we walked through town really again gave me some hope that there was some stability for these young children.

And let me talk about the future for a moment. That is a future that these young men now have that actually was going to be denied to them just a few short months ago. And, again, you can see the look of curiosity on these boys' faces. This boy is not quite sure whether to smile or run away. But, nevertheless, these kids were all over in the marketplace.

And you see back there again some of the brightly colored glass and things that weren't for sale in the market. I don't know where these shirts came from; presumably that represents some sort of local sports team. But, again, a very different scene in Ramadi today than would have been evident a year ago.

When I returned yesterday, one of the things that I encounter in the headline in the Washington Times was also of encouragement to me. We had spent some time during the trip on Saturday at a place called Camp Taji, which is north of Iraq.

□ 2345

Camp Taji is where a good number of our soldiers are stationed, a lot of our National Guardsmen are stationed. And again, Camp Taji, the same situation: they've moved soldiers out the relatively large base. They've moved out to work with the Iraqi units, to work in the towns. And one of the things we learned on that trip through there this weekend, the commander told us that there had just been a meeting with 150 sheiks, both Sunni and Shiia, and the reason for the meeting, the meeting was called by the sheiks. They wanted to meet with the American military, and the reason for that meeting was they wanted this same type of success for their communities. They wanted to ask if the same type of return to civil society that is going on, that's breaking out in the country of Ramadi, they wanted to know if it was possible in their communities. And, again, not just Sunni leaders, Shiia leaders as well.

And I'll quote from yesterday's, this is the Washington Times from Monday, July 23, 2007. And it says: ''U.S. forces have brokered an agreement between Sunni and Shiia tribal leaders to join forces against al Qaeda and other extremists extending a policy that has transformed the security situation in western Anbar province, and they wanted to extend that to this area north of the capital.''

A startling story. We just heard about this on Saturday when we were there. In fact, I was kind of given the impression that it was so new that maybe we shouldn't talk about it. But here it is on the front page of the Washington Times, so I'm going to assume it is okay to bring that up. Very significant because, of course, in the Sunni areas of Iraq, al Qaeda's dominant. In the Shiia areas the Mahdi

Army from Maktadar al Sadr was dominant. Neither one of these groups is seen as really furthering the common interests of the country of Iraq, and both Sunni and Shiia were asking for help from the Americans.

Another headline that greeted me Monday morning when I woke up in Germany on the way back, one of the generals, General Mixon, has proposed a shift in strategy in Iraq. He says, they're so calm up north, maybe we should be able to bring some of our troops from up north down to the areas around Baghdad to provide additional security there because, quite frankly, they're not needed in Nineveh province. They're not needed in these areas where just a year ago there was significant terrorist activity occurring and United States troops were required.

Madam Speaker, you have been very generous with the time. I hope to be back here next week with the other members of the congressional delegation that went to Iraq. We'll talk a great deal more about this subject, but some of these issues were time sensitive and I wanted to get them on the record while they were still very relevant.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BACHUS (at the request of Mr. BOEHNER) for today and July 23 on account of illness.

Mr. DAVIS of Kentucky (at the request of Mr. BOEHNER) for July 23 on account of attending the State of Northern Kentucky address.

Mr. PENCE (at the request of Mr. BOEHNER) for today on account of family medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. BURGESS) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, July 31.

Mr. JONES of North Carolina, for 5 minutes, July 31.

Mr. GOHMERT, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1856. An act to amend title 18, United States Code, to make technical corrections to the new border tunnels and passages offense; to the Committee on the Judiciary.

ADJOURNMENT

Ms. JACKSON-LEE of Texas. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 48 minutes p.m.), the House adjourned until tomorrow, Wednesday, July, 25, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2623. A letter from the Director, Defense Research and Engineering, Department of Defense, transmitting notification of intent to obligate funds for three additional projects for the Fiscal Year 2007 Foreign Comparative Testing (FCT) Program, pursuant to 10 U.S.C. 2350a(g); to the Committee on Armed Services.

2624. A letter from the Acting Deputy Chief of Legislative Affairs, Department of Defense, transmitting notification of the decision to convert to contract the aircraft line maintenance functions in China Lake, CA; Lemoore, CA; San Diego, CA; Jacksonville, FL; Mayport, FL; Patuxent River, MD; Norfolk, VA; Virginia Beach, VA; and Oak Harbour, WA, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

2625. A letter from the Chief, Congressional Action Division, Office of Legislative Liaison, Department of Defense, transmitting Notice of the decision to initiate a multifunction standard competition of the Noncore Enterprise Communications Function at Peterson Air Force Base, Colorado, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

2626. A letter from the Chief, Congressional Action Division, Office of Legislative Liaison, Department of Defense, transmitting Notice of the decision to initiate a multifunction standard competition of the Core Enterprise Communications Function at Peterson Air Force Base, Colorado, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

2627. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's Report to Congress on the Plutonium Storage at the Department of Energy's Savannah River Site, pursuant to Public Law 107-314, section 3183; to the Committee on Armed Services.

2628. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Colonel Stephen R. Lanza to wear the authorized insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

2629. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting the Department's report on the omission of the SSN from the Department of Defense military identification cards, pursuant to Public Law 109-364, section 585; to the Committee on Armed Services.

2630. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the next higher grade in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

2631. A letter from the Director, National Defense Research Institute, transmitting a copy of the report entitled, ''F-22A Multi-Year Procurement Program: An Assessment of Cost Savings,'' pursuant to Public Law 109-364, section 134; to the Committee on Armed Services.

2632. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the quarterly report of obligations and outlays of FY 2004, FY 2005 and FY 2006 funds under the Emergency Plan for AIDS Relief through September 30, 2006, pursuant to Division D, Pub. L. 108-199; to the Committee on Foreign Affairs.

2633. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed license for the export of defense articles and services to the Government of Japan (Transmittal No. DDTC 073-07); to the Committee on Foreign Affairs.

2634. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, certification regarding the proposed transfer of major defense equipment from the Government of Belgium (Transmittal No. RSAT-01-07); to the Committee on Foreign Affairs.

2635. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to Section 620C(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with section 1(a)(6) of Executive Order 13313, a report prepared by the Department of State on the progress toward a negotiated solution of the Cyprus question covering the period April 1, 2007 through May 31, 2007; to the Committee on Foreign Affairs.

2636. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2637. A letter from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of San Francisco, transmitting the 2006 management report and statements on system of internal controls of the Federal Home Loan Bank of San Francisco, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

2638. A letter from the Legislative Counsel, Office of Congressional and Legislative Affairs, Department of the Interior, transmitting a copy of a draft bill entitled, ''To clarify the authorities for the use of certain National Park Service properties within Golden Gate National Recreational Area and San Francisco Maritime National Historical Park, and for other purposes''; to the Committee on Natural Resources.

2639. A letter from the Program Analyst, Department of Transporation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200, A330-300, A340-200, and A340-300 Series Airplanes [Docket No. FAA-2007-27013; Directorate Identifier 2006-NM-236-AD; Amendment 39-15022; AD 2007-08-05] (RIN: 2120-AA64) received July 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2640. A letter from the Program Analyst, Department of Transporation, transmitting the Department's final rule — Airworthiness Directives; EADS SOCATA Model TBM 700 Airplanes [Docket No. FAA-2006-26233; Directorate Identifier 2006-CE-63-AD; Amendment

39-14979; AD 2007-05-18] (RIN: 2120-AA64) received July 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2641. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Redmond, OR [Docket No. FAA-2006-25997; Airspace Docket No. 06-ANM-5] received July 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2642. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Head Restraints [Docket No. NHTSA-2007-27986] (RIN: 2127-AJ96) received July 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2643. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Fire Penetration Resistance of Thermal/Acoustic Insulation Installed on Transport Category Airplanes [Docket No. FAA-2006-24277; Amendment No. 121-330] (RIN: 2120-AI75) received July 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2644. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Reporting of Early Warning Information [Docket No. NHTSA-2006-25653; Notice 2] (RIN: 2127-AJ94) received July 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2645. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 777 Airplanes [Docket No. FAA-2007-27898; Directorate Identifier 2007-NM-078-AD; Amendment 39-15029; AD 2007-07-05 R1] (RIN: 2120-AA64) received July 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2646. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; LATINOAMERICANA DE AVIACION (LAVIA) S.A. (Type Certificate Data Sheets No. 2A8 and No. 2A10 previously held by The New Piper Aircraft, Inc.) Models PA-25, PA-25-235, and PA-25-260 Airplanes [Docket No. FAA-2007-27109; Directorate Identifier 2007-CE-005-AD; Amendment 39-15024; AD 2007-08-07] (RIN: 2120-AA64) received July 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2647. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; British Aerospace Regional Aircraft Models HP.137 Jetstream Mk.1, Jetstream Series 200, Jetstream Series 3101, and Jetstream Model 3201 Airplanes [Docket No. FAA-2007-27070 Directorate Identifier 2007-CE-003-AD; Amendment 39-15023; AD 2007-08-06] (RIN: 2120-AA64) received July 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2648. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211 Series Turbofan Engines [Docket No. FAA-2007-27824; Directorate Identifier 2003-NE-12-AD; Amendment 39-15026; AD 2006-11-05R1] (RIN: 2120-AA64) received July 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2649. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B4-601, A300 B4-603, A300 B4-605R, A300 C4-605R Variant F, A310-204, and A310-304 Airplanes Equipped with General Electric CF6-80C2 Engines [Docket No. FAA-2007-27012; Directorate Identifier 2006-NM-188-AD; Amendment 39-15017; AD 2007-07-15] (RIN: 2120-AA64) received July 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2650. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CT7-5, -7, and -9 Series Turboprop Engines [Docket No. FAA-2005-20944; Directorate Identifier 2003-NE-64-AD; Amendment 39-15018; AD 2007-08-01] (RIN: 2120-AA64) received July 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2651. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McCauley Propeller Systems Models 3A32C406/82NDB-X and D3A32C409/82NDB-X Propellers [Docket No. FAA-2005-22898; Directorate Identifier 2005-NE-10-AD; Amendment 39-15021; AD 2007-08-04] (RIN: 2120-AA64) received July 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2652. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Learjet Model 45 Airplanes [Docket No. FAA-2007-27980; Directorate Identifier 2007-NM-066-AD; Amendment 39-15033; AD 2007-09-03] (RIN: 2120-AA64) received July 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2653. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Aircraft Company (The Beech Aircraft Company and BEECH previously held Type Certificate Nos. 3A15, 3A16, 5A3, and A-777) Models 35-33, 35-A33, 35-B33, 35-C33, E33, F33, G33, 35-C33A, E33A, F33A, E33C, F33C, 35, A35, B35, C35, D35, E35, F35, G35, H35, J35, K35, M35, N35, P35, S35, V35, V35A, V35B, 36, A36, A45, (T-34A, B45), D45 (T-34B), 95-55, 95-A55, 95-B55, 95-B55A, 95-B55B (T-42A), 95-C55, 95-C55A, D55, D55A, E55, E55A, 56TC, A56TC, 58, 95, B95, B95A, D95A, and E95 Airplanes [Docket No. FAA-2006-26075; Directorate Identifier 2006-CE-55-AD; Amendment 39-15025; AD 2007-08-08] to the Committee on Transportation and Infrastructure.

2654. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Models 172R, 172S, 182T, T182T, 206H, and T206H Airplanes [Docket No. FAA-2007-27709; Directorate Identifier 2007-CE-028-AD; Amendment 39-15020; AD 2007-08-03] (RIN: 2120-AA64) received July 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2655. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MD Helicopters Inc. (MDHI) Model MD600N Helicopters [Docket No. FAA-2007-27343; Directorate Identifier 2007-SW-05-AD; Amendment 39-15030; AD 2007-05-51] (RIN: 2120-AA64) received July 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2656. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Short Brothers Model SD3-60 SHERPA, SD3-SHERPA, SD3-30, and SD3-60 Airplanes [Docket No. FAA-2007-27866; Directorate Identifier 2007-NM-055-AD; Amendment 39-15027; AD 2007-08-09] (RIN: 2120-AA64) received July 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2657. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Airplanes [Docket No. FAA-2006-25419; Directorate Identifier 2006-NM-055-AD; Amendment 39-15007; AD 2007-07-10] (RIN: 2120-AA64) received July 18, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2658. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company Models 182H, 182J, 182K, 182L, 182M, 182N, 182P, 182Q, and 182R Airplanes [Docket No. FAA-2007-27786; Directorate Identifier 2007-CE-031-AD; Amendment 39-15031; AD 2007-09-01] (RIN: 2120-AA64) received July 19, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2659. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330 Airplanes and Model A340-200 and -300 Series Airplanes [Docket No. FAA-2007-27014; Directorate Identifier 2006-NM-253-AD; Amendment 39-15041; AD 2007-09-09] (RIN: 2120-AA64) received July 18, 2007, pursuant to 50 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2660. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a semi-annual report concerning emigration laws and policies of Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, Ukraine, and Uzbekistan, as required by Sections 402 and 409 of the 1974 Trade Act, as amended, pursuant to 19 U.S.C. 2432(c) and (d); to the Committee on Ways and Means.

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:

Ms. DELAURO: Committee on Appropriations. H.R. 3161. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008, and for other purposes (Rept. 110–258). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mrs. WILSON of New Mexico (for herself, Mr. BOEHNER, Mr. SENSENBRENNER, Mr. HOEKSTRA, Mr. BLUNT, Ms. FOXX, Mrs. MILLER of Michigan, Mr. ISSA, Mr. MCHUGH, Mr. ROGERS of Michigan, Mr. EVERETT, Mr. THORNBERRY, Ms. PRYCE of Ohio, Mr. TIAHRT, Ms. GRANGER, Mrs. BACHMANN, Mr. GALLEGLY, Mr. PUTNAM, Mr. FOSSELLA, Mrs. CAPITO, Mr. MARIO DIAZ-BALART of Florida, Mr. BURGESS, Ms. GINNY BROWN-WAITE of Florida, Mr. LATOURETTE, Mr. REGULA, Mr. KUHL of New York, Mr. CASTLE, Mr. FRELINGHUYSEN, Mr. SHAYS,

Mr. ENGLISH of Pennsylvania, and Mr. SMITH of Texas):

H.R. 3138. A bill to amend the Foreign Intelligence Surveillance Act of 1978 to update the definition of electronic surveillance; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), 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. BUTTERFIELD (for himself, Mr. SHULER, Mr. MILLER of North Carolina, Mr. PRICE of North Carolina, and Mr. WATT):

H.R. 3139. A bill to amend the Wild and Scenic Rivers Act to designate the Perquimans River and its tributaries in Perquimans County, North Carolina, for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mrs. BOYDA of Kansas (for herself, Mr. WEINER, Mrs. EMERSON, Mr. ADERHOLT, Mr. ALEXANDER, Mr. BERRY, Mr. BONNER, Mr. BOREN, Mr. BOUCHER, Mr. BOUSTANY, Mr. BRALEY of Iowa, Mr. CARNEY, Mr. CUMMINGS, Mr. DAVID DAVIS of Tennessee, Mr. DAVIS of Kentucky, Mr. ETHERIDGE, Mr. FARR, Mr. GORDON, Mr. HIGGINS, Mr. JONES of North Carolina, Mr. LOBIONDO, Mr. LOEBSACK, Mr. MOORE of Kansas, Mr. MORAN of Kansas, Mr. ORTIZ, Mr. ROGERS of Alabama, Mr. ROSS, Mr. SKELTON, Mr. TIAHRT, and Mr. WALZ of Minnesota):

H.R. 3140. A bill to amend title XIX of the Social Security Act to ensure and foster continued beneficiary access to generic drugs under the Medicaid Program by setting pharmacy reimbursement based on retail acquisition cost and to promote the use of generic drugs; to the Committee on Energy and Commerce.

By Mr. LATHAM (for himself, Mr. BOSWELL, Mr. LOEBSACK, Mr. BRALEY of Iowa, and Mr. KING of Iowa):

H.R. 3141. A bill to increase the amount in certain funding agreements relating to patents and nonprofit organizations to be used for scientific research, development, and education, and for other purposes; to the Committee on the Judiciary.

By Mr. REICHERT:

H.R. 3142. A bill to provide law enforcement critical tools and resources for preventing and enforcing violent crime; to the Committee on the Judiciary.

By Mr. SMITH of Nebraska:

H.R. 3143. A bill to eliminate methamphetamine kingpins; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MCMORRIS RODGERS:

H.R. 3144. A bill to amend title 18, United States Code, to provide penalties for sex offenders who access social networks on the Internet, and for other purposes; to the Committee on the Judiciary.

By Mrs. DRAKE:

H.R. 3145. A bill to amend the Immigration and Nationality Act to increase criminal penalties for certain removed aliens who illegally reenter the United States; to the Committee on the Judiciary.

By Mr. DAVIS of Kentucky:

H.R. 3146. A bill to provide additional tools and resources to combat terrorism financing; to the Committee on the Judiciary, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. WILSON of New Mexico:

H.R. 3147. A bill to provide additional tools and tough penalties to fight terrorism and protect America's national security; to the Committee on the Judiciary.

By Mrs. MUSGRAVE:

H.R. 3148. A bill to eliminate child pornography; to the Committee on the Judiciary.

By Mr. PORTER:

H.R. 3149. A bill to protect children from sex offenders; to the Committee on the Judiciary.

By Mr. KELLER:

H.R. 3150. A bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang prevention programs, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSKAM:

H.R. 3151. A bill to authorize grants to establish and improve criminal forensic laboratories; to the Committee on the Judiciary.

By Mr. DENT:

H.R. 3152. A bill to provide funding for multi-jurisdictional anti-gang task forces; to the Committee on the Judiciary.

By Mr. GERLACH:

H.R. 3153. A bill to amend title 18, United States Code, to provide to make the killing of a law enforcement officer an aggravating factor for the imposition of the death penalty; to the Committee on the Judiciary.

By Mr. SOUDER:

H.R. 3154. A bill to deter alien smuggling criminal enterprises; to the Committee on the Judiciary.

By Mr. CHABOT:

H.R. 3155. A bill to amend titles 17 and 18, United States Code, to strengthen the protection of intellectual property, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of Texas (for himself and Mr. FORBES):

H.R. 3156. A bill to control violent crime; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Ways and Means, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNAHAN (for himself, Mr. CLAY, Mr. AKIN, and Mr. GRAVES):

H.R. 3157. A bill to amend the National Trails System Act relating to the statute of limitations that applies to certain claims; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY of New York (for herself, Mr. HOYER, and Mr. TOM DAVIS of Virginia):

H.R. 3158. A bill to provide that 8 of the 12 weeks of parental leave made available to a Federal employee under subchapter V of chapter 63 of title 5, United States Code, shall be paid leave, and for other purposes; to the Committee on Oversight and Government Reform.

By Mrs. TAUSCHER (for herself, Ms. SHEA-PORTER, Mr. MEEK of Florida, Mr. LOEBSACK, Mr. ABERCROMBIE, Mr. JOHNSON of Georgia, Mr. HARE, Ms. KAPTUR, Mr. COURTNEY, Ms. GIFFORDS, Mr. GILCHREST, Mr. JONES of North Carolina, Ms. HARMAN, Mr. TAYLOR, Mr. ORTIZ, Ms. LORETTA SANCHEZ of California, Mr. LARSEN of Washington, Mr. SMITH of Washington, Mr. ANDREWS, and Mr. REYES):

H.R. 3159. A bill to mandate minimum periods of rest and recuperation for units and members of the regular and reserve components of the Armed Forces between deployments for Operation Iraqi Freedom or Operation Enduring Freedom; to the Committee on Armed Services.

By Mr. DOGGETT (for himself, Mr. STARK, Mr. LEVIN, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. MCNULTY, Mr. POMEROY, Mrs. JONES of Ohio, Mr. PASCRELL, Mr. MEEK of Florida, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ANDREWS, Mr. BAIRD, Mr. BERMAN, Mr. BERRY, Ms. CORRINE BROWN of Florida, Mr. CAPUANO, Ms. CARSON, Ms. CLARKE, Mr. CLEAVER, Mr. CONYERS, Mr. COSTELLO, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DEFAZIO, Mr. DELAHUNT, Ms. DELAURO, Mr. EDWARDS, Mr. ELLISON, Mr. FARR, Mr. FATTAH, Mr. FILNER, Mr. GRIJALVA, Mr. HARE, Mr. HINCHEY, Mr. HOLT, Ms. HOOLEY, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KENNEDY, Ms. KILPATRICK, Ms. LEE, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Mr. PATRICK MURPHY of Pennsylvania, Mr. NADLER, Mr. PAYNE, Mr. RUSH, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. SHERMAN, Ms. SLAUGHTER, Ms. SOLIS, Ms. SUTTON, Mr. TIERNEY, Ms. WATSON, and Mr. WAXMAN):

H.R. 3160. A bill to amend the Internal Revenue Code of 1986 to prevent corporations from exploiting tax treaties to evade taxation of United States income; to the Committee on Ways and Means.

By Mr. DINGELL (for himself, Mr. RANGEL, Mr. STARK, and Mr. PALLONE):

H.R. 3162. A bill to amend titles XVIII, XIX, and XXI of the Social Security Act to extend and improve the children's health insurance program, to improve beneficiary protections under the Medicare, Medicaid, and the CHIP program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAIRD (for himself, Mrs. EMERSON, Mr. BLUMENAUER, and Mr. COOPER):

H.R. 3163. A bill to provide affordable, guaranteed private health coverage that will make Americans healthier and can never be taken away; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and Labor, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BECERRA (for himself and Mr. NUNES):

H.R. 3164. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of Indian tribal governments as State

governments for purposes of issuing tax-exempt governmental bonds, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLAKE (for himself and Mr. FORTUÑO):

H.R. 3165. A bill to amend the General Notes of the Harmonized Tariff Schedule of the United States with respect to certain products imported from United States insular possessions; to the Committee on Ways and Means.

By Mr. GILCHREST (for himself, Mr. JINDAL, Mr. BOUSTANY, and Mr. MELANCON):

H.R. 3166. A bill to reauthorize the Nutria Eradication and Control Act of 2003; to the Committee on Natural Resources.

By Mr. HARE (for himself, Mr. JOHNSON of Georgia, Mr. CROWLEY, and Mr. LAHOOD):

H.R. 3167. A bill to impose a temporary moratorium on the discharge of members of the Armed Forces for personality disorder, except in certain specified cases; to the Committee on Armed Services.

By Mr. HASTINGS of Florida:

H.R. 3168. A bill to establish an educational mentoring pilot program for at-risk youth through community partnerships that provides life, social, academic and vocational skills necessary for youth to become productive law abiding citizens; to the Committee on Education and Labor.

By Mr. JEFFERSON:

H.R. 3169. A bill to direct the Election Assistance Commission to make grants to States to respond to election administration needs which result from a major natural disaster, and for other purposes; to the Committee on House Administration.

By Mr. MITCHELL (for himself and Mr. SHAYS):

H.R. 3170. A bill to make permanent the individual income tax rates for capital gains, and for other purposes; to the Committee on Ways and Means.

By Mr. BRADY of Pennsylvania (for himself and Mr. EHLERS):

H. Con. Res. 190. Concurrent resolution authorizing printing of the brochure entitled ''How Our Laws Are Made'', the document-sized, annotated version of the United States Constitution, and the pocket version of the United States Constitution; to the Committee on House Administration. considered and agreed to.

By Mr. HALL of New York:

H. Con. Res. 191. Concurrent resolution supporting the goals and ideals of ''National Purple Heart Recognition Day''; to the Committee on Armed Services.

By Mr. SALI (for himself, Mr. CHABOT, Mr. GARRETT of New Jersey, Mr. PITTS, Mr. GOODE, Mr. AKIN, Mr. HERGER, Mr. PRICE of Georgia, Mr. LINDER, Mr. HOEKSTRA, Mr. BARTLETT of Maryland, Mr. SHADEGG, Mr. LAMBORN, Mr. DOOLITTLE, Mr. BISHOP of Utah, Mr. PEARCE, Mrs. BLACKBURN, Mr. CONAWAY, Mr. PAUL, Mr. WELDON of Florida, Mr. COLE of Oklahoma, Mr. GINGREY, Mr. FORTUÑO, Mr. FEENEY, Mr. PENCE, Mrs. MYRICK, Mrs. DRAKE, and Mr. DAVIS of Kentucky):

H. Res. 565. A resolution amending the Rules of the House of Representatives to provide for division of the question on the legislative proposals involved to allow separate votes on disparate matters; to the Committee on Rules.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 20: Ms. ROYBAL-ALLARD.
H.R. 35: Mr. SCOTT of Virginia.
H.R. 89: Mr. YOUNG of Alaska.
H.R. 211: Mr. ALTMIRE.
H.R. 303: Mr. BERRY and Mr. ROGERS of Alabama.
H.R. 325: Mr. SCOTT of Virginia.
H.R. 579: Mr. BARROW and Mr. KELLER.
H.R. 601: Ms. PRYCE of Ohio.
H.R. 734: Mr. WATT.
H.R. 748: Mr. ETHERIDGE, Mr. WYNN, Mr. POMEROY, Mrs. BLACKBURN, Mr. LAHOOD, Mr. ALEXANDER, Ms. HERSETH SANDLIN, and Mrs. DAVIS of California.
H.R. 808: Mr. LARSON of Connecticut.
H.R. 900: Mr. FARR.
H.R. 963: Mr. CARNEY.
H.R. 969: Mr. KLEIN of Florida, Ms. VELÁZQUEZ, Mr. WALZ of Minnesota, Mr. DICKS, and Mr. NEAL of Massachusetts.
H.R. 1023: Mr. BOSWELL, Mr. VAN HOLLEN, Mr. SNYDER, and Ms. BEAN.
H.R. 1043: Mr. BOSWELL.
H.R. 1064: Mr. JACKSON of Illinois, Mr. DAVID DAVIS of Tennessee, and Mr. MORAN of Kansas.
H.R. 1078: Mr. TERRY.
H.R. 1093: Mr. REYES and Mr. YOUNG of Alaska.
H.R. 1108: Mr. KLEIN of Florida.
H.R. 1125: Mr. MELANCON, Mr. LANTOS, Mr. BARROW, Mr. KENNEDY, Mr. CAPUANO, Mr. FARR, Ms. ZOE LOFGREN of California, Mrs. DAVIS of California, Ms. ESHOO, and Mr. BONNER.
H.R. 1134: Mr. ALEXANDER and Mr. BOSWELL.
H.R. 1228: Mr. ABERCROMBIE.
H.R. 1280: Mr. GRIJALVA.
H.R. 1302: Ms. CARSON.
H.R. 1304: Mr. ROGERS of Alabama.
H.R. 1313: Ms. WATSON, Mr. BROWN of South Carolina, and Mr. SPACE.
H.R. 1357: Mr. MCHUGH, Mr. TIM MURPHY of Pennsylvania, Mr. CULBERSON, Mr. WALSH of New York, and Ms. GINNY BROWN-WAITE of Florida.
H.R. 1376: Ms. BERKLEY.
H.R. 1384: Mr. BACA and Mr. BECERRA.
H.R. 1399: Mr. BUYER, Mr. BARTLETT of Maryland, Mr. UPTON, Mr. FORTENBERRY, and Mr. DONNELLY.
H.R. 1400: Mr. DICKS.
H.R. 1415: Mr. HINCHEY.
H.R. 1416: Mr. HINCHEY and Mr. DELAHUNT.
H.R. 1422: Mr. DAVIS of Illinois and Mr. HINCHEY.
H.R. 1459: Mr. MATHESON.
H.R. 1474: Mr. TIAHRT and Mr. SALAZAR.
H.R. 1514: Mrs. WILSON of New Mexico.
H.R. 1534: Mr. BUTTERFIELD.
H.R. 1553: Mr. KLEIN of Florida and Mr. SCOTT of Virginia.
H.R. 1576: Mr. REHBERG and Mr. WAMP.
H.R. 1653: Mr. HASTINGS of Florida and Mr. WEXLER.
H.R. 1742: Mr. HAYES and Ms. LINDA T. SÁNCHEZ of California.
H.R. 1746: Mr. FORTUÑO and Mr. ACKERMAN.
H.R. 1766: Mr. CANTOR.
H.R. 1818: Mr. OLVER and Mr. BOREN.
H.R. 1823: Mr. BRALEY of Iowa.
H.R. 1843: Mr. PLATTS.
H.R. 1845: Mr. HINOJOSA and Mr. ADERHOLT.
H.R. 1927: Mr. LARSEN of Washington.
H.R. 1940: Mrs. CUBIN and Mr. KINGSTON.
H.R. 1941: Mr. WYNN and Mr. TIBERI.
H.R. 1943: Ms. CARSON, Mr. ELLISON, Mr. THOMPSON of Mississippi, Ms. WATSON, Mrs. JONES of Ohio, Mr. MCGOVERN, and Mrs. MALONEY of New York.
H.R. 1981: Mr. JACKSON of Illinois.
H.R. 2017: Mr. SCOTT of Virginia.
H.R. 2020: Mr. GARRETT of New Jersey.
H.R. 2053: Mr. CLAY, Mrs. MALONEY of New York, Mr. MACK, and Mr. COHEN.
H.R. 2060: Ms. ROYBAL-ALLARD.
H.R. 2090: Mr. STUPAK.
H.R. 2095: Mr. GEORGE MILLER of California, Mr. YARMUTH, and Mr. CARDOZA.
H.R. 2116: Mr. TURNER, Mr. PAUL, Mr. GRAVES, and Mr. HERGER.
H.R. 2122: Mr. UDALL of Colorado, Mr. HINCHEY, Mr. CARNEY, Mr. MICHAUD, Mr. HASTINGS of Florida, Mr. BLUMENAUER, Mr. PAYNE, and Mr. GORDON.
H.R. 2126: Mr. WEXLER.
H.R. 2164: Ms. BERKLEY and Mr. WALSH of New York.
H.R. 2184: Mr. WAXMAN and Mr. BERRY.
H.R. 2205: Mr. FORBES.
H.R. 2221: Ms. WATSON.
H.R. 2231: Mr. PRICE of Georgia, Mr. WAMP, and Mr. ROTHMAN.
H.R. 2262: Mr. KUCINICH, Mr. BLUMENAUER, Ms. MCCOLLUM of Minnesota, Mr. LEVIN, Mr. SCHIFF, Mrs. MALONEY of New York, Mr. HASTINGS of Florida, Mr. BAIRD, Ms. ZOE LOFGREN of California, Ms. LORETTA SANCHEZ of California, Mr. PALLONE, Mr. SHAYS, Mr. HODES, Mr. JACKSON of Illinois, Ms. KILPATRICK, and Mr. BERMAN.
H.R. 2265: Mr. DAVIS of Illinois and Mr. MORAN of Virginia.
H.R. 2290: Mr. KLEIN of Florida.
H.R. 2295: Mr. CANTOR, Mrs. WILSON of New Mexico, Mr. HALL of New York, and Mrs. DAVIS of California.
H.R. 2302: Mr. FORBES.
H.R. 2329: Mr. PETRI, Mr. PRICE of North Carolina, Mr. INSLEE, and Mrs. WILSON of New Mexico.
H.R. 2332: Mr. TIM MURPHY of Pennsylvania, Mr. CULBERSON, Mr. WALSH of New York, Ms. GINNY BROWN-WAITE of Florida, and Mr. CRENSHAW.
H.R. 2347: Mr. MICHAUD, Mr. PATRICK MURPHY of Pennsylvania, Ms. HARMAN, Mr. RAMSTAD, and Mr. BARTLETT of Maryland.
H.R. 2390: Ms. ROS-LEHTINEN.
H.R. 2502: Ms. ROS-LEHTINEN.
H.R. 2516: Mr. SARBANES, Mr. JACKSON of Illinois, and Mrs. CHRISTENSEN.
H.R. 2539: Mr. UDALL of Colorado.
H.R. 2549: Mr. RAMSTAD and Mr. BUCHANAN.
H.R. 2566: Mr. COHEN, Ms. LINDA T. SÁNCHEZ of California, and Mr. WATT.
H.R. 2599: Mr. KLEIN of Florida.
H.R. 2611: Mr. BONNER.
H.R. 2612: Mr. BOUCHER.
H.R. 2639: Mr. FRANKS of Arizona, Mr. PUTNAM, and Mr. GINGREY.
H.R. 2668: Mr. KLEIN of Florida and Mrs. BOYDA of Kansas.
H.R. 2694: Mr. CLAY, Mr. BRADY of Pennsylvania, and Ms. CORRINE BROWN of Florida.
H.R. 2727: Mr. STUPAK.
H.R. 2740: Ms. SCHAKOWSKY.
H.R. 2743: Mr. ROHRABACHER.
H.R. 2768: Ms. SHEA-PORTER and Mr. GRIJALVA.
H.R. 2769: Ms. SHEA-PORTER and Mr. GRIJALVA.
H.R. 2787: Mr. DAVIS of Illinois.
H.R. 2799: Mr. LANGEVIN, Mr. ENGLISH of Pennsylvania, Mrs. MYRICK, Mr. CARTER, and Mr. POE.
H.R. 2800: Mr. DAVIS of Kentucky and Mr. ENGLISH of Pennsylvania.
H.R. 2805: Mr. PLATTS, Mr. EHLERS, Mr. TERRY, Mr. WELCH of Vermont, Mr. GRIJALVA, and Ms. ZOE LOFGREN of California.
H.R. 2818: Mr. ARCURI, Mr. MURPHY of Connecticut, Mr. CUELLAR, Mr. BRALEY of Iowa, Mr. FARR, Mr. HODES, Mr. STUPAK, Mr. BACA, Mr. CROWLEY, Mr. AL GREEN of Texas, Mr. MCDERMOTT, Mr. LOEBSACK, Ms. SHEA-PORTER, Mr. SIRES, Ms. SUTTON, and Mr. DONNELLY.
H.R. 2896: Mr. ALTMIRE and Mr. WELCH of Vermont.

H.R. 2902: Mr. ALTMIRE and Mr. WILSON of Ohio.
H.R. 2905: Mr. FORBES and Mr. BOUSTANY.
H.R. 2910: Mr. HINOJOSA and Mr. KLEIN of Florida.
H.R. 2914: Mr. SAM JOHNSON of Texas.
H.R. 2927: Mr. CARTER, Mr. JONES of North Carolina, Mr. SOUDER, Mr. HALL of Texas, Mr. BACHUS, Mr. RODRIGUEZ, Mr. WALBERG, Mr. BUCHANAN, Ms. KAPTUR, Mr. WELLER, Mr. FORTUÑO, Mr. DENT, Mr. CANNON, Mr. MCCRERY, Mr. MCINTYRE, Mrs. CAPITO, Mr. LUCAS, Mr. ALEXANDER, Mr. SALAZAR, and Mr. LATHAM.
H.R. 2929: Mr. ENGLISH of Pennsylvania.
H.R. 2991: Mr. BACHUS, Mrs. BIGGERT, Mr. BISHOP of Georgia, Mr. CRAMER, Mr. ISRAEL, Mr. JONES of North Carolina, Mr. KENNEDY, Ms. JACKSON-LEE of Texas, Mr. RYAN of Ohio, Mr. KIRK, Mr. HENSARLING, and Ms. HOOLEY.
H.R. 3007: Mr. BAKER.
H.R. 3008: Mr. CARNAHAN.
H.R. 3035: Ms. CARSON, Mr. ROGERS of Michigan, Mr. HELLER, Mr. LEWIS of California, Mr. OLVER, Mr. BRADY of Pennsylvania, Ms. CORRINE BROWN of Florida, Mr. RUSH, Mr. WELLER, Mr. COHEN, Mr. MCNULTY, Ms. BERKLEY, Mr. DELAHUNT, Mr. SESSIONS, Mr. RANGEL, Mr. CASTLE, and Mr. KELLER.
H.R. 3040: Mr. BRALEY of Iowa, Ms. MATSUI, Mr. HARE, Mr. HINCHEY, and Mr. PETERSON of Minnesota.
H.R. 3042: Mr. MCHUGH.
H.R. 3046: Mr. KING of New York, Ms. SCHAKOWSKY, Ms. LINDA T. SÁNCHEZ of California, Mr. HIGGINS, Mr. GEORGE MILLER of California, Mr. GOHMERT, Ms. CORRINE BROWN of Florida, and Mr. MCHUGH.
H.R. 3053: Mr. YOUNG of Alaska.
H.R. 3054: Mr. MORAN of Virginia.
H.R. 3087: Mr. ENGLISH of Pennsylvania.
H.R. 3099: Mr. PETERSON of Minnesota and Mr. DAVIS of Illinois.
H.R. 3121: Ms. KILPATRICK, Mrs. CHRISTENSEN, Mr. CLEAVER, Mr. HONDA, and Mr. PATRICK MURPHY of Pennsylvania.
H.R. 3124: Ms. HIRONO.
H. Con. Res. 37: Mr. BARTLETT of Maryland, Mr. LOBIONDO, Mr. MCCOTTER, Mr. ROGERS of Alabama, and Mr. ROYCE.
H. Con. Res. 108: Mr. DAVIS of Illinois, Mr. MEEKS of New York, Mrs. JONES of Ohio, and Ms. WATERS.
H. Con. Res. 133: Mr. HOLDEN.
H. Con. Res. 160: Mr. GINGREY and Mr. FORTUÑO.
H. Con. Res. 181: Mr. CARNEY and Ms. SCHAKOWSKY.
H. Con. Res. 187: Mr. STUPAK.
H. Res. 32: Mr. MORAN of Kansas.
H. Res. 55: Mr. CROWLEY.
H. Res. 111: Mr. ANDREWS, Mr. HINOJOSA, Mr. SIRES, Mr. WILSON of South Carolina, and Mr. BOSWELL.
H. Res. 143: Mr. NEAL of Massachusetts.
H. Res. 235: Mr. KLEIN of Florida.
H. Res. 282: Mr. LYNCH.
H. Res. 303: Mr. MURPHY of Connecticut, Mr. PETERSON of Minnesota, Mr. BRALEY of Iowa, Ms. MATSUI, Mr. VELÁZQUEZ, Ms. SLAUGHTER, Mr. MELANCON, Mr. CHANDLER, Mr. MITCHELL, Mr. CARNEY, Mr. DONNELLY, Mr. WILSON of Ohio, Mr. YARMUTH, Mr. ACKERMAN, Mr. ISRAEL, Ms. CASTOR, Mr. ALTMIRE, Mrs. DAVIS of California, Mr. SHULER, Mr. WALZ of Minnesota, Mr. ARCURI, Mr. MCCAUL of Texas, Mr. COOPER, Ms. SCHWARTZ, Mrs. TAUSCHER, Mr. BERRY, Ms. SOLIS, Ms. MOORE of Wisconsin, Mr. KLEIN of Florida, Mr. KENNEDY, Mr. SARBANES, and Mr. MAHONEY of Florida.
H. Res. 333, Mr. BRADY of Pennsylvania.
H. Res. 405: Ms. WATSON, Mr. KING of New York, Mr. GALLEGLY, Mr. FORTUÑO, Mr. MCCOTTER, and Mr. LINCOLN DIAZ-BALART of Florida.
H. Res. 420: Mr. POE, Mr. CONAWAY, Mrs. MYRICK, Mr. BROWN of South Carolina, Mr. FLAKE, Mr. BARRETT of South Carolina, Mr. CHABOT, Mr. HOEKSTRA, MR. SOUDER, Mr. WOLF, Mr. BARTLETT of Maryland, Mr. BOOZMAN, Mr. MANZULLO, Mr. MCCOTTER, Mr. PALLONE, Mr. LIPINSKI, Mr. DUNCAN, Mr. SHULER, and Mr. GORDON.
H. Res. 433: Mr. BUTTERFIELD.
H. Res. 457: Mr. ENGEL and Mr. BILIRAKIS.
H. Res. 470: Mr. HOLDEN.
H. Res. 508: Mr. WYNN and Mr. BOEHNER.
H. Res. 539: Mr. WOLF.
H. Res. 548: Mr. CROWLEY, Mr. BURTON of Indiana, and Mr. MCCOTTER.
H. Res. 549: Mr. KLEIN of Florida, Mr. PUTNAM, Mr. MARIO DIAZ-BALART of Florida, Mr. DANIEL E. LUNGREN of California, Mr. FEENEY, Mr. CRENSHAW, and Mr. WELDON of Florida.
H. Res. 555: Mr. BUTTERFIELD, Mrs. CHRISTENSEN, Ms. KILPATRICK, Mr. BACA, Mr. THOMPSON of Mississippi, Mr. GUTIERREZ, Mr. CLEAVER, Mr. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CAPUANO, Ms. CORRINE BROWN of Florida, Mr. PAYNE, Mr. FARR, Ms. CARSON, Ms. LORETTA SANCHEZ of California, Ms. WATSON, Ms. SOLIS, Mr. CARNAHAN, Ms. LEE, Mr. RUSH, Ms. MCCOLLUM of Minnesota, Mrs. BOYDA of Kansas, Mr. REYES, Mrs. JONES of Ohio, Mr. AL GREEN of Texas, Mr. RYAN of Ohio, Mr. BISHOP of Georgia, Mr. LYNCH, Mr. WYNN, and Mr. GRIJALVA.
H. Res. 557: Mr. GONZALEZ, Mrs. MYRICK, Mr. KING of New York, Mr. FRANKS of Arizona, Mr. KLEIN of Florida, Mr. MCCOTTER, Mr. MCNULTY, and Mr. SAM JOHNSON of Texas.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2419

OFFERED BY: MR. MANZULLO

AMENDMENT NO. 1: Strike page 266, line 23, through page 267, line 10, and insert the following:

''(a) PAYMENTS FOR CONSERVATION PRACTICES.—The total amount of payments that a person or a legal entity (except a joint venture or a general partnership) may receive, directly or indirectly, in any fiscal year shall not exceed—

''(1) $60,000 from any single program under this title (other than the environmental quality incentives program) or as agricultural management assistance under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 524(b));

''(2) $125,000 from more than one program under this title (other than the environmental quality incentives program) or as agricultural management assistance under section 524(b) of the Federal Crop Insurance Act; or

''(3) $450,000 from the environmental quality incentives program.

H.R. 3704

OFFERED BY: MR. JORDAN

AMENDMENT NO. 28: At the end of the bill (before the short title), insert the following:

SEC. _____. Total appropriations made in this Act are hereby reduced in the amount of $3,200,000,000.

H.R. 3074

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 29: At the end of the bill (before the short title), insert the following:

SEC. 410. None of the funds in this Act may be used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

H.R. 3074

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 30: At the end of the bill (before the short title), insert the following:

SEC. 410. None of the funds made available in this Act may be used to provide homeownership assistance for applicants described in 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

H.R. 3074

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 31: At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available under this Act may be used to implement the provisions of subchapter IV of chapter 31 of title 40, United States Code (relating to wage rate requirements; commonly known as the Davis-Bacon Act).

H.R. 3074

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 32: At the end of the bill (before the short title), insert the following:

SEC. 410. None of the funds made available in this Act may be used for the Association of Community Organizations for Reform Now (ACORN).

H.R. 3074

OFFERED BY: MR. MCHENRY

AMENDMENT NO. 33: 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 award a grant or contract based on the race, ethnicity, or sex of the applicant or prospective contractor or subcontractor.

H.R. 3074

OFFERED BY: MRS. MUSGRAVE

AMENDMENT NO. 34: At the end of the bill (before the short title), insert the following:

SEC. ____. Appropriations made in this Act are hereby reduced in the amount of $253,690,000.

H.R. 3074

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 35: At the end of the bill (before the short title), insert the following:

SEC. 410. None of the funds made available in this Act for the mortgage insurance programs under title II of the National Housing Act (12 U.S.C. 1707 et seq.) may be used for any housing trust fund established under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.).

H.R. 3093

OFFERED BY: MRS. BLACKBURN

AMENDMENT NO. 21: At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available in this Act shall be used to initiate a civil action, or participate in a civil action initiated after the date of enactment of this act, by or on the behalf of the Equal Employment Opportunity Commission against an entity on the grounds that the entity requires an employee to speak English while engaged in work.

H.R. 3093

OFFERED BY: MR. ENGLISH OF PENNSYLVANIA

AMENDMENT NO. 22: Page 11, line 19, after the dollar amount, insert the following: ''(reduced by $2,000,000)''.

Page 68, line 16, after the dollar amount, insert the following: ''(increased by $1,000,000)''.

H.R. 3093

OFFERED BY: MR. GINGREY

AMENDMENT NO. 23: At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds appropriated by this Act may be used by the Director of the

Bureau of Alcohol, Tobacco, Firearms and Explosives to pay the compensation of employees of the Bureau of Alcohol, Tobacco, Firearms and Explosives to test and examine firearms without written and published testing standards.

H.R. 3093

OFFERED BY: MR. JORDAN

AMENDMENT NO. 24: At the end of the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwises made available by a provision of law is hereby reduced by 6.0 percent.

H.R. 3093

OFFERED BY: MR. PENCE

AMENDMENT NO. 25: At the end of the bill, before the short title, insert the following new title:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available by this Act may be used to enforce the amendments made by subtitle A of title II of Public Law 107–155.

H.R. 3093

OFFERED BY: MR. PRICE OF GEORGIA

AMENDMENT NO. 26: Page 16, line 20, after the dollar amount insert ''(reduced by $2,000,000)''.

Page 65, line 21, after the dollar amount insert ''(increased by $2,000,000)''.

H.R. 3093

OFFERED BY: MR. ROGERS OF MICHIGAN

AMENDMENT NO. 27: Page 11, line 19, insert after the dollar amount the following: ''(reduced by $16,000,000)''.

Page 29, line 19, insert after the dollar amount the following: ''(increased by $16,000,000)''.

H.R. 3093

OFFERED BY: MR. CAPUANO

AMENDMENT NO. 28: At the end of the bill (before the short title), add the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. For grants for young witness assistance, as authorized by section 1136 of the Violance Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162), and the amount otherwise provided by this Act for ''Department of Justice, General Administration, Salaries and Expenses'' is hereby reduced by, $3,000,000.

H.R. 3093

OFFERED BY: MS. SUTTON

AMENDMENT NO. 29: Page 85, add the following after line 24:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available in this Act may be used by the United States Trade Representative for any lobbying activities, or any lobbying activities that are coordinated with private interests, for the purpose of influencing Members of Congress or the public to support or oppose a legislative proposal or free trade agreement that is pending before the Congress.

H.R. 3093

OFFERED BY: MS. SUTTON

AMENDMENT NO. 30: Page 85, add the following after line 24:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available in this Act may be used to implement any free trade agreement that enters into force after the enactment of this Act unless the United States Trade Representative has certified that jobs in the United States will not be lost because of the agreement.

H.R. 3093

OFFERED BY: MS. SUTTON

AMENDMENT NO. 31: Page 70, line 17, insert the following before the period: '': *Provided further*, That of the amounts made available under this heading, at least $10,000,000 shall be used only to reduce the barriers to exports of United States goods and services identified in the 2007 National Trade Estimates report, giving priority to those barriers that result in the greatest opportunities for United States goods and services: *Provided further*, That none of the funds made available in the preceding proviso may be used to negotiate any free trade agreement, with any country, that has not been signed by the parties before the date of enactment of this Act''.

H.R. 3093

OFFERED BY: MS. SUTTON

AMENDMENT NO. 32: Page 70, line 17, insert the following before the period: '': *Provided further*, That of the amounts made available under this heading, at least $1,000,000 shall be used only for monitoring, enforcement, and oversight of trade laws and rules relating to the People's Republic of China''.

H.R. 3093

OFFERED BY: MS. ZOE LOFGREN OF CALIFORNIA

AMENDMENT NO. 33: Page 16, line 20, strike ''$58,693,000'' (reduced by $7,500,000).

Page 21, line 7, strike ''$104,777,000'' (reduced by $20,000,000).

Page 30, line 10, strike ''$33,191,000'' (reduced by $7,500,000).

Page 42, line 8, strike ''$1,315,000,000'' (increased by $40,000,000).

Page 43, line 3, strike ''$405,000,000'' (increased by $40,000,000).

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PROCEEDINGS AND DEBATES OF THE *110th* CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, TUESDAY, JULY 24, 2007 *No. 119*

Senate

The Senate met at 10 a.m. and was called to order by the Honorable SHERROD BROWN, a Senator from the State of Ohio.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, how excellent is Your Name in all the Earth. As our Senators face today's challenges, help them to trust in Your goodness. May their faith in You prompt them to wait for the unfolding of Your providence. Remind them that all things work together for good to those who love You and strive to do Your will. Continue to be their refuge, an ever-present help for life's challenges. Renew their strength, enabling them to soar like an eagle, to run and not be weary, to walk and not faint. Infuse them with a reverential awe that will strengthen them to honor You with their thoughts and words. When facing temptations, enable them to keep themselves pure.

And, Lord, we pause to remember today the supreme sacrifice of Officer Jacob Chestnut and Detective John Gibson, who died defending this Capitol against an armed intruder. Bless the families they left behind with Your divine comfort.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SHERROD BROWN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 24, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHERROD BROWN, a Senator from the State of Ohio, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. BROWN 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, we are going to conclude action today—in fact, this morning—on the higher education authorization measure. It is a very important piece of legislation. We have not done this in 3 years. It is important this be completed.

The good news I received walking into the Chamber today is it appears we will not have a vote on final passage. So that is really good work. Further, it underscores my repeated compliments of Senators KENNEDY and ENZI for their true bipartisanship. This is the second bill in a row they have managed, and they have done a tremendously important and good job in getting the bills done in regular order.

Once we complete action on this education matter, we will move to the Homeland Security appropriations bill. Today, at 3:40 p.m., the Senate will observe a moment of silence in memory of Detective Gibson and Officer Chestnut. A wreath-laying ceremony will take place at the Memorial Door at 3:30 p.m. I encourage Members to come to the Chamber at 3:40 p.m. to observe this moment of silence.

ORDER FOR MOMENT OF SILENCE

Mr. REID. Mr. President, I ask unanimous consent that the Senate observe a moment of silence at 3:40 p.m. today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECESS

Mr. REID. Mr. President, I also ask unanimous consent that the Senate stand in recess today from 12:30 p.m. to 2:15 p.m. for our weekly party conferences.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REMEMBERING DETECTIVE JOHN GIBSON AND OFFICER J.J. CHESTNUT

Mr. REID. Mr. President, I wish to say a brief word about a couple of matters. As we heard in the prayer offered by Admiral Black, some will remember that day 9 years ago when these two officers were killed. I remember it for a number of reasons, not the least of which, when I attended law school, I went to law school during the daytime and worked a full-time swing shift, a night shift, as a Capitol police officer. My service as a Capitol policeman was not one where I showed any bravery or courage or any valor; I was directing traffic much of the time. That was the most dangerous job I did.

But 9 years ago today, two police officers did exemplify courage and valor. These two Capitol police officers, Special Agent Gibson and Officer Jacob Chestnut, were stationed by the east entrance on the House side. At 3:40 in the afternoon, a man with a gun tried

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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to force his way past them. When Officer Chestnut blocked his path, the gunman shot him point-blank in the chest and killed him. Special Agent Gibson then warned nearby tourists and staff to seek cover. In fact, he chased the gunman down the hallway. He was headed for the House leadership's office. When they exchanged gunfire, one tourist was hit. Officer Gibson was also hit and died from his wounds, as did Officer Chestnut.

A plaque has been placed in the Capitol Building where the confrontation took place, and their names are carved in the National Law Enforcement Officers Memorial recognizing their sacrifice.

I knew Officer Gibson. Senate Democrats had a retreat. During that retreat, my wife became very ill one night. Special Agent Gibson was the first one there. He was carrying all the resuscitation equipment. He was sweating. He had run from the office where the police were stationed to take care of my wife. I remember how kind, thoughtful, and considerate he was, and how gentle he was.

I didn't know Officer Chestnut other than exchanging greetings when I met him, but his reputation was outstanding, and his actions that day proved his enormous strength of character.

I think of the brave police officers who protect me every day, Mr. President, with the skill and hard work I see firsthand each day. I also think of all the law enforcement men and women who keep this building and those who serve within it safe. We should all be grateful, but I am grateful beyond words.

So on this somber anniversary, I will lay a wreath and observe a moment of silence for these two heroic men we lost. Our hearts, and certainly our thoughts, are with the families of Special Agent Gibson and Officer Chestnut. I have met their families on a number of occasions. We hope that remembering them is some comfort to them that the sacrifice of their loved ones will be forever remembered with our gratitude and utmost respect.

SENATE SCHEDULE

Mr. REID. Mr. President, I have not had a chance to convey this information to the distinguished Republican leader. I have not had time because the decision was just made this morning. I want to go over the calendar for the remainder of this year.

We, of course, know what we have to do this week and next week. We need to complete the work on the Homeland Security appropriations bill, which is so important, with the 9/11 recommendations to become effective soon, and we have the National Intelligence Estimate report just rendered which indicates we have to be vigilant at home. We must complete the appropriations bill dealing with homeland security before we leave this work period.

We also need to do our work on SCHIP, children's health care. The Finance Committee, on a very bipartisan vote—17 to 4—passed that matter out of committee. It was led by Senators GRASSLEY, BAUCUS, ROCKEFELLER, and HATCH. What came out of that committee has been a compromise. That is how bipartisanship works. As reported in the Congressional Daily yesterday, that matter should have more than 60 votes. So if there is, in fact, an effort to slow that bill down, it appears on a bipartisan basis we can move it forward. It is certainly important legislation, and we need to complete it.

We also, as I just mentioned, need to complete the conference report dealing with the 9/11 Commission recommendations. We expect that to be passed in the House this week. The conference committee, basically, has wrapped up all its work on that bill. It has been very heartwarming that the conference has been led by Senators LIEBERMAN and COLLINS, and we had an actual conference, just as we used to have around here all the time. The first conference committee meeting was mobbed with press looking in. That is the way it used to be. A real conference report will come out of that conference committee, and that is very important.

Finally, we are going to complete the ethics legislation. I want to tee up so that when we come back in September, we will have some work to do without looking for something to do. What I would like to do is move to the VA-Military Construction appropriations bill. We will do that one way or the other. I hope on a motion to proceed that I will not have to file cloture, but if I have to, that is what I will do. So when we get back in September, we will have something to work on.

Let's talk about September. Whenever we leave here, Mr. President—and, as I have indicated, I hope it is next Friday, but that may not be the case if we have to do some extra days to complete our work—when we come back, of course, September 3 is a holiday, so we will come back on September 4. September 4 will be treated as most of our Mondays are treated. We will have a vote at 5:15 p.m. or thereabouts that evening, and we will work that week.

On September 10—everyone is on notice—we will be in session that day, and we will have votes before noon. It is not going to be 5:15 p.m. Everyone knows that is going to be an early vote day. Why? Because on September 10, 11, and 12, we will have full work days. We have to complete our work by 6 o'clock on September 12 because that is the beginning of the Jewish holiday, Rosh Hashanah. We will be out of session September 13 and 14. There will be no votes on Monday, September 17. It will be a work day, but we will not have votes. And then we are going to work the remainder of that week, the remainder of the next week, and the remainder of the next week. We could have—and I will try to give the distinguished Republican leader and all Senators notice—we may, because of what we are working on, have to have some Monday votes earlier than 5:15 p.m. We will try to announce it a week ahead of time so people can make arrangements.

Then, on October 8, which is a holiday, Columbus Day, we are going to have that as a home State work period. That whole week, we are going to be out of session; that is, October 9, 10, 11, 12, we will be out of session. We will come back on October 15 and work that day. We will have votes on October 15. I don't expect early votes. We will have votes on the 15th. We hope we can complete work for the session by November 16. If we cannot, then we have to come back. We will come back on December 3 and complete our work. That will give us 3 weeks before Christmas. I hope we don't have to do that. I think it will be good for everybody if we can complete our work on November 16.

I say to my friend, the distinguished Republican leader, if he has any questions about this, I will be happy to answer them. I apologize for not being able to give this information to him first, but the decision I was waiting to make was what to do on September 17, as to whether that will be a vote day. We decided it will not. I am now in position to state this publicly.

WOUNDED WARRIOR AMENDMENT

Mr. REID. Mr. President, before I leave the podium, I wish to say a couple words about another important piece of legislation.

Earlier this year, Americans were shocked by reports of the crisis at Walter Reed and other armed services medical facilities. It wasn't just Walter Reed, but that was the picture everyone saw. We learned that many of our courageous men and women wounded in service to our Nation were receiving unacceptably poor treatment and care upon their return to our shores.

I learned from this morning's news that there is a big lawsuit filed by Afghan and Iraqi veterans. Hundreds of thousands have joined together in a lawsuit against the Veterans' Administration. I do not procedurally understand how that is going to go forward, but it was in the morning headline news.

There is now, according to this news report, about a half a million backlog requests for Iraqi veterans to get care.

We learned during the early look at Walter Reed and other facilities not only was the veterans' care system ripe for bureaucratic failures, but even the physical facilities failed to meet a minimal level of acceptable quality.

The American people were outraged by these facts, and I am glad to say the Senate took prompt action. The Armed Services and Veterans' Affairs Committees held a rare joint hearing to identify the best ways to make right the existing failures and to prevent similar injustices from ever happening again. Members of these committees

worked together in an entirely bipartisan manner. Last month, they introduced the Wounded Warriors bill, which was entered as an amendment to the Defense authorization bill. The Wounded Warrior amendment addresses the substandard facilities, which we have all read about and have visited, such as Walter Reed, and the lack of seamless transition when medical care for troops is transferred from the Department of Defense to the Veterans' Administration, which often leads to diminished care.

The legislation also looks at the inadequacy of severance pay to help those who have sacrificed so much already to support their families while they recover, and the need to improve sharing of medical records between the Department of Defense and the Department of Veterans Affairs.

It addresses the inadequate care and treatment for traumatic brain injury and post-traumatic stress syndrome by authorizing $50 million for improved diagnosis, treatment, and rehabilitation. We saw this problem highlighted, as I have indicated, in the morning news. There are a number of stories about that, but the main story is in the L.A. Times, which cited a report by a special Pentagon task force showing that 38 percent of soldiers and 50 percent of National Guard members come home from Iraq and Afghanistan with mental health issues. Yet only 27 of these 1,400 VA hospitals have inpatient post-traumatic stress disorder programs.

Finally, the Wounded Warrior legislation provides support for wounded troops whose health insurance programs, such as the TRICARE program for retired veterans, have allowed gaps in medical coverage and treatment.

In the next few days, I intend to take the Wounded Warrior amendment from the Defense authorization bill—there were additions made to that from the time it left committee—and I will seek unanimous consent that we pass it now. The rest of it, with rare exception in the Defense authorization bill, if we passed it yesterday, wouldn't kick in until the beginning of the fiscal year. But the Wounded Warrior amendment legislation becomes law upon passage and approval. I hope we can do that. This would make these provisions immediately effective when the President signs this. Given the immediate care these people need, and the immediate need to act on the Wounded Warrior amendment, which has overwhelming bipartisan support, I am hoping we can all work together to pass it before we leave here. If we have to do it by unanimous consent, I hope we can do that.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

BIPARTISAN ACCOMPLISHMENTS

Mr. MCCONNELL. Mr. President, to pick up on some of the observations of the majority leader, bipartisan accomplishments have been altogether too rare this year, but we do have an opportunity here in the next 2 weeks, as he has indicated, to do some good work on a bipartisan basis, and a good example of that will be later this morning.

I commend Senator KENNEDY, and particularly Senator ENZI, for their leadership on this higher education bill. That is a classic example of how we ought to operate more often in the Senate, and I hope we will reach that high standard more frequently for the balance of the year.

SUPPORTING AMERICA'S GLORIOUS FABRIC

Mr. MCCONNELL. Mr. President, from America's earliest days, bravery has been essential. A group of courageous farmers were the first to stand against the British. The Declaration of Independence was a death warrant for anyone who signed it. The Constitutional Convention took place in a shuttered room. The Founders were brave, and they knew bravery would be needed to maintain what they had built. As Washington wrote when the veterans of 1776 began to pass away:

Thus some of the pillars of the revolution fall. May our country never want props to support the glorious fabric.

We remember today two men who supported the glorious fabric of our country. Jacob Joseph Chestnut and John Gibson gave their lives on a Friday afternoon while standing sentry at the gates of this great citadel of liberty. The Chambers had fallen silent for the week, staffers were celebrating the passage of a law, tourists were studying old plaques, and the President was getting ready for a weekend trip to his camp when a madman pierced the calm routine of daily life in Washington, and a brave grandfather and young father stood strong against him.

Their heroism was duplicated by the Senator-surgeon who tried to keep the killer and his victims alive, by the British tourist who rushed to one of the victims' side to hear his last words, by the horde of officers who rushed the gunman. When the flags fell, thousands of Americans called the Capitol to grieve. Thousands more showed up to mourn the fallen officers and to honor the ideals they died for. An act of savagery had roused a nation to mercy and compassion. It was an instinct we would see again on an even darker day 3 years later.

We are grateful for the lives of these good men and for their sacrifice. They were not sunshine patriots. They were brave Americans who stood their ground, as Americans so often do, to ensure that the ceremony of freedom would go on. It does. It will. And they will not be forgotten.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

HIGHER EDUCATION AMENDMENTS OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1642, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1642) to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes.

Pending:

Coburn amendment No. 2369, to certify that taxpayers' dollars and students' tuition support educational rather than lobbying activities.

Kennedy amendment No. 2381 (to amendment No. 2369), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The senior Senator from Massachusetts is recognized for 10 minutes.

AMENDMENT NO. 2381, AS MODIFIED

Mr. KENNEDY. Mr. President, I have a modification to my amendment that is at the desk, and I ask unanimous consent that the amendment be modified.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment (No. 2381), as modified, is as follows:

Strike all after the first word, and insert the following:

___. DEMONSTRATION AND CERTIFICATION REGARDING THE USE OF CERTAIN FEDERAL FUNDS.

(a) PROHIBITION.—No Federal funds received by an institution of higher education or other postsecondary educational institution may be used to pay any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action described in subsection (b).

(b) APPLICABILITY.—The prohibition in subsection (a) applies with respect to the following Federal actions:

(1) The awarding of any Federal contract.

(2) The making of any Federal grant.

(3) The making of any Federal loan.

(4) The entering into of any Federal cooperative agreement.

(5) The extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(c) LOBBYING AND EARMARKS.—No Federal student aid funding may be used to hire a registered lobbyist or pay any person or entity for securing an earmark.

(d) DEMONSTRATION AND CERTIFICATION.—Each institution of higher education or other postsecondary educational institution receiving Federal funding, as a condition for receiving such funding, shall annually demonstrate and certify to the Secretary of Education that the requirements of subsections (a) through (c) have been met.

(e) ACTIONS TO IMPLEMENT AND ENFORCE.—The Secretary of Education shall take such actions as are necessary to ensure that the provisions of this section are vigorously implemented and enforced.

Mr. KENNEDY. Mr. President, I also ask unanimous consent that the Senator from Oklahoma, Senator COBURN, be added as a cosponsor of the amendment at this time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, this amendment gives the assurance to our colleagues here in the Senate that over the evening we were able to work with Senator COBURN and to take into consideration his concerns to do this in a way which I think is consistent with our legislation. I am very pleased the Senator from Oklahoma and I, and Senator ENZI, were able to come to agreement on this amendment.

We all agree that universities should not be using Federal money for lobbying. That is why our amendment bans it. We all agree that Federal student aid should not be used to secure an earmark. That is why our amendment bans it. We all agree there should be a mechanism to ensure that these rules are being followed, and that is why our amendment requires colleges to certify they are following the rules.

This amendment will keep the Federal funds from being used for lobbying while maintaining the ability of colleges to engage in appropriate communications with Government officials. It will allow preeminent research scientists to communicate with the NIH about cancer research; it will allow meteorologists to advise Homeland Security on better ways to predict and prepare for imminent natural disasters; and it will allow scientists to convey to the Department of Defense the latest advances in armor and other protections for our troops.

This amendment strikes a good balance between prohibiting the inappropriate use of Federal student aid dollars while keeping the door open for colleges and employees and officials to communicate with Government in other important matters. That is what our amendment does, so I am pleased we could come up with an agreement, and I thank the Senator for his concern and for his cooperation.

Mr. REED. Mr. President, I strongly support passage of S. 1642, the Higher Education Amendments of 2007.

This important bipartisan legislation, which I helped craft as a Member of the Senate Education Committee, would reauthorize the Higher Education Act for the first time since 1998, expand college access and affordability for students and their families, and ensure that teachers have the necessary skills and supports to effectively raise student achievement in the classroom.

This bill builds on our passage last week of the Higher Education Access Act, which makes a nearly $14 billion investment in additional need-based grant assistance for low-income students. That bill also helps middle-class students and families pay down and manage their loan debt by capping monthly loan payments at 15 percent of their discretionary income. And it sends a signal about the need for more talented young people to become nurses, teachers, and librarians by offering them loan forgiveness if they continue in public-service professions for 10 years.

Earlier this year, I introduced a bill aimed at making it easier for families to fill out the financial aid form that all students have to fill out to see if they can get tuition assistance. I called the bill the FAFSA Act, Financial Aid Form Simplification and Access Act. It is based on the recommendations of experts and should help make a sometimes difficult process less time consuming and frustrating. First, it would phase out the complex, one-size-fits-all long form at 7 pages and over 90 questions, using the savings to employ ''smart'' technology to create a tailored online application form to ensure that students answer only the minimum number of questions necessary. Second, the bill would establish a short paper EZ-FAFSA application form, similar to the IRS's 1040–EZ, for the lowest-income students. Third, this legislation allows students to apply for financial aid earlier, and it creates a pilot program to test an early application system under which students apply for aid and receive an aid estimate or determination in their junior year of high school. I am pleased that these provisions are included in the bill the Senate is passing today.

The Higher Education Amendments of 2007 also include provisions from another bill that I introduced earlier this year, the ACCESS Act. Accessing College through Comprehensive Early Outreach and State Partnerships Act—S. 938, modeled on successful programs like Indiana's 21st Century Scholars Program. Indeed, students in the Indiana initiative were nearly five times more likely than nonparticipants to enroll in college. The ACCESS Act creates a new incentive under the Leveraging Educational Assistance Partnership or LEAP program to spur states to form partnerships with colleges, businesses, and philanthropies to increase the amount of need-based grants. This new initiative would also make sure that students are aware of this opportunity for more aid in the 7th grade and provide early intervention, mentoring, and outreach services so they can stay on track for college. Again, research has shown that successful college access programs offer these components, and I am glad the bill before us includes them.

Furthermore, the Higher Education Amendments include several provisions from my PRREP—Preparing, Recruiting, and Retaining Education Professionals—Act, S. 1231, to strengthen the existing Teacher Quality Enhancement Grants program and improve college teacher preparation programs. These provisions ensure that prospective and beginning teachers, including for the first time, early childhood educators, have effective teaching skills, intensive, year-long pre-service clinical experiences, and high-quality, sustained multiyear mentoring and support in their first years of teaching. Too often, new teachers lack this kind of training and leave the profession. This bill aims to change that.

This legislation also includes my LIBRARIAN—Librarian Incentive to Boost Recruitment and Retention in Areas of Need—Act, S. 1121, to provide Perkins student loan forgiveness for full-time librarians with a master's degree in library science. Librarians working full-time in low-income areas would qualify for up to 100 percent Perkins student loan forgiveness depending on their number of years of experience. Indeed, a love of reading and books is essential to an educated workforce, but too often schools go without a trained librarian.

We hear often that serving in the military permits our military personnel to gain help with the costs of college when they leave the service, but all too often it is not enough. That is why I included language in this bill to increase Perkins loan forgiveness for members of the Armed Forces from 50 to 100 percent. The legislation also includes provisions I authored to create a career pathway for students with disabilities by providing training and support to middle school, high school, and university staff to encourage interest and understanding of educational and work-based opportunities for students, including those with disabilities, in disability-related fields.

I am also pleased this reauthorization bill includes provisions responding to recently uncovered conflicts of interests between lenders and college financial aid offices. This legislation provides students and families with increased disclosure about special arrangements between lenders and colleges and the terms and conditions of a school's ''preferred lender list''; prohibits payments, gifts, and other inducements from lenders to colleges and financial aid administrators; and requires colleges to establish and follow a student loan code of conduct.

The bill we are passing today is significant legislation that addresses one of the top concerns of American families. It tackles the twin goals of increased college access and affordability for students and their families as was intended when the Higher Education Act was created in 1965. It represents an important step in ensuring that every student with the drive and talent to go to college has the opportunity to do so. I thank Chairman KENNEDY and Ranking Member ENZI, and their staffs, particularly Carmel Martin, J.D. LaRock, Missy Rohrbach, Erin Renner, and Emma Vadehra for their excellent work on this bill. I look forward to working with my colleagues to ensure that this important bill becomes law, so that we continue our commitment to creating and expanding educational opportunities for all students.

Mrs. MURRAY. Mr. President, I am pleased to vote for the Higher Education Reauthorization Act because it will open the doors of college to more students across the country. I want to commend Senator KENNEDY for his leadership on this bill. I have been honored to work with him and the other members of the committee to produce this comprehensive solution.

In response to the recent student loan scandals, this bill reforms the student loan process so that it puts the interests of students first and makes the system more transparent. To help address rising college costs, this bill takes a number of steps to increase user-friendly information available to students and parents about college costs. I am also pleased that this bill will make it easier for students to apply for financial aid by replacing the current 10-page application with a new 2-page version. This bill offers more help for students from disadvantaged backgrounds. Specifically, it strengthens TRIO programs to make students more prepared for higher education. It also expands and improves GEAR UP programs, which are a critical tool to help guide and prepare disadvantaged students for high school graduation and college enrollment.

I am especially pleased that the bill includes my proposal to train math and literacy coaches in colleges of education. As I have been working to improve our schools, I have recognized that we need to provide additional support to students in math and reading. By addressing those areas, we can improve the graduation rate and help students graduate prepared for college and careers. When I introduced the PASS Act, S. 611, earlier this year, I included reading and math coaches as a key way to improve the graduation rate. I am pleased that this higher education reauthorization includes a grants program that will help train those coaches, so we have a ready pipeline of qualified coaches to address these critical areas.

Mr. BIDEN. Mr. President, I rise today to congratulate Chairman KENNEDY and Ranking Member ENZI on passage of this very important legislation. I also thank them for their assistance in including within the Higher Education Amendments Act of 2007 a bill I have worked on, the Early Federal Pell Grant Commitment Demonstration Program.

The Early Federal Pell Grant Commitment Demonstration Program will bring us one step closer to making sure that every child has the opportunity to go to college. Our current higher education system is riddled with barriers that students must overcome to obtain the keys to their future—a college education. This program will break down some of those very barriers by making an early promise of Federal aid to students early enough in their academic careers so that the reality of a college education is firmly in their grasp.

How we choose to support our students today will have broad ramifications for not only them but for our country 10, 20, and 30 years down the road. The consequences are dire if we do not take a more aggressive approach to make sure the doors to a college education are open wide enough so every student that wants to pursue a college education can do so regardless of their family income. If we maintain the status quo, the outlook for too many students is grim. Take, for example, the fact that over the next decade 2 million college-ready students from households with an income below $50,000 will not attend college because they cannot afford the costs. Every door we fail to open for our students is a door closed—a missed opportunity—for our country down the road.

I commend my colleagues for their leadership in developing meaningful reforms regarding the cost of and access to a college education in this bill as well as the recently passed Higher Education Access Act of 2007. I am pleased that the Early Federal Pell Grant Commitment Demonstration Program is one component of those reforms—providing students and their families with a commitment of Federal aid early in their academic careers, information about the costs of college, and information about the various types of available financial aid. Right now, students don't find out whether they are eligible for Federal aid until their senior year—much less how much they will receive. This timeframe doesn't work for many families. Making a commitment—a promise—of Federal aid to students at an early age will begin the conversation about college earlier and continue it through the day they receive the acceptance letters from the schools of their choice.

If you have seen the news articles, or if you are putting a child through college, you know that the cost of a college education can be daunting to a student and their family. Many children think—erroneously—that they can't afford to go to college, and they go through high school thinking their futures are limited. We should not wait to tell those that need it that they will receive help to pay for college. Committing a Pell grant—the maximum of which is $4,310 under current law and $5,400 in the Senate-passed Higher Education Access Act—will critically alter the expectations of low-income students. For those students whose future plans often do not include college, this program will provide a financial promise, and the hope that comes with knowing you can afford a college degree.

Under this early commitment plan, four States will receive funding for a demonstration program, each of which will work with two cohorts of up to 10,000 8th grade students; one in school year 2008–2009, and one in school year 2009–2010. Schools with a National School Lunch Program participation rate above 50 percent would be eligible for the program, and by using the same eligibility criteria as the National School Lunch Program, students would be identified based on need in the 8th grade.

The Early Federal Pell Grant Commitment Demonstration Program will also provide funding for states, in conjunction with the participating local educational agencies, to conduct targeted information campaigns beginning in the 8th grade and continuing through students' senior year. These campaigns will inform students and their families of the program and provide information about the cost of a college education, state and federal financial assistance, and the average amount of aid awards. A targeted information campaign, along with a guarantee of a Pell grant, will allow families and students to not just plan ahead for college, but to dream of a future that includes higher education.

Mr. LEVIN. Mr. President, today, marks the culmination of yet another journey towards making college more affordable with the passage of the Higher Education Amendments, and with the passage several days ago of the Higher Education Reconciliation Act. It represents the single largest Federal investment in higher education since the GI bill. I am pleased to support this legislation because it reflects a commitment to expanding access to higher education and making it more affordable. It opens the door to those previously denied educational opportunity due to a lack of adequate financial resources or who could not carry the burden of excessive student loan obligations.

This legislation is a great victory for students and families across America, including my home State of Michigan, which would receive over $80 million above the current $429.8 million in new assistance for the upcoming academic year and an additional $689.6 million over the next 5 years.

I have long supported efforts in the Senate to expand the availability of student aid and to ensure that students have access to a postsecondary education, including raising the maximum Pell grant award. This much-needed legislation increases the maximum Pell grant from $4,310 to $5,100 in 2008, building upon our efforts in February of this year when we passed a significant increase in the maximum Pell grant award to $4,310 from $4,050, the first increase in 4 years.

This legislation also increases the income level at which a student is eligible for the maximum Pell grant; caps monthly student loan payments at 15 percent of discretionary income; encourages public service by providing loan forgiveness for borrowers who commit to public service; simplifies the financial aid process for all students; and reforms the student loan system so that it works for students rather than lenders.

There is one fact that we cannot escape, which is that more and more students and families are struggling to pay for college at a time when access

to a higher education is increasingly important in a competitive, global economy where training beyond a high school education is required.

The legislation will protect working students by increasing the amount of student income sheltered from the financial aid process. The cap on Federal student loan payments at 15 percent of a borrower's discretionary income will bring much-needed relief to students with the burden of excessive loans. For example, a social worker in Michigan with one child earning $45,620, with student loan debt of $19,000, would have his or her monthly payments reduced by 12 percent. Forgiving the debt of borrowers who continue in public service careers, such as law enforcement, nursing or teaching for 10 years will be provided significant relief under this bill. For instance, a starting teacher in Michigan earning $35,557 with the State average loan debt of $18,942 could have monthly payments reduced by 20 percent. After 10 years of teaching, all remaining debt would be forgiven, in this case, a benefit worth $10,906.

A student's access to higher education ought not depend on his or her family's income. Working families and aspiring students across this country are struggling to obtain the financial resources to secure a college education. Low and middle income students who have managed to enter and stay in college are graduating with unprecedented levels of debt. This legislation responds to this crisis.

The passage of this bipartisan legislation is a notable accomplishment.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. OBAMA. Mr. President, I first want to thank the chairman and ranking member of the HELP Committee—Senator KENNEDY and Senator ENZI—for their leadership in bringing this important legislation to the floor. I also appreciate their willingness to incorporate the ideas and concerns of the various committee members. I am pleased to urge my colleagues to support this comprehensive package to improve higher education. This is a worthy conclusion to the discussion that began last week, with the passage of the Higher Education Access Act, to make college more affordable and more accessible.

Education is the centerpiece of a deal America has entered into with its students: if you work hard, if you gain the right set of skills, and if you accept responsibility for your learning, you have a chance for a better life. That is the basic premise of education in our country.

And this deal includes a college degree. A college education and a diploma improve the chance of getting a good job, increase earning potential, and ease entry into the middle class.

Last week, we passed legislation making a college degree more accessible for many students, by increasing student financial aid. Today, we must move forward on the remainder of a comprehensive package for college students and their families. In this legislation, we are asking colleges themselves to look more closely at the increases in their costs, and to report more information, so that students and families have a clearer picture of the cost of attendance.

We are reforming the student loan system, by shedding more light on the process, illuminating more clearly the arrangements between colleges and lenders, and prohibiting payments that give some lenders an unfair advantage. Instead, we must make sure that the system works to the advantage of students. We must act to curb the financial abuses that have been so widely reported at a few institutions, and that have hurt too many students. In this legislation, we have also increased access for many by making the process more user-friendly, by simplifying the financial aid application process, and by helping students plan for their college education earlier in their high school career. All these provisions of the Higher Education Amendments are worthy of the support of my colleagues.

There are two provisions in this legislation which I would especially like to thank my colleagues on the HELP Committee for supporting, and advancing. The first establishes an innovative method for teacher preparation. We know that teachers are the most important resource for students in our schools. And yet, too many students in high-need schools are taught by inadequately prepared teachers, who are often not ready for the challenges they face, and who often choose to leave the classroom too soon.

We must recruit talented Americans to become teachers, and we must help transform teaching, restoring its luster as a profession. We must better prepare prospective teachers, so that when they join the profession, they are successful and choose to stay, so that their students may share in that success. As we ask teachers and school leaders to accept more responsibility for student learning, we must do our part to adequately prepare teachers to achieve success.

Research shows that good preparation programs can make novice teachers effective more rapidly. This legislation includes a provision for residency programs to effectively prepare teachers for the reality of challenging classrooms. Teaching Residency Programs are school-based programs in which prospective teachers teach alongside a mentor teacher for one year, while undertaking coursework to attain teacher certification. Graduates of the program are placed in high-needs schools and continue to receive strong mentoring and support for their first years of teaching.

I am particularly proud that such Teaching Residency Programs are included in title II of these Higher Education Amendments, because it is a model of effective teacher preparation that I have advocated since before I was elected to the Senate. I have seen firsthand the success of such a program in Chicago.

Teaching Residency Programs are based on what we know works best to prepare teachers. We know that mentoring is critical to help novice teachers improve their skills, and to retain many who might otherwise leave the profession within their first few years. We can no longer afford to lose high quality teachers because they are not adequately supported, or because they realize that they are not progressing in their chosen profession.

I am also pleased that the Higher Education Amendments we consider today contain a provision to support predominantly Black institutions—a proposal first suggested by my good friend, Representative DANNY DAVIS. These are colleges which serve a growing number of African-American students, most of whom are the first in their families to go to college and most of whom receive student financial aid. It is appropriate that we support such institutions, to help ensure that these colleges, in turn, support the efforts and talents of these students. Over the years, Congress has acknowledged the key role of similar institutions through provisions supporting historically Black colleges and universities, Hispanic-serving institutions, and other colleges and universities whose mission includes educational opportunities for minority students.

The Higher Education Amendments we consider today contain much that will help our students be more successful. I am proud to have been involved in developing this legislation, and I urge my colleagues to support its passage.•

Mr. KOHL. Mr. President, I rise today in strong support of Wisconsin's students and families. Students work hard to get into college. Along with their families, they are working even harder to pay for college. However, the high cost of college, combined with the slow growth of family income and insufficient grant aid is pricing many Wisconsin students out of a college education. Today help is on the way.

To reverse this trend the Senate has acted on two bills that will significantly improve access to college and make a college education more affordable for students and families. The Higher Education Access Act will provide $17.3 billion in new aid to students, paid for through reforms to the student loan industry, and the Higher Education Amendments extends a variety of important programs, such as—work study, Perkins loans and TRIO. Both bills passed with strong bipartisan support and together, they represent a major victory for students and families.

Wisconsin students will benefit from $32 million of new financial aid, including an increase in the maximum Pell award from $4,310 to $5,100 next school

year. Pell-eligible students should expect an additional $430 in aid to help offset the cost of school. This legislation will also cap loan payments at 15 percent of a student's discretionary income, bringing needed relief to students from excessive loan burdens. Lastly, this bill provides loan forgiveness for students who choose careers in public service such as, nursing, teaching, or law enforcement for 10 years.

The Senate has made college access and affordability a top priority. I am proud of the bipartisan way the Senate has acted to give students around the country access to college and a chance at a better and more productive life. I am proud to support this bill.

Mr. DORGAN. Mr. President, I am here today to talk about the reauthorization of the Tribally Controlled College or University Assistance Act of 1978, which is reauthorized in conjunction with the Higher Education Act. As chairman of the Senate Committee on Indian Affairs, I have been working closely with the Health, Education, Labor, and Pensions Committee to ensure that amendments enhancing tribal colleges and universities are included in S. 1642, the Higher Education Reauthorization Act.

Title IX of S. 1642 reauthorizes the Tribally Controlled College or University Assistance Act of 1978 and includes a new title to authorize Department of the Interior funding for institutional operations of the two tribally controlled postsecondary career and technical institutions: United Tribes Technical College and Navajo Technical College. Funding authorized under the Tribally Controlled College or University Assistance Act is essential as it provides the resources necessary for these institutions to continue to provide high quality, culturally relevant higher education opportunities for Indian students in Indian country.

I have been a longtime supporter of the Nation's tribal colleges and universities because I see how they benefit both their communities and individual students. There are 34 tribal colleges and universities throughout the United States. My home State of North Dakota is fortunate to have five of these remarkable institutions.

Tribal colleges and universities offer a wide range of accredited academic programs including many from areas of high need such as teacher education, business administration, and nursing. In addition to college level programming, tribal colleges and universities also offer much needed high school completion programs, job training, and college preparatory courses.

These vital institutions are essential to their tribal communities, many of them serving as community centers, public libraries, tribal archives, career and business centers, economic development centers, public meeting places and child and elder care centers.

Approximately 28,000 American Indian and Alaska Native students attend tribally controlled colleges and universities across the country. Tribal colleges are located in isolated, remote areas, with high unemployment rates where average family income is approximately $14,000.00—27 percent below the Federal poverty level. As a result, the cost of attending a mainstream institution, which for many reservation communities is several hours away, is prohibitively high, especially when tuition, travel, housing, textbooks, and other expenses are considered.

Most students attending tribal colleges are the first generation in their family to go to college. American Indians who earn a bachelor's degree or higher can expect to earn two times as much as those with a high school diploma and four times as much as those with no high school diploma. Tribal colleges are proven agents of change and provide real hope for the future of their graduates and their tribal economies.

I have been fortunate enough to hear from many American Indian students who have benefited from tribal colleges and universities, including one young woman who faced many challenges growing up on the Turtle Mountain Reservation in North Dakota.

As a young child, this young woman often felt isolated at school, but realized at a very young age that education was the key to making a better life for herself and enriching her community. This belief stayed with her throughout a particularly challenging period of her life in which she dropped out of high school and became a mother. This series of events provided her with even more incentive to seek education, so she enrolled in the Turtle Mountain Tribal College. She loved college, excelled and has earned her Ph.D. Her story illustrates the important role tribal colleges play in lifting Indian children and young adults, who have faced so many obstacles and adversity in their lives, out of poverty and despair.

In addition to the Tribal College Act reauthorization, S. 1642 reauthorizes a program for developing institutions under title III of the Higher Education Act specifically for the Nation's tribal colleges and universities. I fully support the adoption of the proposed changes that I believe will greatly enhance the tribal college's ability to provide higher education opportunities to their reservation communities.

Lastly, I applaud all institutions that serve American Indian students but we need to make sure that the proposed new title III program for ''Native American-serving, nontribal institutions'' included in S. 1642 does not negatively impact the already limited funding available for tribal colleges and universities.

I remain committed to finding ways to increase access to quality postsecondary opportunities for American Indian students and to further strengthen the capacity of tribal colleges. S. 1642 provides solid steps towards doing just that.

Mr. FEINGOLD. Mr. President, I speak today in support of passage of the Higher Education Act of 2007.

Last week, the Senate took an important step toward increasing access to higher education for low-income students by passing the Higher Education Access Act of 2007 which would increase student aid by approximately $17 billion by cutting Federal subsidies to lenders and banks. Today, the Senate expands on last week's important work by passing the Higher Education Act of 2007, which reauthorizes programs under the Higher Education Act of 1965, including title II teacher education programs and title IV student aid programs.

Many students today dream of going to college but face hurdles to making that dream a reality, including financial hurdles, which for many low-income students can become insurmountable. This legislation helps students make their dreams of going to college a reality by reauthorizing a number of important programs that I support, including the Pell grant program, TRIO, GEAR UP, and LEAP. These programs seek to reduce the financial and college preparation barriers that many students face when applying to and attending college.

Higher education is one of the most important investments our Federal Government can make, and Congress created need-based student financial aid programs to ensure that individuals from low-income families are not denied postsecondary education because they cannot afford it. I am deeply concerned about the emergence of a widening educational gap between rich and poor. Statistics illustrate that students from low-income families are pursuing postsecondary education at a much slower rate than individuals from middle and upper income families.

Increasing the maximum award for Pell grants can help in closing the gap between college attendance rates of low-income students and students from middle and upper income families. I have led and supported many efforts to increase the maximum Pell grant award in recent years, including earlier this year when I joined with Senators KENNEDY, COLLINS, and COLEMAN in leading letters to the Senate Budget and Appropriations supporting the highest possible increase in the maximum Pell grant award. I am pleased that the Higher Education Act of 2007 increases the authorized maximum for Pell grants to $6,300 by the 2011–2012 academic year, and I will continue to work with my colleagues to push for fiscally responsible increases in the Pell grant program in the coming years.

This legislation also makes important changes to the title II, Teacher Quality Partnership Grant Program to better train and prepare teachers for working in our Nation's classrooms. Access to high-quality teachers is a key determinant in student academic success at the elementary and secondary level. The provisions in this

legislation that promote mentoring and training new teachers through residency programs will help to ensure that new teachers entering our Nation's schools are better prepared and receive the support they need during their beginning years of teaching.

I was also pleased that the committee accepted language into the managers' package to ensure that the grants for training of teachers will promote a wide range of teaching skills, including measuring students on different forms of assessment, such as performance-based measures, student portfolios, and formative assessments. In an era of increased accountability at the local, State, and Federal level, we need to do all we can to promote more responsible and accurate assessment of students in our K–12 schools.

I remain concerned about the increased use of high-stakes standardized testing at the K–12 level, including using high-stakes standardized tests to make decisions regarding school accountability. By broadening the definition of student learning and teaching skills as this new title II language does, we can better ensure that teachers are trained to more accurately and responsibly measure student achievement through alternatives to high-stakes standardized testing.

This bill also takes important steps toward addressing the abuses in the student loan industry by requiring lenders, banks, and universities to provide more disclosure to students before these students take out education loans. The bill also prohibits campus employees from receiving gifts of more than nominal value from lenders or banks. I was pleased to cosponsor Senator KENNEDY's Student Loan Sunshine Act earlier this year and support the inclusion of those legislative provisions in this reauthorization bill.

The bill also includes language based on previous legislation I introduced that defines the terms ''different campus'' and ''different population'' for purposes of administering the Federal TRIO Program. I have long supported increased funding for TRIO Programs which provide education outreach services and support students from disadvantaged backgrounds as they pursue higher education. The language included in this bill ensures that higher education institutions with branch campuses geographically apart from each other can compete on equal footing for the important TRIO grants.

I am concerned that this bill may not adequately protect the privacy of individuals whose information is contained in Federal and State databases. Almost a year ago, I wrote to the Secretary of Education's Commission on the Future of Higher Education regarding the Commission's first draft report which contained language proposing the creation of a national student unit record tracking system, and I questioned whether such a system, if created, could adequately protect the privacy interests of the students it would be tracking. The bill, while purporting to prohibit such systems, exempts any existing data systems that are used to operate programs authorized by the act, as well as any successor systems. Moreover, while the bill includes provisions to restrict access to the National Student Loan Data System, it includes no similar provisions for other Federal databases.

The bill also includes a pilot grant program to develop State-level postsecondary student data systems in five States. Grant recipients must comply with the Federal Educational Rights and Privacy Act, which prohibits certain policies and practices relating to disclosure of information; however, I believe additional protections may be necessary to ensure individual privacy. I plan to work with my colleagues on these matters as the bill moves forward.

Mr. President, the Higher Education Act of 1965 was one of the key Great Society programs that sought to extend the opportunity to pursue higher education to Americans of all backgrounds, regardless of their economic circumstances. With Senate passage of both the Higher Education Act today and the Higher Education Access Act of 2007 last week, we have acted to continue and expand upon these essential college access programs. I look forward to working with my colleagues in the coming weeks and years to continue to support and strengthen higher education programs. In an increasingly global and competitive 21st century, ensuring access to higher education for all Americans who wish to pursue it must remain a priority in Congress for many years to come.

Mr. WEBB. Mr. President, I wish to speak on behalf of an amendment I was very proud to cosponsor with Senator WARNER, the senior Senator from Virginia, that was passed by a unanimous vote while I was outside the Senate when we came into session yesterday. I thank Senator WARNER for his leadership on this bill, and I express my appreciation to the Senate for their support.

This amendment is called the minority-serving institution digital and wireless technology opportunity amendment. It will help close what is clearly a digital divide at minority institutions in the country. This was a bipartisan effort, as I pointed out, and it is directed toward ensuring we are addressing the current needs that exist in our colleges and universities by giving our students an opportunity to compete with anyone anywhere around the world.

Over 60 percent of jobs require information technology skills these days, and many jobs in the information technology field pay significantly higher salaries.

It is vital to our global competitiveness that all institutions of higher education provide their students with access to the most current information technology and equipment.

I commend our leadership and the HELP Committee for making these sorts of issues a priority on the bill we voted on today and for ensuring that our students have the tools necessary to succeed and compete in our changing economy.

This particular amendment will establish a new grant program to be administered by the Secretary of Education to assist historically Black colleges and universities, Hispanic-serving institutions, and tribal colleges. These grants have a 5-year time period in which they have to be used. I believe they are highly appropriate in helping these minority institutions reach a level playing field.

Virginia is home to six historically Black colleges and universities—Norfolk State University, St. Paul's College, Virginia Union University, Hampton University, Virginia University of Lynchburg, and Virginia State University. These are examples of some of the universities that will be helped by this amendment.

Investing in our minority-serving institutions will give our students an opportunity to compete far more effectively in our global economy.

This amendment addresses the inequality of access to technology that exists in many cases because of technical and economic restraints.

I am looking forward to working closely with the appropriators to ensure that necessary funds are provided for this critical program.

I again thank my colleagues, in particular the esteemed senior Senator from Virginia, Mr. WARNER, for helping make adoption of this important amendment possible.

Mrs. CLINTON. Mr. President, with the passage of the Higher Education Amendments of 2007, we have given the millions of students and families the key to unlock the door to a college education and the American dream. This bill represents an incredible victory for students and families, and we can be proud that in this new Congress we have renewed our commitment to students working hard to achieve the promise of America.

The Higher Education Amendments of 2007 is the first reauthorization of the Higher Education Act in nearly a decade and is the result of 2 years of bipartisan compromise. This legislation will reform the student loan industry and serve the best interests of our students.

I believe student loans should be an investment in the future. Sadly, for too many students, their student loans have become a barrier to following their dreams. That is why I am pleased this bill includes provisions from my Student Borrower Bill of Rights Act. My provisions will ensure all student borrowers have accurate and timely information on their loans and will provide much needed help to borrowers with disabilities. These provisions are a major step forward for students who have become disabled and are overwhelmed with student loan debt.

I am proud this legislation also includes provisions from my Non-Traditional Student Success Act, as the number of nontraditional students continues to increase on college campuses across America. These are students with children, students working while studying, and so many others. By including a provision to make Pell grants available year around, the Higher Education Amendments of 2007 provides the critical support these students need to complete their college education and makes college more accessible and affordable for them.

I also worked with my colleagues on the Health, Education, Labor, and Pensions Committee to author two new initiatives to help more students arrive at college ready for success. The first provision will provide the training and support necessary to place 10,000 new teachers in disadvantaged communities over the next 3 years. The other provision will supply comprehensive data and offer targeted assistance to increase the college-going rates of high school students in disadvantaged communities.

The Higher Education Amendments of 2007 will produce transparency in college cost for students. It will also promote strategies to recruit and prepare qualified teachers and will invest in financial literacy for students and parents. This legislation will simplify the Free Application for Federal Student Aid to improve the process of applying for student assistance and give families tools to plan for the cost of higher education. In addition, this bill will improve the TRIO/Upward Bound and the Gaining Early Awareness and Readiness of Undergraduate Programs, strengthening the pathway to higher education for millions of low-income and first-generation students.

I am proud to be an original cosponsor of this legislation. I thank my Senate colleagues for making this groundbreaking investment in the next generation of American leaders.

Mrs. FEINSTEIN. Mr. President, I am pleased that the Senate passed today 5-year extension of the Higher Education Act to renew major programs that help ensure our Nation's students attain a college degree.

This legislation, with strong bipartisan support, also includes new measures to address rising college costs and would reform the student loan system so that it better serves students.

Last week, the Senate passed an important piece of legislation that will provide over $17 billion in new grant aid to low-income college students—$2.5 billion of which would go to help California's students afford college.

Nationwide, students and their families are struggling to pay the growing costs of a college education.

Four-year public university costs increased 52 percent, while the median family income only increased 3 percent during the school years from 1995–96 to 2005–06.

In California, even after financial aid is taken into account, 33 percent of the median family income is needed to pay for 1 year of college at a 4-year public college.

As a result, many students rely on loans to finance their education—the percentage of undergraduates at 4-year public colleges with student loans has risen to 66 percent, especially among low-income students.

At the same time, lenders have been provided substantial government subsidies beyond what is required for participation and competition.

Specifically, this bill would raise the authorized level for the Pell grant maximum award by $1,990 over 5 years—from the current $4,310 level to $6,300; authorize the U.S. Department of Education to award competitive grants for Teacher Preparation Programs that help recruit and retain high-quality teachers in high-need schools; improve programs that help low-income middle and high school students prepare for college. For example, GEAR UP program grantees, which serve over 150,000 California students, would be permitted to use funds for tutoring, extended school day programs or scholarships; create a nationwide ''Higher Education Price Increase Watch List'' of colleges whose costs are increasing at a rate greater than other schools and create a higher education price comparison index to help students and parents compare college tuition costs; require colleges to recommend lenders to their students based on the best interests of the students. It also prohibits payments from lenders to schools that create conflicts of interest; and simplify student financial aid forms by creating a new 2-page form for low-income students, and phasing out the current 10-page form for all applicants within 5 years.

The key reforms in this legislation will help ensure that college is more affordable for our young people and that they receive the education they deserve to succeed in our global economy. I am pleased that the Senate will pass this important legislation today.

Mr. MCCONNELL. Mr. President, I thank my colleagues Senator ENZI and Senator KENNEDY for making sure that the managers' package includes my amendment to add Kentucky State University to the list of historically Black colleges and universities, HBCU, that are eligible to receive funding for their graduate programs.

Kentucky State enjoys a proud heritage as the Commonwealth's only HBCU. Chartered by the Kentucky General Assembly in 1886, Kentucky State is one of the 15 original HBCUs recognized in the historic Morrill Act of 1890. In recent years, Kentucky State has developed strong undergraduate and graduate programs in the natural sciences, most notably aquaculture.

Earlier this year, I was pleased to visit with Kentucky State's president, Dr. Mary Evans Sias. During our meeting, Dr. Sias called my attention to the fact that Kentucky State's graduate programs were not eligible to receive the Federal funding set aside for HBCU graduate programs because the institution was not among those schools listed in the Higher Education Act.

I told Dr. Sias I would try to help Kentucky State, and last week I introduced legislation, S. 1826, to add Kentucky State to the list of eligible institutions under the Higher Education Act. I thank my colleagues, Senator ENZI and Senator KENNEDY, for including this legislation in their managers' package. I am confident that it will go a long ways towards strengthening Kentucky State's ability to serve the Commonwealth's students.

Mr. DURBIN. Mr. President, paying for college is harder than it used to be. Over the last 5 years, the combined cost of tuition, fees, room and board at 4-year public colleges and universities increased by 42 percent, and more students are leaving college saddled with debt. More than two-thirds of 4-year college students now borrow to pay for school, and their average debt more than doubled between 1993 and 2004.

Unfortunately, we have learned that some lenders and some universities are engaging in practices that are not always based on what is in the best interests of the students. The New York Times revealed that some lenders have offered schools incentives to be placed on a college's ''preferred lender'' list. One example was an all-expense paid trip to the Caribbean for school officials and their spouses to attend an education ''summit'' held at a luxury five-star beachfront resort. Between symposiums and discussions on how important it is to address the cost of higher education, guests could enjoy complimentary water and beach sports, volleyball, and access to an 18-hole championship golf course, a 10-court tennis complex, two beachfront pools, and a luxury spa. News of the trip drew such a negative response that the sponsor of the trip, Loan to Learn, ultimately cancelled it. Other examples of incentives to schools include iPods given away at a financial aid administrators meeting and bonuses based on how much students borrow. Nothing about these incentives ensure that the lenders or the schools are looking to provide the best loan available for students.

The bill we are considering on the floor today, the renewal of the Higher Education Act, includes major provisions from a bill Senator KENNEDY and I introduced earlier this year, the Student Loan Sunshine Act. The Student Loan Sunshine Act reforms the student loan system so that it works for students, not lenders. The bill we are considering today ensures that colleges are recommending lenders to students based on the best interest of students, not the self-interest of financial aid officers. We protect students and parents from exploitation by lenders. Lenders are prohibited from providing inducements to colleges and financial aid administrators that create conflicts of interest. It also ensures that students

and their families have only the facts and can feel confident that they are receiving the best deal on their college loan.

I am also pleased that this bill includes key provisions from legislation I introduced earlier this year, the Campus Law Enforcement Emergency Response Act. Shortly after the Virginia Tech shootings, I introduced legislation to ensure that all colleges and universities develop emergency response procedures and campus notification systems, and test them at least annually.

The Higher Education Amendments Act before us today includes key elements of that bill. For example, the bill requires colleges and universities to develop procedures for responding to large-scale emergencies on campus and to test those procedures at least annually. This includes procedures for promptly notifying the campus community in case of such emergencies, a new competitive grant program to improve emergency response, and a new role for the Departments of Education, Justice, and Homeland Security to advise colleges and universities on model emergency response procedures and best practices. The language added to this bill will ensure that our colleges and universities are better prepared for emergency situations, and it will better protect those who live and work on college campuses from threats to their security.

This bill also simplifies the financial aid process, creates a pilot program to allow students to receive a financial aid estimate in their junior year of high school so they can make more informed choices when selecting which college to apply to.

The bill makes an important attempt to provide students and parents with more information on the cost of higher education. As I mentioned earlier, the cost of higher education has gone through the roof. Every time I meet with the presidents of colleges and universities from Illinois I ask them: What can we do to control the skyrocketing cost of higher education? This bill will create a Higher Education Price Increase Watch List, which will include a ranking of each institution of higher education whose tuition and fees are rising faster than the average. It directs the Secretary of Education to develop model price calculators to help students and families determine the net price of an institution of higher education. Universities will be required to publish this information in their application materials so it is easily accessible to prospective students. If we want to take a serious look at the rising cost of higher education, we have to make more information available to students and families about the real cost of attending college.

The Higher Education Amendments Act we are considering on the floor today strengthens many of the successful provisions of the Higher Education Act. It also addresses some of the new problems and issues that have emerged in the area of higher education, including unethical practices in the student loan system, threats to the safety of our students on campuses, and the rising cost of college.

Mr. KENNEDY. Mr. President, as I understand, we have 20 minutes, and I want to give notice to our colleagues there will be two votes. There will be the vote on this perfecting amendment, which has been introduced by myself and Senator COBURN and others, and then the final passage. That will be in approximately, I don't know, 15 or 17 minutes.

How much time remains?

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts has 7 minutes remaining and the Senator from Wyoming has 10.

Mr. KENNEDY. Mr. President, I will make some concluding comments, and I ask the Chair to let me know when there is 1 minute left, if the Chair would be so kind.

The Declaration of Independence proclaimed that we are all created equal. Our Constitution demands that we promote the general welfare. The words carved above the entrance to the Supreme Court are ''Equal Justice Under Law.'' There is nothing more basic to who we are as Americans than those immortal words that lie at the foundation of our democracy, in that everyone counts, everyone matters, and everyone has a role to play in our society.

From our earliest days as a nation, education has been the mainstay of our society and the engine of the American dream. Our Nation's Founders knew that an educated citizenry would strengthen our land and build up the values and character that make us Americans. They invested in education because they looked to the future and saw an even greater America over the growing horizon.

We looked forward when we passed the GI bill, and it allowed service men and women coming back from the Second World War to get a college education. They became the greatest generation. The GI bill produced 67,000 doctors, 91,000 scientists, 238,000 teachers, and 450,000 engineers. It funded the education of three Presidents, three Supreme Court Justices, and about a dozen Senators who served in this Chamber.

That is the kind of vision we have had in America when it comes to education, and it is our vision today as we reclaim our destiny and invest once again in the next generation.

In these past few days, we have made a new promise to American students and families—a promise to invest more as a nation, to ensure that all of our young people—and we mean all—regardless of background, get the education they deserve and the training they need to succeed in today's global economy.

We have pledged here in the Senate that it doesn't matter where you are from; what matters is where you are going. No American should be denied the right to go to college because of money.

Last week, we showed this commitment again when we made another new promise to students, providing them with the largest new investment in student aid since the GI bill. We increased the Pell grants. We provided relief for student loans by saying your monthly payments will never exceed 15 percent of your monthly income. We said: If you become a teacher, a firefighter, or enter other public service jobs, your loans will be forgiven after 10 years.

The bill before us brings about other key reforms that will make college more affordable to young Americans. Our legislation will take steps to ensure that the student loan system is working in the best interest of students by pursuing needed ethic reforms in the student loan industry. It will simplify the Federal financial aid application and delivery process to ensure that a complex system does not work as a barrier to access for low-income students. It demands that colleges do their part to keep college costs down. If we do our part to provide needed student aid, they must do their part to keep their tuition and fees reasonable.

It will reform and improve our teacher preparation system. Teachers are the backbone of our K–12 education system and this bill will promote high-quality teacher preparation programs and help recruit and retain high-quality teachers in high-need schools.

I thank all my colleagues, and in particular all the colleagues on the committee for the work they put in on this legislation. I especially thank MIKE ENZI, our ranking member, for all his leadership on this bipartisan legislation. This has been in the works for over 2 years—close to 2 years. I thank all the staff who have worked so hard over the past months to make this happen.

I want to personally mention those who have worked so hard on my staff. I would like to thank Michael Myers, who does a great job on all of the undertakings of our committee, and I am enormously grateful for his leadership and his friendship. I would like to thank Carmel Martin and J.D. LaRock, Missy Rohrbach, Nick Bath, Erin Renner, Emma Vadehra, David Johns, Raquel Alvarenga, Liz Maher, Jennifer Fay, Ches Garrison, Dave Ryan, Jay McCarthy, Lily Clark, Patrick Flaherty, and Brendan Gants.

As we mentioned, this has been a bipartisan effort, and I would also like to thank Senator ENZI's wonderful staff. Senator ENZI pointed out that they have worked very well and closely together, as we have seen over the course of the year. This is a major undertaking, and to be able to get this kind of joint effort on it has been a great tribute to all of those who have worked so hard. These staff members make such a difference to Senator ENZI, and

they have to me: Katherine McGuire, Ilyse Schuman, Greg Dean, Beth Buehlmann, Ann Clough, Adam Briddell, Lindsay Hunsicker, and Kelly Hastings.

I would also like to thank MaryEllen McGuire, Sean Maher and Roger Hollingsworth of Senator DODD's staff; Rob Barron of Senator HARKIN's staff; Robin Juliano of Senator MIKULSKI's staff; Michael Yudin of Senator BINGAMAN's staff; Kathryn Young of Senator MURRAY's staff; Seth Gerson of Senator REED's staff; Mildred Otero of Senator CLINTON's staff; Steve Robinson of Senator OBAMA's staff; Huck Gutman of Senator SANDERS' staff; Will Jawando of Senator BROWN's staff.

I would like to thank especially Senator CONRAD and his terrific staff who have worked with us on these bills: Mary Naylor, Joan Huffer, Robin Hiestand, and Lisa Konwinski.

I would also like to thank David Cleary of Senator ALEXANDER's staff; Allison Dembeck of Senator GREGG's staff; Celia Sims of Senator BURR's staff; Glee Smith of Senator ISAKSON's staff; Karen McCarthy of Senator MURKOWSKI's staff; Juliann Andreen of Senator HATCH's staff; Suzanne Singleterry of Senator ALLARD's staff; Alison Anway of Senator ROBERTS' staff; and Matt Blackburn of Senator COBURN's staff, all of whom put in many hours making both of these bills a reality.

I would also like to thank the Parliamentarian, Alan Frumin, and Assistant Parliamentarians Elizabeth MacDonough, Peter Robinson, and Leigh Hildebrand for their assistance throughout the process. I would like to thank Paul Cullinan at the Congressional Budget Office, and his extremely knowledgeable and capable team—Deborah Kalcevic and Justin Humphrey—for working late nights and through the weekends to model and estimate the budgetary effects of the complex provisions in this bill. I thank them for their tireless dedication and commitment to understanding the intricacies of the law. I would also like to thank Mark Koster, Kristin Romero, and Amy Gaynor in the Senate Legislative Counsel's office, who also worked many long hours to assist the committee in drafting the language and working out the technical issues in the bill. Finally I would like to thank the members of the education team at the Congressional Research Service—Adam Stoll, Charmaine Mercer, Jeff Kuenzi, and Dave Smole whose expertise was invaluable throughout this process.

This legislation received unanimous bipartisan support in the committee, and I hope it will see the same broad support today. We know education is the real key to opportunity. This legislation reflects that knowledge. It is a commitment I believe we must make to ensure educational opportunity to each and every young person in this country.

I urge the Senate to approve this important legislation. Our students deserve nothing less.

I reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. The senior Senator from Wyoming is recognized for 10 minutes.

Mr. ENZI. Mr. President, it is always exciting when we get down to the end of a bill, particularly a bill where there has been good bipartisan participation and achievement, and this is one of those. This reauthorization bill we have been considering was reported out of the HELP Committee by a vote of 20 to nothing. It is the result of 3 years of bipartisan negotiations, and we can point to ideas in the bill in which both the Republican and Democratic members of the committee and people outside the committee have participated, proposed, and have wound up in the bill. In the end, it is a product with strong bipartisan support.

I would mention it is not going to be a perfect bill. I would be willing to say that about any bill we pass out of here, it is always a work in progress until it finally gets signed by the President. Quite often when they get signed by the President, they are not perfect bills either, but they are a perfect compromise when they get signed. That means both sides give a little bit, and we concentrate on those areas where there can be agreement. There are a lot of things both sides would like to have in this bill, but they are divisive rather than inclusive, and we have left out those divisive things, for the most part.

In conference committee, we will take care of some of the other things that are slightly divisive to make them more inclusive so the final bill will help as many students as possible. When I say ''students,'' I am not just talking about college students. One of the things I hear back in Wyoming is: What about the kids who want to go to tech school? We include that sort of thing in here too. That is a program where they can get a certification that is recognized throughout the United States.

My wife was at the National Apprenticeship conference. It was the 75th anniversary of certification for apprenticeships and the theme song there was done by a friend of mine from Alaska who is the balladeer of Alaska. I am sure many of you have heard this song. It is: ''I am an Educated Man.'' It talks about a person who has a little bit of trouble with the book-learning stuff, but if you give him a problem he can solve with his hands, he is an educated man. There are still a lot of jobs out there—and there always will be a lot of jobs out there—for which you have to have hands-on work. We cannot exclude those people from the education system. They are absolutely essential to our lives. This bill does some things for the ones who want to go to tech school too.

Senator WARNER, in a speech the other day mentioned, when he first went into the military, about a third of the people whom he went through basic training with couldn't read or write. When they were assigned to a ship, there were jobs on those ships those people could do without being able to read or write. Today, the battleships are bigger and they are much more technical. It is a whole different level of education that has to be done for the people who run those battleships and do the jobs that are needed on the battleships.

That is what has happened with jobs throughout this country. Jobs change. It is very important that people who are in high school now realize that when they enter the job market, they are probably going to have 14 different careers—not 14 different jobs, not 14 different employers—14 different careers. Of those 14, 10 have not even been invented yet.

It is very important to get a good education so people throughout their lives can transition to the new jobs that are happening—because that will be happening. Those who do not get the knowledge and the capability to make the transfer to new careers will be left behind. We do not want that to happen.

This committee is in charge of education from birth to death. We have Head Start—we have already passed that through the Senate and it is in conference now. That takes care of preschool. Of course, we have 64 other programs besides that that deal with preschool, and we probably need to do something about the proliferation of programs that have a lot of overlap in that area, but we have the Head Start one already going through the process.

The next bill we have been told we will work on in the committee is No Child Left Behind. That takes care of kindergarten through 12th grade. There has been a commission that has been formed that has presented us with a lot of ideas about what needs to be done. It is a bipartisan commission. I am sure a lot of that will be incorporated in the bill. There has been good bipartisan work in the committee on the ideas that have to be incorporated, some of the tweaks that have to be in No Child Left Behind to make it work even better. There is quite a bit of agreement. It has worked, but it can work better. We will be working on that next.

Of course, this is the Higher Education Act. We did it in two pieces. I will have some more comments about that in a moment.

But there is another piece missing, and I am hoping our committee will work on that soon, and that is the Workforce Investment Act. We passed that through the Senate twice, unanimously, in each of the previous two Congresses, but it has never been conferenced. We need to get that done; we could train 900,000 people a year to do higher skilled jobs. We don't need to keep exporting those jobs because we lack people with the skills. We need to train people with the skills. That is a bill that will do it. I think we have a good basis to work from on that and, again, a way to find bipartisan agreement. Some of the fear in the past is

what might happen in conference. The ones who had the fear of what might happen in conference will now be in charge of the conference, so that is not an excuse. We have to get that one done.

Education in America is both a right and privilege, and we have to get people to recognize the value of that privilege as we make sure all of them can have the education we promised—and we have made some very significant promises in those areas and have fulfilled many of them. This bill we are working on today is one of those. I am pleased we have been able to have both the reconciliation bill and the reauthorization bill considered within 5 days of one another.

By considering the entirety of the Higher Education Act, we are ensuring continued quality in the Federal student loan programs, while providing disclosure of information that students and their families need to make informed financial decisions. Those informed financial decisions—or uninformed ones—will have a significant impact on their future.

This is the second time in as many Congresses we have been on the brink of systemic reform of the Federal higher education programs. However, this time we will cross the brink and make these programs more efficient, as well as more effective. We will be allowed to meet the challenge of making higher education more accessible, more affordable, and particularly more accountable.

The American system of higher education is renowned throughout the world. American students will now be provided with the tools and assistance contained in both of these bills to complete their higher education and training and to acquire the necessary knowledge and skills to be successful in the 21st century economy.

I supported reporting both bills out of committee. I did so with the expectation that they would be considered together as a whole by the Senate. I am very pleased that the Senate Democratic leadership worked with me and my colleagues to provide this opportunity to have an open and full debate on all aspects of the Higher Education Act. I look forward to moving both these bills together and ensuring a comprehensive reauthorization of the Higher Education Act. There is no reason they cannot be combined at this point in time.

As debate on this legislation comes to a close, it is necessary to thank those who have worked long and hard on this bill. First and foremost, I would like to thank Chairman KENNEDY. I would like to thank him for his commitment to keeping this process bipartisan and working with me and my Republican colleagues on the HELP Committee throughout this entire process, for maintaining an open position on ideas, and following through with those with focus so we could actually wind up with a bill.

And I thank him for his approach to the committee process so we use the markup to see what the intensity is and the number of improvements that are being suggested and not make it a straight up-or-down approach so we can modify them so they fit and we get the kind of bipartisanship that we have at this point in time. That is a tremendous task. I think our committee must handle about 40 percent of the things that come before the Senate, so it is a wide-ranging task and he does a marvelous job with it and he has been very inclusive and I thank him and congratulate him for that.

I thank those on my staff who have worked tirelessly—when I say ''tirelessly,'' I mean both sides have worked through evenings, weekends, and reached compromises—and later I will mention more specifically some of those people.

I think I have used my time.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired. The Senator from Massachusetts has 1 minute 10 seconds remaining.

Mr. KENNEDY. I see the Senator from Tennessee—if he would like to make use of my last minute to talk about education. He is a former Secretary of Education. He has been very much involved in education policy. If he would like to say a word to conclude our discussion?

The ACTING PRESIDENT pro tempore. The senior Senator from Tennessee is recognized.

Mr. ALEXANDER. I thank the Senator from Massachusetts.

The American people should be grateful to Senator KENNEDY and the committee and I believe this Senate, for increasing the opportunity for Americans of all ages to continue their education and, second, for continuing what arguably is our strongest asset in competition worldwide, our system of higher education.

I can recall the former President of Brazil saying to a number of us before he went back to Brazil: What we remember about the United States, he said, is the American University. There is nothing like it anywhere in the world and we have a responsibility to continue to keep it excellent and provide access to it.

I thank the chairman for offering me this time.

The ACTING PRESIDENT pro tempore. All time has expired. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I am going to ask for the yeas and nays on my amendment.

Mr. REID. Will the Senator withhold?

Mr. KENNEDY. I withhold.

Mr. REID. Mr. President, George Mitchell told me this. Of course, I didn't believe him, but I do now. One of my most difficult jobs is trying to determine when votes take place and what the schedule is.

I have not had a chance to speak to my friend, the comanager of this bill. But I believe it would be in the best interests of the body—I have conferred with the staff of Senator MCCONNELL—that we have these votes—we have two votes is my understanding. All debate has been completed; is that right?

Mr. KENNEDY. The Senator is correct. We have one procedural matter we have to address, but then we will have the two votes.

Mr. REID. The procedural matter would not take any time?

Mr. KENNEDY. No time.

Mr. REID. Mr. President, I ask unanimous consent—and I am doing this because I want everyone to be happy, and we don't need unanimous consent, but I am going to ask unanimous consent that the first vote occur at 12:25; then the second one occur—the second vote will be a 10-minute vote—and that there be no speeches in between the votes, we just vote on both of them, one right after the other.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. Mr. President, reserving the right to object, doesn't that run us into the policy meetings? We have some really important things to cover.

Mr. REID. I have spoken to Mr. Schiappa. He understands that. He was going to speak to either Senator HUTCHISON or Senator MCCONNELL. We have not heard anything back from them. We will try it at 12:20 with the same unanimous consent request I previously mentioned, except 5 minutes earlier.

I ask unanimous consent that the first vote will be at 12:20 and the second vote on final passage be immediately after the first vote, with no speeches in between.

Mrs. HUTCHISON. Mr. President, parliamentary inquiry: In lieu of voting now, there will be no votes until 12:20?

Mr. REID. What would happen, I have asked Senator COCHRAN and Senator BYRD to give their opening statements on homeland security.

Mr. ENZI. Mr. President, I would like about 2 minutes to finish up the thank-yous on this bill.

Mr. REID. I say to my friend, we have lots of time for thank-yous now. Senator COCHRAN and Senator BYRD need to work their way up here.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, parliamentary inquiry: I ask for the yeas and nays both on my amendment and on final passage. I ask that it be in order now. I ask also unanimous consent that the yeas and nays on the Coburn amendment be vitiated.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The yeas and nays are vitiated on the Coburn amendment.

Is there a sufficient second? There appears to be a sufficient second.

Mr. KENNEDY. So the first amendment vote will be at 12:20. It will be on the Kennedy amendment. Is that correct?

And following that, the vote will be on final passage.

The ACTING PRESIDENT pro tempore. The first amendment will be the Kennedy amendment at 12:20, followed immediately by final passage.

Mr. ENZI. Mr. President, I ran out of time before I could thank members of my staff and others' staff who have participated in this bipartisan effort to get the Higher Education Act reauthorized. I would like to do that at this time because this bill is proof that a bipartisan effort can get a bill done.

In particular, I would like to thank Katherine McGuire, who is my committee staff director. She does an excellent job of keeping the trains running on time on a multitude of issues all at once. Her first higher education reauthorization was back in the early 1990s. She also provides an attitude and a focus that says: Let's get things done. And she is able to work with the other side, and has proven that she is trustworthy and knowledgeable on the issues. That goes a long way in making sure there can be a bipartisan effort, that willingness to work within common parameters and principles which helps us to get all of those things done.

I especially wish to thank Beth Buehlmann, who is my education policy director. Beth has devoted her career to improving educational opportunities for all Americans. From her work as a math teacher to her devotion to workforce training, Beth really knows what she is doing and brings extraordinary energy to the issue every day. Her knowledge and leadership have shaped education policy in our country over the last 30 years. She provides the same kind of focus and direction on education issues that Katherine does for the entire committee.

I also wish to thank the rest of the education team who greatly contributed to the bill: Ann Clough, Adam Briddell, Lindsay Hunsicker, and Kelly Hastings. They have worked diligently and, as I have mentioned, through weekends and evenings.

I also wish to thank Ilyse Schuman and her fantastic knowledge of working a bill through the Senate floor. She is one of the few lawyers I have on my staff. She gives that group of people a good name with her, again, work ethic, knowledge of the law, and wordsmithing.

I wish to thank Amy Shank, who is my budget expert, and has been doing that for several years. She knows the rules and the requirements and the capabilities of the budget process and keeps us all on our toes and ensures our work meets the budget requirements.

Finally, Greg Dean, who did a great job of organizing the amendment process. He is so attentive and he scurried to make sure that every little detail is plugged and that we are all up to speed on every one of those little details.

I would also like to thank members of Senator KENNEDY's staff for their hard work: Michael Myers does a great job of coordinating with us and providing leadership on the issues, since they are in the leadership now. Senator KENNEDY's staff director does that kind of work and is very cooperative with our side and sensitive to the priorities we bring up.

I thank Carmel Martin, J.D. LaRock, Missy Rohrbach, Emma Vadehra, and Erin Renner for their expertise on the issues. You should see the talent of these people and their knowledge of education, which you do not get to see, but you get to see the result of their work as we present it. Sometimes we do not do justice to all of the effort that they have put in.

Finally, I would like to thank all of the members of the HELP Committee and their staffs for their hard work throughout the process. This is one of the most demanding committees. We cover, as I mentioned, 40 percent of the issues that come before the Senate. That requires a lot of time, a lot of knowledge, and such a wide variety of issues that I think the members get a college education about every month, a college course of education about every month as we cover these different issues. I appreciate their help especially working on this college education bill.

It has been an interesting road and about 3 years' worth of work and all of it on a bipartisan basis. I thank all of those who have participated.

I yield the floor.

Mr. KENNEDY. Mr. President, the Senator from Wyoming is typically thoughtful and gracious about his staff and mine as well.

As I said, I will include in the RECORD the wonderful work of all of the other staff.

Mr. President, I ask unanimous consent that following the second vote, the Senate then recess for the party conferences.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I ask unanimous consent to be a cosponsor on the Kennedy-Coburn amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I understand there will not be final action on any of this legislation except for the final two votes. Am I correct on that?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. KENNEDY. Mr. President, I would suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Utah is recognized.

Mr. BENNETT. 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.

BRIGHAM YOUNG AND THE PIONEERS

Mr. BENNETT. Mr. President, today is July 24, which probably means not very much to most of the people in this Chamber, but in my home State, July 24 is close to the biggest day of the year. July 24 is the day that Brigham Young and the first group of Mormon pioneers came down the canyon outside of Salt Lake Valley and decided that was the place where they would stop. They had been coming across the Plains for months looking for a place to settle, and as Brigham Young rose up out of his wagon at the mouth of the canyon and looked down over the valley, he stared for a few moments and then turned to his associates and said: It is enough. This is the right place. They decided that was where they would settle. This date, therefore, became enshrined as the founding date of the State of Utah, and it has been celebrated with a parade ever since.

I remember as a young child being taken by my parents to sit in the upper window of a department store overlooking Main Street in Salt Lake City and watching as the floats and the cars went down the street.

I remember, as a little boy, that there was always one float that had a big banner on it that said ''Pioneers;'' that is, these are people who had actually come across the Plains before the railroad, either walking or in covered wagons—or primarily a combination of both—and had arrived in the valley. They were still alive when I was a little boy to watch them. One of them was my grandfather, who had been born in Birmingham, England, and been carried as a 2- and 3-year-old across the Plains by his father and mother and landed in Salt Lake City in the 1860s prior to the coming of the railroad.

I watched every parade, and that group of pioneers kept getting smaller and smaller each year. Finally, there was a parade where there were no pioneers. There was no one who had been part of that trek. But the parade lives on.

Senator HATCH and I were both scheduled to be in it today, as I have been in virtually every July 24 parade since I have been elected. But votes here on the floor of the Senate have made it impossible for us to do that and at the same time discharge our duties. So I simply wish to take note here on July 24 of the importance of that event and make this comment about it that I think may have some relevance to what we are doing today.

Those people came to Utah because they had no other choice. They came to Utah because they were—the first group of them—finally driven out of every other place in the United States where they had tried to settle. They had created a settlement in Ohio, and they were driven out. They had created a settlement in Missouri, and they were driven out. They had created a settlement in Illinois, and they were driven out. And there were many in their group who decided: We have had enough.

They decided to stay in the Midwest, give up their religion, give up their commitment to the cause that had held them together, and settle down in the hopes they would have peace with their neighbors. But that hardy group that decided they were not going to give up, that they were going to move someplace where everyone would leave them alone, deliberately chose Salt Lake Valley because nothing had ever been raised there before. It was part of the great American desert. John C. Freemont, the great frontiersman, offered $1,000 for the first bushel of corn that could be raised in Salt Lake Valley. They faced enormous adversity to do what they did, to demonstrate their commitment to their religion and their convictions.

After 9/11, President Bush spoke to us in the National Cathedral, and he talked about adversity. Quoting an unknown source, he said: Adversity introduces us to ourselves. As the descendant of some of those pioneers, that is a lesson worth reminding ourselves of at least once a year. Adversity introduces us to ourselves. Those people, as they went through that adversity, discovered who they were and determined that they would not linger on the past and their adversity but they would be confident about their future. They built there in that forsaken valley not only trees and crops and houses but the foundation of a movement that now moves around the world.

I am grateful to them for what they did. I am grateful to them for the legacy of reminding us that the future is more important than the past, that our opportunities are more important than our grievances, and that when adversity has told us who we are, we should, in the words of a hymn they sang as they moved across the plains: Gird up our loins, fresh courage take, and move forward in the conviction that our God will never us forsake.

Today, on July 24, I share that with my fellow Senators in the belief that it is still good advice for our future.

The ACTING PRESIDENT pro tempore. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I join the Senator from Utah in his comments. Many of the citizens of my State are members of the LDS Church and obviously strong leaders who have done exactly in Idaho what he said his forebears did in Utah. They made the deserts bloom, and they built a culture and a religious base that serves my State so very well today.

WESTERN WILDFIRES

Mr. CRAIG. Mr. President, I have come to the floor to speak about something that is going on in the West as we speak, that is a tragedy in reality and something that certainly we all ought to be aware of. As I got on the plane Friday morning in Minneapolis in my commute to Idaho, a group of young men and women got on my plane: firefighters of the State of Missouri. They were flying to Idaho to help Idahoans extinguish the wildfires burning there. I thank them and all of the brave firefighters who have been battling these immense wildfires in a season that is dramatic as we speak.

I got on the plane yesterday morning in Boise to return to Washington. Another group of young men and women, bedraggled, tired, and smelling of smoke, got on the plane to fly back to Minneapolis. That was another group of firefighters who were flown in from the Eastern United States to help out in Idaho and the Great Basin West. They were simply tired and returning home.

We are, in Idaho and in the West, at this moment experiencing one of the most dramatic wildfire seasons in our history. I say that because the season in reality has just started. From a historic perspective, it is late July, August, and September that the fire season we think of on our public lands, both forested and grasslands, usually begins.

Last year, we went through the worst fire season in history based on total acreage burned. As I speak, we are now ahead of last year and burning even greater. Headlines in the local largest daily in Idaho yesterday said: more fires burning in Idaho than any other State in the Nation, well over 600,000 acres burned and many burning.

Yesterday morning, five counties in the State of Idaho were declared a state of emergency due to those wildfires burning. Currently, the largest fire burning in the United States is the Murphy complex, estimated to be 570,000 acres; 7,500 people were evacuated from the area. Evacuations were being ordered across the State due to the number of fires and the extreme of the fire behavior: 100-degree temperatures in an area where that extraordinary heat has reduced the dew point to such a situation that anything that grows becomes kindling for a wildfire.

Of the 72 large fires in the United States, half of those burning today are in the State of Nevada and in my State of Idaho. The weather outlook has gone from bad to horrible, as these temperatures continue and as the Great Basin of the United States progressively dries out. More hot and dry weather is expected along with dry lightning, fires, and wind storms. As these lightning storms sweep through, literally thousands of strikes occur, and hundreds of fires can be set in one evening across the public lands of the West.

As I mentioned, the 2006 fire season broke several records, including acreage. By the end of this week, we will have surpassed that increase as it relates to time and place of the fire season. We have obviously not yet burned the 10 million acres of last year, but by measurement this fire season is now worse.

Almost 100 years ago, the Forest Service started something. They started with a commitment and a philosophy to full fire suppression. Now I take you to a little bit of history as to what may be producing the very dramatic fire season we experienced last year and the year before, and we are now experiencing today. During that time, the Forest Service's aim was to extinguish every fire, man-made or lightning caused. With the exception of the last 15 years, the timber industry, on our public lands, enjoyed booming success during the same period. So while Mother Nature was not allowed to burn the forest, man was allowed to come in over the last 100 years and thin and clean. We called it logging. That produced the timber for the home and building industries. As a result, it is arguable that wildfires were kept somewhat under control. Not only did we put the fires out, but we were taking the fuels off the land.

In the 1990s, during the Clinton years, as a result of the impact of a variety of public policies, from the Endangered Species Act to the New Forest Management Act to the Clean Water Act and the Clean Air Act, and a lot of other combinations, we began to progressively reduce the overall cut of timber on public lands. In the 8 years of Bill Clinton, we reduced the allowable cut.

Here are the figures on this chart. It is patterned by revenue flow. We reduced the allowable cut of timber on our public lands by 80 percent—not 8 percent, by well over 80 percent. So if you follow the green line on this chart, you follow the revenue flow that was coming from our public lands through the U.S. Forest Service. Of course, it was during that time that the Forest Service had money. As a result, they had the money to fight the fires. Then you see the decline on the chart.

As we discontinued timber harvests on our public lands, the revenue no longer was produced. But something else was happening. We were leaving on our public lands dramatic increases in timber and brush and, in today's situation, fuel for the fires.

So in part, the West is burning today because of public policy, because of attitude, not because of Mother Nature. Mother Nature has ebbed and flowed over time. But when Mother Nature is taken out of balance by man's practices and policies, dramatic results can occur. As the revenues declined and they paralleled human activity on the public lands, dramatic increases in fire resulted.

What do we do about it? For the last several years I have stood on the Senate floor and participated in the Energy and Natural Resources Committee and chaired the Forestry Subcommittee for many of these years and have said openly and publicly: We, by our public policy, have destroyed the U.S. Forest Service. We bankrupted it. It no longer has any money. In so doing, we keep putting greater burden on it, and we won't fund it.

We are not in the habit of funding it because timber sales historically funded the U.S. Forest Service. It not only funded all of their practices, both logging and trail clearing and wildlife

management and habitat control, it did something else: It put money into the U.S. Treasury. We created a unique balance over the last 100 years because you can't predict a fire season. You have the revenue flow coming in. So we simply borrowed the money to fight fires from the different accounts of the U.S. Forest Service and at the end of the year, when the fire season was over and all the bills were paid, we simply replenished all of the accounts of the U.S. Forest Service that it used to manage the different components of the Forest Service itself.

It no longer happens today. We are still borrowing money from accounts to fight fires, but there is no money in the accounts. At the end of the year, because of tight budgets, we don't replenish the money from the general fund of the U.S. Government. There is no money there. Timber receipts used to fund the money, used to create the balance, used to do a lot of things. They no longer exist, in large part because of public policy.

What is happening in Idaho and across the West at this moment, when you see the valleys full of smoke and the mountains full of smoke and the skies with dark bands of carbon-filled air across the West, our natural resources are literally going up in smoke. What is burning out there are trees. It is also watersheds and water quality and wildlife habitat. All of that is disappearing in a ball of fire, and it should not be that way.

What are the solutions? Throwing more money at fire suppression? Well, we have been doing that by ever increasing amounts every year for the last 5 or 6 years, to the tune of billions of dollars annually.

I am the ranking member of the Interior Appropriations Subcommittee. I put in another half billion dollars to fight fires, and it will quickly go up in smoke at the rate the fires are burning in the West.

What is the solution? More active management? Yes. More active management on our public lands will help the fire situation because active management—if you look at the Healthy Forests Act we passed several years ago—means you are in there thinning, you are in there cleaning the underbrush, you are doing the kind of things that fire would have done naturally 100 years ago. But we changed the circumstance, and we changed the environment.

Fire is unique in that it can be beneficial if it is handled appropriately. If you have 100 trees per acre, and fire is allowed to amble through and burn out all of the underbrush, it does not kill the tree, in many instances. But if you have 400 trees per acre of the kind we have allowed to happen over the last good number of decades, then it burns everything because the fire is so intense by the volume of fuel on the forest floor. That is a circumstance the West is experiencing, as we speak.

Fire is a unique natural disaster because humankind has found a way to fight it. It can change the situation that breeds fire. How do you fight a tornado? Well, you cannot. Yet it is called a natural disaster. How do you fight a hurricane? Well, you cannot. You can predict them, and you get out of their way, because it is a natural disaster. How do you fight a wildfire? Give me a shovel, give me the tools, give me a better environment—a managed environment, if you will—and I can fight a wildfire. Do not allow Federal judges to be land managers. Allow foresters to be land managers in the right context of public policy and you can fight a wildfire. Give me the tools necessary in the local communities to do so, and you can fight a wildfire. Allow me to use a chain saw selectively in the forest to thin them and clean them, and you can fight a wildfire. But, all in the name of the environment, we have decided to do none of these. We have decided to simply preserve and allow it to be natural.

Let me conclude with these thoughts. The fires that are burning in the West today are not natural. They are hotter, they are more intense, they are more destructive than any forest fires we have seen in our forests literally within a century. The reason is quite simple. The 100 trees per acre I talked about that Lewis and Clark might have ambled through 200 years ago are the same acres in which there are now 400 trees. Because of the heat and the drought, they are dead or dying, and they have created a fuel load on our forest floor that is unprecedented. Yet, we, by public policy, have tied the hands of our land managers. As a result, literally millions of acres are now burning annually. For what reason? I believe it is because we, as a manager of public and natural resources, have failed.

There are reasonable ways to do so. There is an alternative besides simply locking it up and letting it burn. Yes, the skies of Idaho and the Great Basin West are full of smoke at this moment. That smoke is our natural resources going up in smoke, literally.

If we are worried about climate change, and we are worried about the carbon we are putting into the atmosphere, the fires on the public lands of this Nation this year will put more carbon in the atmosphere than any 1 year of automobile driving. Yet somehow there are those who are willing to ignore it only in the reality that it is nature and uncontrollable. I would argue that is not true because 30 years ago we did not have these kinds of fires, and 20 years ago we did not have them, even though we had peaks of drought and dryness and heat.

Our professionals told us some time ago if we did not become, once again, active managers of our public land resource it would go up in smoke—and it is.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BAYH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASEY). Without objection, it is so ordered.

HOMELAND SECURITY APPROPRIATIONS

Mr. BYRD. Mr. President, this afternoon, the Senate will proceed to the Homeland Security bill. I speak in advance of that happening.

In every State of the Union Address since the terrorist attacks on 9/11, the President has raised the specter of another attack. This past January, the President said—hear me, the President said:

> Every success against the terrorists is a reminder of the shoreless ambitions of this enemy . . . I wish I could report to you that the dangers had ended. They have not. It remains the policy of this government to use every lawful and proper tool of intelligence, diplomacy, law enforcement and military action to do our duty . . . to protect the American people.

Let me say that again. The President said:

> Every success against the terrorists is a reminder of the shoreless ambitions of this enemy . . . I wish I could report to you that the dangers had ended. They have not. It remains the policy of this government to use every lawful and proper tool of intelligence, diplomacy, law enforcement and military action to do our duty—

To do our duty—

> to protect the American people.

And yet despite the President's warnings and the President's promises, the President's budget failed to commit significant resources to address these dangers. Too often the Department of Homeland Security settles for security that looks good on paper but leaves serious gaps in the defense of our homeland. There is too much rhetoric on homeland security and too little action; too much wind—too much wind—and not enough wisdom.

Despite the August 2006 arrests in Britain of terrorists determined to blow passenger aircraft out of the sky over the Atlantic, we still don't have proven technology to detect liquid explosives.

I wish to say that again. Hear me now; hear me. Despite the August 2006 arrests in Britain of terrorists determined to blow passenger aircraft out of the sky over the Atlantic, we still don't have proven technology to detect liquid explosives.

On an average day, 7,500 tons of cargo is placed in the holds of passenger aircraft at our Nation's airports, little of which is screened for explosives and virtually none is screened for radiation. Our seaports remain vulnerable. Our police, firefighters, emergency medical teams, and emergency managers remain understaffed and underprepared to handle the challenges of the times.

The White House—hear me down there—the White House talks a good

game, but talk is cheap, cheap, cheap. But security is not cheap. The White House asserted that its budget proposes an 8-percent increase for the Department of Homeland Security. However, after sifting through the gimmicks, we found that it is a 1.7-percent increase above current funding. That is barely enough to cover inflation for existing programs. More paper security; more paper security. More failed promises; more failed promises. We have a responsibility. We have a responsibility; yes, we have a responsibility to the people of this country to do better, and this legislation meets that responsibility.

For border security, the bill provides the funds to hire 3,000 new Border Patrol agents. The bill also includes $1 billion for border fencing, infrastructure, and technology. Our bill adds funds for 4,000 new detention beds, 3,050 more detention beds than are requested by the President. Get that? We commit the funds that are essential for a coordinated, comprehensive border security effort.

Real security cannot be done on the cheap. Hear me. Real security cannot be done on the cheap.

For aviation security, the bill invests funds that will help save lives, and it may be your life, it may be your life, it may be your life, maybe someone's life whom you know, it may be some child's life, but it cannot be done on the cheap.

Despite a documented need for $3.6 billion to purchase and install explosives detection systems, the President—get this—the President, the President of the United States, proposes to cut, the explosives detection program by 17 percent. The bill provides $89.4 million above the President's request to purchase and install explosives detection equipment at airports. That is for you, the people of this country, to install this equipment at airports for your security.

We take on the challenge of screening cargo before it is loaded onto aircraft, which you, the people of this country—the passengers—will board.

The bill includes $66 million, $10 million above the request—$10 million above the President's request—to deploy 70 additional canine teams—God bless them, those good, great dogs—to deploy 70 additional canine teams, and more screening technology at airports nationwide, at airports where the people of this country will board nationwide.

Funds are also provided to establish 20 radiation screening teams at key U.S. international airports to inspect aircraft and cargo. You, the people out there, will be boarding these aircraft. Let me say it again. Funds are also provided to establish 20 radiation screening teams at key U.S. international airports to inspect aircraft, which you will board, and cargo, which will be boarded by you, the people. All of this money is well spent. It will protect human lives and cargo and aircraft.

In this legislation, we also speed up the work on disaster preparation. Two years ago—how soon we forget—just 2 years ago, Hurricane Katrina demonstrated our dismal failure in dealing with a major disaster. Hurricane Rita showed that we do not know how to organize an effective mass evacuation. I want to say that again. Hurricane Rita showed that we do not know how to organize an effective mass evacuation. Now, we better get on it. We better get with it. I am going to say it once again: Hurricane Rita showed that we—that is you and that is me—do not know how to organize an effective mass evacuation. That is hard to believe.

Maybe it isn't so hard.

The White House After Action Report on the hurricanes concluded, and I quote from that report. I am quoting from the White House After Action Report, not my report.

We are not as prepared as we need to be at all levels within this country.

We are not as prepared as we need to be at all levels within the country. What an understatement. What an understatement. Yet the President's budget proposes a $1.2 billion cut—a cut—in vital homeland security grant programs, including funds for disaster preparations and first responder training. Where, oh where, is the sense in that?

According to the Department of Homeland Security's own estimates, two-thirds of the States and urban areas do not have adequate plans to respond to a catastrophic event. This legislation rejects the proposed budget cuts and puts us on the right track—planning and training for a catastrophic event.

The bill that is before the Senate increases first responder funding by $644 million. The President signed the SAFE Port Act last year with great fanfare. Yet 9 months later, his budget—the President's budget—includes no additional funds for the new security requirements contained in the law that the President signed. This bill makes good on the promises of the SAFE Port Act, hiring specialists to help inspect the 11 million containers that come into the United States every year. The bill commits funds directly to our ports to tighten security.

Let me say that again: The bill commits funds directly to our ports to tighten security—security for you, the people out there—at the ports. Port security grants are increased by $190 million to the fully authorized level of $400 million. We double the frequency of unannounced Coast Guard inspections at our port facilities.

Get that? You better wake up out there. I am going to say it again: We double the frequency of unannounced Coast Guard inspections at our port facilities, and we fund the installation of radiation detection equipment at our ports to guard against nuclear weapons and dirty bombs. I will say that again: We fund the installation of radiation detection equipment at our ports to guard against nuclear weapons and dirty bombs.

The threat at our ports needs to be addressed now. It is foolish to delay any longer. In order to restore the ill-considered cuts proposed by the President for equipping and training our first responders, and to fund the increases that I have described for border, port, and aviation security, the bill exceeds the President's request by $2.25 billion.

Incredibly, President Bush has threatened to veto the homeland security funding bill. Why? Because of what he, the President, labels as excessive spending. Excessive spending. That is what President Bush said. Let me read that again: President Bush has threatened to veto the homeland security funding bill—that is for you, the people out there in the hills and valleys of this great land. Why? He has threatened to veto the homeland security funding bill because of what he labels as excessive spending.

The $2.25 billion increase in this bill is about what we spend in 1 week—1 week—in Iraq. Let me say that again. Now listen to me. Hear me now. Incredibly, President Bush has threatened to veto the homeland security funding bill because of what he labels as excessive spending. Yet the $2.25 billion increase in this bill is about what we spend in 1 week in Iraq.

Just 2 weeks ago, the Secretary of Homeland Security was quoted as saying that it was his gut feeling that the United States faces an increased threat of attack this summer. Now, that is not ROBERT BYRD making that assertion. Let me say it again. Just 2 weeks ago, the Secretary of Homeland Security was quoted as saying—did you hear that—he was quoted as saying that it was his gut feeling—that is pretty deep—that our country faces an increased threat of attack this summer. That is now, isn't it? This is July. This summer.

On the heels of the Secretary's warnings, the administration, our administration, the Bush administration, has released its latest National Intelligence Estimate concerning the terrorist threat to the U.S. homeland. Where is that? Here, the U.S. homeland. I will quote from the report. This is not ROBERT BYRD talking, this is the report, the National Intelligence Estimate, concerning the terrorist threat to the U.S. homeland.

We judge the U.S. Homeland will face a persistent and evolving terrorist threat over the next three years. The main threat comes from Islamic terrorist groups and cells, especially al-Qaida, driven by their undiminished intent to attack the Homeland—

That is my homeland. That is your homeland.

and a continued effort by these terrorist groups to adapt and improve their capabilities. . . .[W]e judge that al-Qaida will intensify its efforts to put operatives here.

Where? Not out there, here. Here is everywhere in our homeland.

As a result, we judge that the United States currently is in a heightened threat

environment. . . .We assess that al-Qaida's Homeland plotting is likely to continue to focus on prominent political, economic and infrastructure targets with the goal of producing mass casualties, visually dramatic destruction, significant economic aftershocks, and/or fear among the U.S. population.

These are the words written by the best intelligence analysts in our Government. Those are the words that should force our Government, both in the executive and in the legislative branches, to reevaluate the priority that we are giving to funding to stop terrorist attacks against this country, our country—my country, your country, our country.

I call on the President—yes, I call on the President of the United States—to reconsider his veto threat in light of the concerns raised by his own administration.

The mission of the Department of Homeland Security is critical to the safety of our citizens. The potential threats are enormous. The Congress must strike a balance that preserves our cherished freedoms and provides for enhanced security.

We need to stop squabbling and pass the Homeland Security bill for the President's speedy signature. This is no time to jockey for political points or to argue over minor differences. The Appropriations Committee, by a vote of 29 to 0, has produced a balanced and responsible bill which needs action now.

I thank Senator COCHRAN and his able staff for their support in producing this legislation.

I yield the floor.

Mr. COCHRAN. Mr. President, will the Senator yield for just one moment?

Mr. BYRD. I yield.

Mr. COCHRAN. Mr. President, I am pleased this afternoon to join Senator BYRD in presenting the appropriations bill for the Department of Homeland Security for the next fiscal year. I might say, having sat here and listened to all the comments of the distinguished chairman, there is another side to the story on some of the issues that he raised, and I assure the Senate that they will have an opportunity to hear the other side.

Mr. BYRD. Yes, Mr. President, I thank my dear friend and colleague. The Senate needs to hear the other side; all sides, all sides. I thank my colleague, and I yield the floor.

VOTE ON AMENDMENT NO. 2381

The PRESIDING OFFICER. Under the previous order, the question occurs on amendment No. 2381, as modified, offered by the Senator from Massachusetts, Mr. KENNEDY. The yeas and nays have been ordered. The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), the Senator from South Dakota (Mr. JOHNSON), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 274 Leg.]

YEAS—93

Akaka	Domenici	McConnell
Alexander	Dorgan	Menendez
Allard	Durbin	Mikulski
Barrasso	Ensign	Murkowski
Baucus	Enzi	Murray
Bayh	Feingold	Nelson (FL)
Bennett	Feinstein	Nelson (NE)
Bingaman	Grassley	Pryor
Bond	Gregg	Reed
Boxer	Hagel	Reid
Brown	Harkin	Roberts
Bunning	Hatch	Rockefeller
Burr	Hutchison	Salazar
Byrd	Inhofe	Sanders
Cantwell	Inouye	Schumer
Cardin	Isakson	Sessions
Carper	Kennedy	Shelby
Casey	Kerry	Smith
Chambliss	Klobuchar	Snowe
Clinton	Kohl	Specter
Coburn	Kyl	Stabenow
Cochran	Landrieu	Stevens
Coleman	Lautenberg	Sununu
Collins	Leahy	Tester
Conrad	Levin	Thune
Corker	Lieberman	Vitter
Cornyn	Lincoln	Voinovich
Craig	Lott	Warner
Crapo	Lugar	Webb
DeMint	Martinez	Whitehouse
Dole	McCaskill	Wyden

NOT VOTING—7

Biden	Graham	Obama
Brownback	Johnson	
Dodd	McCain	

The amendment (No. 2381) as modified, was agreed to.

CHANGE OF VOTE

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, on rollcall vote 273, I voted ''yea.'' It was my intention to vote ''nay.'' I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome of the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the question is on agreeing to amendment No. 2369, as amended, offered by the Senator from Oklahoma (Mr. COBURN).

The amendment (No. 2369), as amended, was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Arizona (Mr. MCCAIN).

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 275 Leg.]

YEAS—95

Akaka	Dole	McConnell
Alexander	Domenici	Menendez
Allard	Dorgan	Mikulski
Barrasso	Durbin	Murkowski
Baucus	Ensign	Murray
Bayh	Enzi	Nelson (FL)
Bennett	Feingold	Nelson (NE)
Biden	Feinstein	Pryor
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Boxer	Hagel	Roberts
Brown	Harkin	Rockefeller
Bunning	Hatch	Salazar
Burr	Hutchison	Sanders
Byrd	Inhofe	Schumer
Cantwell	Inouye	Sessions
Cardin	Isakson	Shelby
Carper	Kennedy	Smith
Casey	Kerry	Snowe
Chambliss	Klobuchar	Specter
Clinton	Kohl	Stabenow
Coburn	Kyl	Stevens
Cochran	Landrieu	Sununu
Coleman	Lautenberg	Tester
Collins	Leahy	Thune
Conrad	Levin	Vitter
Corker	Lieberman	Voinovich
Cornyn	Lincoln	Warner
Craig	Lott	Webb
Crapo	Lugar	Whitehouse
DeMint	Martinez	Wyden
Dodd	McCaskill	

NOT VOTING—5

Brownback	Johnson	Obama
Graham	McCain	

The bill (S. 1642), as amended, was passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:01 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2008

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 2638, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2638) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes.

The PRESIDING OFFICER. Who seeks recognition?

Mr. CRAPO. 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. BROWN. 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. BROWN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio is recognized.

(The remarks of Mr. BROWN are printed in today's RECORD under ''Morning Business.'')

Mr. BROWN. Mr. President, I yield back my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized.

AMENDMENT NO. 2383

Mr. BYRD. Mr. President, on behalf of the Appropriations Committee, I call up a committee substitute which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD], for himself and Mr. COCHRAN, proposes an amendment numbered 2383.

Mr. BYRD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. BYRD. Mr. President, this morning, I gave my opening remarks for consideration of the fiscal year 2008 Homeland Security appropriations bill. The Appropriations Committee, by a vote of 29 to 0, has produced a balanced and responsible bill which needs action now.

The bill includes significant resources for border security, for enforcing our immigration laws, and for improving security at our airports. We include significant new resources for implementing the SAFE Port Act. We also restore cuts in first responder grant programs.

I thank Senator COCHRAN and his able staff for their support in producing this legislation.

Just last week, the administration released its latest National Intelligence Estimate concerning the terrorist threat to the U.S. homeland. I am going to quote from the report.

I will say that again so that the audience out there in the homeland will understand just exactly what is going on here.

Just last week, the administration released its latest National Intelligence Estimate concerning the terrorist threat to the U.S. homeland. We are talking about the Bush administration's latest National Intelligence Estimate. I will quote from the report. Hear me, I am quoting from the report of the administration, the Bush administration, from its latest National Intelligence Estimate concerning the terrorist threat to the U.S. homeland. Hear me:

We judge the U.S. homeland will face a persistent and evolving terrorist threat over the next 3 years. The main threat comes from Islamic terrorist groups and cells, especially al-Qa'ida, driven by their undiminished intent to attack the U.S. homeland and a continued effort by these terrorist groups to adapt and improve their capabilities. . . . [W]e judge that al-Qa'ida will intensify its efforts to put operatives here.

Let me say that again. Listen. Just last week, the administration released its latest National Intelligence Estimate concerning the terrorist threat to the U.S. homeland. That is right here—not somewhere else—the U.S. homeland. And I will quote from this report from the Bush administration:

We judge the U.S. homeland will face a persistent and evolving terrorist threat over the next 3 years. The main threat comes from Islamic terrorist groups and cells, especially al-Qa'ida, driven by their undiminished intent to attack the homeland and a continued effort by these terrorist groups to adapt and improve their capabilities. . . . [W]e judge that al-Qa'ida will intensify its efforts to put operatives here.

Not somewhere else—here. Those are the words that should force our Government, both in the executive and in the legislative branches, to reevaluate the priority that we are giving to funding to stop terrorist attacks against this country—our country, your country, my country. I look forward to a good debate.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am pleased to join the distinguished Senator from West Virginia in presenting the fiscal year 2008 appropriations bill for the Department of Homeland Security.

Mr. President, I appreciate very much the courtesies of the distinguished Senator from West Virginia and his staff and all members of the Appropriations Committee during our hearings and the preparation of this bill. We haven't agreed on everything, but this bill reflects our best effort to reach a fair resolution of our differences.

I had hoped, for instance, that we could have held the overall level of proposed spending to no more than the President requested in his budget that was submitted to the Congress earlier this year. I am pleased that the bill recommends approval of the President's budget request for border security and includes 3,000 new Border Patrol agents, $1 billion for continued work on the virtual fence, and other tactical infrastructure. Funding above the President's request is added to accommodate an additional 3,000 detention beds.

One of the consistent criticisms we hear about the Department is its challenges to hire the right people for the right jobs and to reduce its reliance on contractors. Unfortunately, the bill before us proposes to cut the human resource accounts significantly. These cuts handicap the Department in getting the right people into the right jobs to address many of the issues critics have complained about. We can all agree that the Department should be focused on hiring and retaining the best personnel it can.

Succession planning, diversity initiatives, performance management, and workforce relations are all critical issues. By underfunding the programs that are designed to meet these challenges, we run the risk of creating a cycle of unmet promises and potential. This Department is too important for that.

I must also express my concern that this bill restricts the obligation of funds in 10 instances. While I recognize this is within the power of the Appropriations Committee and is sometimes necessary, I think we have overdone it in this bill.

In three separate instances, this bill provides reductions in funding for the Deputy Secretary of the Department of $1,000 per day if certain deadlines are not met. I would prefer to express our concerns in some other way and at least consider reasons that may have caused the deadlines to have been missed before automatically reducing appropriated accounts. I am equally frustrated with the Department's inability to meet deadlines Congress sets, and I expect the Department to meet statutory deadlines, but this approach is not workable.

The report accompanying this bill is harshly critical of the administration's handling of security at Federal facilities. These are Federal facilities which receive protection from the Federal Protective Service, and I do not agree with that. The Federal Protective Service has worked hard to rationalize its fee structure and its mission since joining the Department of Homeland Security. It has not yet finished the process. But the administration remains deeply committed to the safety and security of all Government employees.

The report accompanying this bill also criticizes the Department for legislation Congress has passed. It is unlikely that all Senators agree with all of the legislation that is enacted here, but to blame it on the executive branch agency charged with carrying out the law is hard to rationalize. It is unfair and it is wrong.

Last year, the Appropriations Committee worked very closely with the authorizing committees to craft a compromise on chemical site security language. Chairman BYRD's leadership last

year led to the enactment of a provision in the fiscal year 2007 act that will lead to regulating the chemical sector for the first time. I intend to continue to work with the chairman to ensure sufficient resources are provided to the Department so enforcement of these regulations is achieved.

I am pleased the committee is recommending nearly full funding for the Coast Guard's Deepwater recapitalization effort as well as support for the Transportation Security Administration, Federal Emergency Management Agency, and infrastructure protection. These are activities which are needed to continue to improve the security of our homeland, and generous funding is fully justified.

This bill comes to the Senate floor during a time when our intelligence community has judged that the Nation is, and I quote, ''in a heightened threat environment.'' While there continues to be no credible specific intelligence to suggest an imminent threat, recent events in the United Kingdom serve to remind us of the very serious nature and the potential consequences of terrorist attacks.

I hope we can move expeditiously to pass this bill so that we can begin conference with the House.

Mr. President, earlier remarks today on the floor of the Senate may have suggested that the Department of Homeland Security isn't doing its job.

Well, today, this one day, the Department of Homeland Security will process more than 1.1 million passengers and pedestrians, including 680,000 aliens arriving at our Nation's airports and seaports.

Today, the Department will inspect more than 70,900 trucks and containers, 580 vessels, 2,459 aircraft, and 327,042 privately owned vehicles coming into this country. It will house and care for 19,000 aliens in detention facilities. It will screen approximately 2 million passengers and their 1.6 million pieces of checked baggage before they board commercial aircraft. It will make 63 arrests at ports of entry and 2,984 apprehensions between ports for illegal entry. It will intercept 27,000 prohibited items at airport checkpoints, including over 3,000 knives. It will train more than 3,500 Federal officers and agents from more than 80 different Federal agencies as well as State, local, tribal, and international officers and agents.

Today, the Coast Guard will save 14 lives, assist 123 people in distress, and respond to 12 oil and hazardous chemical spills.

Today, the Department of Homeland Security will naturalize more than 1,900 new citizens. It will conduct 135,000 national security background checks on those applying for immigration benefits. It will process 30,000 applications for immigrant benefits. It will help American parents adopt nearly 125 foreign-born orphans. The Department will help protect an additional 104 homes from the devastating effects of flooding and protect dozens of high-profile Government officials, including Members of this body, the President, and the Vice President of the United States, visiting heads of state, and former Presidents.

This list of daily accomplishments provides just a sample of the important responsibilities and roles of the Department of Homeland Security. To accomplish these responsibilities, this bill provides $36.4 billion in discretionary spending and $1.1 billion in mandatory spending for fiscal year 2008.

I must point out that this bill provides $2.25 billion more in discretionary appropriations than the amount proposed by the President in his budget submission to the Congress. The bulk of the increase from the President's request level, $1.8 billion, is devoted to increasing grants to States and localities. These proposed increases would come quickly on the heels of nearly $300 million being added for grants contained in the Emergency Appropriations Act, which was enacted in May.

The 9/11 Commission Report warned about grant programs becoming entrenched as entitlement programs for State and local governments. We need to make a strong and successful effort to ensure that all funds we appropriate are fully justified.

Mr. President, I look forward to considering any amendments Senators may suggest to the bill and to continuing our work to ensure we produce a work product that will reflect credit on the Senate and provide the funds that are important to the carrying out of duties and responsibilities of the Department of Homeland Security for the next fiscal year.

Mr. BYRD. Mr. President, I thank my able friend from Mississippi, Senator COCHRAN, for his comments related to securing our chemical plants. He and I will work together—as we always have, as we always do—to ensure that the Department has the resources it needs to enforce the new chemical security standards.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, we face extremely serious threats here at home, and that is why it is so important that the Senate pass the Homeland Security Appropriations bill that is now before us.

This bill is designed to help strengthen our security at the Federal level, at the State level, and at the local level. From our local firehouses and our police departments, to our borders, airports, and seaports, this bill will help our country be more secure and better able to respond to any disasters we may encounter.

This year, in his budget, President Bush sought to cut funding for first responders and for emergency planning. And, frankly, he failed to adequately fund border security and port security. But here in the Senate, we have a different view. We want to invest in our security here at home, and we have written and signed a bill that I believe reflects the right priorities for this country.

Mr. President, I am honored to serve on the Appropriations Committee and on the Homeland Security Subcommittee under our distinguished chairman, Senator BYRD. No one cares more about the American people and no one has worked harder on this bill than Senator BYRD. Thanks to his efforts, and those of Senator COCHRAN, the bill that is before us passed our subcommittee unanimously, and it passed the full Appropriations Committee unanimously as well. That strong support we saw in both the subcommittee and full committee is really critical because the President has threatened to veto this bill. He thinks it spends too much on homeland security.

The President is welcome to make that argument, but in these times when we are facing terror threats and natural disasters, the American people want us to provide more support for homeland security, not less.

There are many very important investments in this bill. I wish to focus on three of them in which I have a special interest because I come as a Senator from a border State and my State has some of the Nation's busiest cargo ports, and I am an advocate for the local law enforcement, first responders, and emergency planners.

This bill will provide more resources for our border security. It actually provides an additional $240 million for new immigration-related homeland security costs. Those costs are not funded in the President's bill. As we all work to step up enforcement at our borders, we have to provide the resources from the Federal Government. That is why this bill does that.

I am also especially pleased that this bill boosts our investment in port security. Over the years I have worked with all of the stakeholders to make our ports more secure. Last year, in fact, the Senate passed the Murray-Collins GreenLane bill, now known as the SAFE Ports Act. The President of the United States signed our bill into law but he did not provide adequate funding so we could carry out the provisions of that legislation. We have been working to fix that here in the Senate. We started in the supplemental bill that passed a few months ago, where we boosted funding for port security grants, hiring more customs inspectors. We are continuing that work with this bill by fully funding port security grants for the first time ever.

This bill provides $60 million as well to create Coast Guard interagency operation centers. Those are centers that will allow the Federal Government, local governments, and State authorities to coordinate their efforts in maritime security.

The final part of this bill I want to quickly mention will be a tremendous help to our responders, to our emergency planners, and to our local law

enforcement agencies. In his budget the President cut the State Homeland Security Grant Program in half. This bill restores that cut. It is going to raise those State grants from the President's level of $250 million to the appropriate level of $525 million.

Our States and our cities have huge security needs and many of those needs go unmet today. I believe the Federal Government, which is in charge of our Nation's security, has a role in sharing that burden.

In addition, the budget of the President drastically cuts the Law Enforcement Terrorism Prevention Program. To me, that is out of touch with what our local law enforcement leaders at home are telling us they need. They are telling us they need more help, not less, so I am very pleased that in this bill we save that important program so it can continue to help our local law enforcement officials. This grant provides funds for antiterrorism to our first responders in each of our States. That is an area we have to strengthen, and we do so with the bill now before the Senate.

Given the strong support this bill got in subcommittee and in full committee, I am hopeful this Senate will pass it fairly quickly over the next several days by a wide margin. Then, of course, it will be up to the President to decide if the American people will get the security they deserve.

As I said a few minutes ago, President Bush has threatened to veto this bill because he says it spends too much on homeland security. Think about that for a minute. Our intelligence agencies warned us last Tuesday that al-Qaida is undiminished in its goal of attacking our homeland. What does the President say? He wants to cut funding for our first responders. That report found that al-Qaida is rebuilding its capabilities, its leadership is intact, and it continues to plan high-impact plots. That is what the President's NIE is telling us.

What is the President saying? Right now he wants to cut funding for our local antiterror efforts. Our intelligence experts ''judge that al-Qaida will intensify its efforts to put operatives here,'' on our soil, here, but the President wants to cut funding to enforce our borders.

We have all this evidence we need to be more secure here at home and we have the President's budget that makes us less secure at home. If the President wants to veto this bill, he is going to have to explain to the American people why the police department down the street from you is going to be getting less support. He is going to have to explain why the fire station around the corner is going to get less help. He is going to have to explain why your community can't develop an emergency plan so they are prepared for any disaster that may occur. If the President plans to veto this bill, he is going to have to make the case to the American people.

I say I am proud of this bill, I am proud of the work of the committee, and I know it will help our communities take the steps they must to keep us all safe.

I urge all of our colleagues to quickly pass this bill, vote for it, and move it along the process so we can say we have done our part to make our communities more secure.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from West Virginia.

Mr. BYRD. Madam President, I want to thank and I do thank—I don't just want to say I want to thank, I do thank Senator MURRAY for her kind remarks. She has made important contributions. She always makes important contributions. And she has made important contributions to this critical legislation. Senator MURRAY has developed expertise in the field of homeland security, particularly with regard to port security.

Let me say that again. Senator MURRAY has developed expertise in the field of homeland security, particularly with regard to port security. That takes time, that takes effort, that takes work. You just don't develop expertise by rising on the Senate floor and saying ''I've got it.'' No. It takes time, it takes labor, it takes toil, it takes work, it takes thought. Senator MURRAY has developed expertise in the field of homeland security. That is your security. That is my security. That is your security, I say to the people out there in the homeland, in the great mountains and valleys of this country.

Senator MURRAY has developed expertise in the field of homeland security, particularly with regard to port security. I have come to rely on her expertise and I look forward to her assistance as we process this very important bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, the two legislators who bring this bill to the floor of the Senate are serious and thoughtful legislators. Senator BYRD and Senator COCHRAN have been around this place for some while. They have been on the Appropriations Committee. Both have chaired that committee. I am pleased to be here to support their work. I think this is a very important subcommittee and one that funds critically important programs for this country. But I want to say that unlike other subcommittees on Appropriations—one of which I chair and will hopefully bring that bill to the floor of the Senate—this subcommittee's actions and this subcommittee's product represent an urgency for this country. We probably don't say that about every subcommittee because we need to fund the things we need to do, but this is urgent. I want to describe why it is urgent.

I come from a small town of 300 people in the southwestern corner of my State. I was thinking as I was sitting here waiting to speak, this is called homeland security. If, in fact, this were a decision and deliberation by my hometown and the subject was hometown security and we knew what the most serious threat to our town was, we would go find that threat and try to eliminate it.

I want to tell you why I believe it is an urgent circumstance to pass this legislation. My colleague from Washington described the National Intelligence Estimate of last week. I am going to talk about that just a bit before I talk about the funding of the accounts in this legislation that is so important to fighting terrorism—that is providing security for our ports and security in aviation, law enforcement, border protection, and so on.

Last week the National Intelligence Estimate was provided to us, both in a classified and an unclassified version. Here is what it said, in part:

> Al-Qaida is and will remain the most serious terrorist threat to the homeland . . . we assess the group has protected or regenerated key elements of its homeland attack capability, including: A safe haven in the Pakistan federally administered tribal areas, operational lieutenants, and its top leadership.

Let me say that again. The National Intelligence Estimate says to us the greatest threat, the most serious terrorist threat to the homeland—that means the most serious threat to the United States of America and to our homeland—is an organization called al-Qaida. They have protected or regenerated key elements of their homeland attack capability, including a safe haven in the Pakistan federally administered tribal areas.

That is a different subject on which I spoke about recently. There ought not be 1 square inch of ground on this planet that would be safe for Osama bin Laden and al-Qaida. Six years after 9/11, there ought not be 1 square inch on this entire planet Earth that is a safe haven or protected secure hideaway for the greatest or most serious threat to our country.

This should not be a surprise to us, the National Intelligence Estimate. We have been reading the accounts. This is from June 26, Jonathan Landay from the McClatchy Bureau:

> While the U.S. presses its war against insurgents linked to al-Qaida in Iraq, Osama bin Laden's group is recruiting, regrouping and rebuilding in a new sanctuary along the border between Afghanistan and Pakistan, senior U.S. military and intelligence and law enforcement officials said. The threat from the radical Islamic enclave in Waziristan is more dangerous than that from Iraq, which President Bush and his aides call the central front in the war on terrorism, said some current and former U.S. officials and experts.

A month or two prior to that, senior leaders of al-Qaida operating from Pakistan over the past year have set up a band of training camps in tribal regions near the Afghan border, according to American intelligence and counterterrorism officials. American officials said there was mounting evidence

that Osama bin Laden and his deputy al Zawahiri had been steadily building an operations hub in the mountainous Pakistani tribal area of north Waziristan.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. DORGAN. I will be happy to yield.

Mr. BYRD. What does this mean, that the Senator just said? Tell us.

Mr. DORGAN. Mr. President, it means if the most serious threat to our country exists from a terrorist organization that has rebuilt and regenerated its capability to attack us in our homeland—and that is what our National Intelligence Estimate tells us—it means homeland security is ever more important and the investments in that homeland security, in the accounts such as port security, aviation security, border security, are so unbelievably important. That is why I called this bill ''urgent.'' There is an urgency about passing this bill because of this serious threat.

Mr. BYRD. And what is this bill?

Mr. DORGAN. This bill is the Homeland Security Appropriations bill which provides the kinds of protections that we need for the threats and attacks against our homeland. When I describe what the National Intelligence Estimate last week said was the most serious threat to our country, I described that that threat comes from those who will attempt to cross our borders. Therefore, this bill has border security.

Mr. BYRD. Yes.

Mr. DORGAN. That threat may come from those who might try to board airplanes.

Mr. BYRD. Yes.

Mr. DORGAN. That is addressed by the issue of aviation security. That threat may come from someone nailing themselves into a container with food and telephones and a heater——

Mr. BYRD. Yes.

Mr. DORGAN. As we heard happened before, and was shipped into a port in this country in the middle of a container ship with a weapon of mass destruction or some other device by which they can attack this country. That is why this legislation of this Appropriations subcommittee contains port security. That is why there is an urgency about all of these issues.

Mr. BYRD. Madam President, will the Senator yield?

Mr. DORGAN. I am happy to yield further.

Mr. BYRD. Say that again, will you please, Senator. I want the people of America to hear what you just said.

The point is very simple. There is an urgency in this appropriations subcommittee bill that I think is beyond the importance of other bills. Why? Because we have been told in recent weeks there is a gut feeling on the part of the person who heads our Homeland Security Agency that we may be attacked again.

We have been told by the National Intelligence Estimate that the al-Qaida organization has reconstituted and regenerated itself and is the most serious threat to attack the homeland of the United States of America. If that is the case, and we have been warned—let me describe, again, the August 2001 Presidential daily briefing was headlined this: ''Bin Laden Determined to Strike in the U.S.''

That is what the President received in August of 2001.

Mr. BYRD. Now, you say the President. What are you talking about?

Mr. DORGAN. The President of the United States, in August 2001, received this Presidential daily briefing with this title: ''Bin Laden Determined to Strike in the U.S.''

My point is, in July 2007, nearly 6 years later, July 2007, the intelligence assessment from the U.S. National Counterterrorism Center says this: ''Al-Qaida better positioned to strike in the West.''

Nearly 6 years later, those who attacked our country and murdered thousands of innocent Americans, we are told by those who provide the intelligence for this country that they are in a better position now to attack this country in its homeland.

Mr. BYRD. Senator, I think that is worth hearing again. I want the American people to hear what you have said.

Mr. DORGAN. Let me say it in a different way, concluding in the same manner. I am not, with this, describing one person, one organization, one philosophy at fault. I am saying there is something wrong with respect to what I think is a failure here, that is a significant failure, part of which I hope and believe can be remedied by the bill that has been put together by Senator BYRD and Senator COCHRAN, dealing with homeland security.

It has been almost 6 years since the terrorists attacked this country on 9/11/2001. After almost 6 years and two wars in two countries and well over half a trillion dollars spent at home and abroad, the deaths of thousands in our military and the wounding of tens of thousands in our military, after all that period of time, we are told there is a sanctuary, a safe haven, a safe harbor for the leaders of the greatest threat to this country, the leaders of al-Qaida.

My point is, there ought not be anywhere safe on the face of this planet. If the greatest threat to our country exists in the leadership of this organization that is rebuilding training camps and terrorist training camps, then we have done something wrong. We must, as the Senator from West Virginia and the Senator from Mississippi suggested in this bill, we must rebuild our capabilities to defend ourselves against an attack on our homeland.

But even as we do that, we must rededicate ourselves as a country to save the first and most important job, the first and most important effort, to go after and eliminate the terrorist threat. I mean, it gets back to the debate we have had with—I respect other people's views on this, but we are going door to door in Baghdad with our soldiers in the middle of sectarian violence or a civil war when, in fact, the greatest threat to our country is in the hills somewhere between Afghanistan and Pakistan, building training camps and having the greatest capacity to attack our homeland because they have regenerated their strength.

In my judgment, that is a failure. So we have to rededicate ourselves on two points. No. 1, I believe we have to find a way to extract ourselves from the civil war in Iraq. Yes, we need to continue to do several things in force protection for our forces, training the Iraqi security and Iraqi police and Iraqi soldiers for Iraq's security, and also taking on the areas in Iraq where al-Qaida does exist.

But what is principally happening in Iraq is not about al-Qaida and terrorism, what is principally happening in Iraq is about sectarian violence and a civil war. My point is, we ought to see if we cannot make sure that we will change the policies in this country and begin to start fighting terrorists first.

That ought to be the priority. If the terrorists, al-Qaida, Osama bin Laden and their leadership, represent the greatest threat to this country, then why is that not the process by which we fight terrorists first? Instead, we are bogged down going door to door in Baghdad. Well, here is what we have. We have a piece of legislation on the floor of the Senate now that deals with homeland security.

We want homeland security, we want it to succeed. We want to be safe and secure with the ways to do that. One is to do what we have done and try to strengthen our ports, strengthen aviation, strengthen our borders. The legislation that has been brought to us today does all of that and more. This has money for mass transit security. Well, that is critically important. We know the danger and the potential danger to our subway systems, as we have seen in London with terrorist attacks.

Port security. We have had discussions on the floor of this Senate that go on and on and on, but we have these ships that come into our ports with giant containers. We are going to spend, I think in the appropriations bill on defense, we are going to spend $10 to $11 billion to try to provide an electronic catcher's mitt for intercontinental ballistic missiles armed with nuclear warheads.

So if we can create a catcher's mitt of some type, or hit a bullet with a bullet when an ICBM is coming in with a nuclear warhead, we are going to spend $10 to $11 billion to try to solve that problem. The more likely attack with a nuclear weapon is a ship, a container ship, pulling up to a port at 3 to 4 miles an hour, pulling up at the dock of one of America's major cities with a container right smack in the middle of the ship containing a weapon of mass destruction. That is the most likely threat against this country. We are not spending $10 or $11 billion to deal with that.

I went to a seaport once. In fact, I went to a seaport in Seattle, WA, because I do not know much about seaports. I come from a State that is not boundaried by water. So I wished to see what security was like at the seaport.

One of the things I remember from that visit was they had opened a container. Now, they do not open very many. I believe we have something akin to 11 million containers come into this country on container ships, 11 million containers. I believe it is somewhere around 3 to 5 percent are inspected, and 97 or 95 percent are not inspected.

They opened the container. It was a refrigerated container. I was kind of curious. So I looked at the back of it. There it was, 100-pound bags of broccoli from Poland. I said: Well, I see now this is a giant container full of frozen broccoli from Poland. I can see now that because you opened the door in the back and you have cut open a couple of bags.

I said, what is the middle of this container? I see what is in the back. What is deep in the middle of this container?

Well, we do not know that. We assume it is frozen broccoli. We pulled some bags out to make sure there was broccoli in this container. But the fact is, they did not check that, they could not check it. So millions of containers come in and they are not checked.

Now we have what amounts to kind of a CAT-scan device for big trucks and containers, very expensive, but it is kind of like a CAT scan for your body; you run it past the container and you can see right through the container and see what is in it. It is very expensive, very difficult to get done on 11 million containers. The same is true for air cargo. We have a Herculean task to protect this country against those who are perfectly willing to kill themselves, as long as they can kill many innocent people. This is a very difficult proposition.

So again, I say to the chairman and ranking member on the subcommittee, I think they have done a terrific job. I deeply appreciate their work. I share the comments of my colleague, Senator MURRAY from Washington, about it, with respect to border protection and the Coast Guard and all those issues they have had to deal with, without unlimited money. The fact is, we have some limited funding.

Mr. BYRD. Who is the chairman and ranking member?

Mr. DORGAN. Well, the chairman of the subcommittee is the Honorable Senator BYRD from West Virginia, and the ranking member, of course, is Senator COCHRAN from Mississippi.

Let me say to both of them, if they do not mind my saying it, at a time when there is all this discussion in the newspapers about nobody gets along, things have deteriorated in the Senate, the fact is, I think the evidence exists all across this Senate Chamber, it exists certainly with the Senator from West Virginia, Mr. BYRD, and Senator COCHRAN, that they not only get along, they work together. They have put together a terrific piece of legislation.

That is called cooperation. There is a lot of it in this Chamber, particularly on the Appropriations Committee, which makes me proud because I think that is the way the Senate ought to work.

Now, if you will permit me, however, if the Senator from West Virginia and the Senator from Mississippi will accommodate me for one additional moment while I say wonderful things about their work, I do wish to make a cautionary comment about FEMA because we are funding FEMA to the tune of $6.89 billion in this legislation. I am a big fan of FEMA—used to be a big fan of FEMA, I should say. I am not anymore. I hope and pray that maybe it gets its act together. It does not appear to me it is quite there yet.

But in my State, we evacuated, 10 years ago, an entire city, the largest mass evacuation since the Civil War, when Grand Forks was flooded and then had a fire in the middle of the flood, and a city of nearly 50,000 people was evacuated because of the floods in the Red River Valley.

We had FEMA show up. Unbelievable, James Lee Witt and FEMA, they knew what they were doing. They were outstanding. Everybody believed they helped that community come back together and fight that flood and deal with the consequences and come roaring back. Ten years later, that is a great success story.

FEMA, regrettably, has, in my judgment, been part of the problem rather than part of the solution. We have natural disasters that occur in this country. Hurricane Katrina comes to mind. FEMA obviously was a disgrace with respect to—at least many in FEMA were disgraceful in the way they responded to that. I wish to tell the chairman and the ranking member of one example I discovered out of many examples.

I wish to tell you about it because as we fund FEMA—and we must; we do not have a choice. When natural disasters strike, we have to have the funding to go to those folks, whether it is a hurricane or a flood or drought, we have to go to those people and say: You are not alone. This country is with you. This country wants to help you.

But I wish to tell you a story about what happened to FEMA, as I conclude. I was on the phone one day to a guy named Paul Mullinax. Paul Mullinax had a refrigerated truck in Florida. He was one of those truckers who responded when FEMA wanted to send ice down to the victims in the gulf. When Katrina hit and you had the evacuations and the dislocations and all that trouble, they needed ice. Paul Mullinax was a trucker with a refrigerated truck. So he contacted FEMA, as did thousands of others. He went to New York. He was told go to New York to pick up ice. So he went to New York to pick up some ice. He was told: Take it to Missouri. When he got to Missouri, he was told: Take it to Mississippi. When he got to Mississippi, he sat there on the tarmac of an old military installation, along with over 100 other truckers. Here is a picture of Paul. This is actually Paul's route right here. New York to Missouri to Alabama, and then, here is a photo of Paul. He sat at a military installation in front of his truck for about 12 days.

Then he was told: I want you to take the ice back to Massachusetts. So ice, destined for the victims of Katrina, was picked up in New York, taken to Missouri, and then in this case Arkansas—excuse me, Alabama—and then it was offloaded in Massachusetts.

The reason I tell you that story right now is because that story ended last week. That ice—and by the way, it cost $15,000 for the taxpayers to pay Paul Mullinax to pick up New York ice to take to the victims of Katrina, to go to Missouri, to Alabama and finally be told, after sitting there for 12 days, to go drive it to Massachusetts to offload it—that ice has now been stored for 2 years and this week was discarded by FEMA because they felt maybe after 2 years the ice was contaminated.

So the taxpayers took a bath. The storage of that ice was around $20 million. The taxpayers took a bath. The victims never got the ice they needed. People such as Paul Mullinax, this guy here, said, after driving his truck all that distance: I got paid, but this was wrong for the American taxpayers. Somebody ought to answer for it.

I have spent 2 years trying to figure out who gave the orders on ice transport in FEMA. And you, by God, cannot find the answer. You cannot find the answer. I know many of the top people in FEMA were cronies, had nothing to do or no experience at all with dealing with disasters and emergency preparedness, who did not know anything about it. So the result was a complete breakdown. This is just one example.

In some ways I regret taking time during this debate, but when else? We are going to give FEMA $6.9 billion. I want FEMA to work. I want us to be proud of FEMA. I don't want political cronies running it. I don't want someone like Paul Mullinax who hauls ice for victims to scratch his head and say: What on Earth has happened? Where has common sense gone? How is it I am told to pick up ice in New York and deliver to it Massachusetts, when it is supposed to be helping victims in Mississippi and Louisiana?

As we fund FEMA, I hope we will also do a lot of oversight in the authorizing committees because there is something fundamentally wrong. We all know that, and we need to fix it.

Mr. BYRD. Something wrong, yes.

Mr. DORGAN. Having said all that and given the requisite compliments to everyone on the floor—compliments I sincerely mean in this case—about a bill I believe is urgent, I hope we can move ahead. If there are amendments to the bill, I hope people will come and

offer them, that they will allow us to vote on them, that we won't have delay, and in the next couple of days we will demonstrate with this first appropriations bill that we can pass appropriations bills. We can do that because we will cooperate to get them done.

Mr. BYRD. Yes.

Mr. DORGAN. If we come to the floor in the next couple days and see delay on Homeland Security, I am going to be one disappointed person.

Mr. BYRD. Yes, sir.

Mr. DORGAN. Of all the bills, we ought to be saying: Let's lock arms and do this in a reasonable time; let's do this with the leadership of Senator BYRD and Senator COCHRAN.

Mr. BYRD. Let's do it.

Mr. DORGAN. I yield the floor.

Mr. CONRAD. Mr. President, I rise to offer for the RECORD, the Budget Committee's official scoring of H.R. 2638, the Department of Homeland Security Appropriations Act for fiscal year 2008.

The bill, as reported by the Senate Committee on Appropriations, provides $36.4 billion in discretionary budget authority for fiscal year 2008, which will result in new outlays of $21.3 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the bill will total $38.4 billion.

The Senate-reported bill is at its section 302(b) allocation for budget authority and $10 million below its allocation for outlays. No points of order lie against the committee-reported bill.

I commend the distinguished chairman of the Appropriations Committee for bringing this legislation before the Senate. I ask unanimous consent that the table displaying the Budget Committee scoring of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

H.R. 2638, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS, 2008

[Spending comparisons—Senate-Reported Bill (in millions of dollars)]

	Defense	General purpose	Total
Senate-Reported Bill:			
Budget Authority	$1,131	$35,308	$36,439
Outlays	1,267	37,140	38,407
Senate 302(b) allocation:			
Budget Authority			36,439
Outlays			38,417
House-passed bill:			
Budget Authority	1,137	35,125	36,262
Outlays	1,270	36,872	38,142
President's Request			
Budget Authority	1,142	33,054	34,196
Outlays	1,272	36,537	37,809
Senate-Reported Bill Compared To:			
Senate 302(b) allocation:			
Budget Authority			0
Outlays			−10
House-passed bill:			
Budget Authority	−6	183	177
Outlays	−3	268	265
President's Request:			
Budget Authority	−11	2,254	2,243
Outlays	−5	603	598

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 2384 TO AMENDMENT NO. 2383

Mr. VITTER. Madam President, I ask unanimous consent to set aside the pending amendment so I may call up amendment 2384.

The PRESIDING OFFICER. Unanimous consent is not required. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 2384 to amendment No. 2383.

Mr. VITTER. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To allow for expanded uses of funding allocated to Louisiana under the hazard mitigation program while preserving the goals of the program to reduce future damage from disasters through mitigation)

On page 69, after line 24, add the following:

SEC. 536. PROHIBITION OF RESTRICTION ON USE OF AMOUNTS.

(a) IN GENERAL.—Subject to subsection (c), and notwithstanding any other provision of law, the President shall not prohibit the use by the State of Louisiana under the Road Home Program of that State of any amounts described in subsection (e), based upon the existence or extent of any requirement or condition under that program that—

(1) limits the amount made available to an eligible homeowner who does not agree to remain an owner and occupant of a home in Louisiana; or

(2) waives the applicability of any limitation described in paragraph (1) for eligible homeowners who are elderly or senior citizens.

(b) PROCEDURES.—The Administrator of the Federal Emergency Management Agency shall identify and implement mechanisms to simplify the expedited distribution of amounts described in subsection (e), including—

(1) creating a programmatic cost-benefit analysis to provide a means of conducting cost-benefit analysis by project type and geographic factors rather than on a structure-by-structure basis; and

(2) developing a streamlined environmental review process to significantly speed the approval of project applications.

(c) WAIVER.—

(1) IN GENERAL.—Except as provided in paragraph (2), in using amounts described in subsection (e), the President shall waive the requirements of section 206.434(c) of title 44, Code of Federal Regulations (or any corresponding similar regulation or ruling), or specify alternative requirements, upon a request by the State of Louisiana that such waiver is required to facilitate the timely use of funds or a guarantee provided under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

(2) EXCEPTION.—The President may not waive any requirement relating to fair housing, nondiscrimination, labor standards, or, except as provided in subsection (b), the environment under paragraph (1).

(d) SAVINGS PROVISION.—Except as provided in subsections (a), (b), and (c), section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) shall apply to amounts described in subsection (e) that are used by the State of Louisiana under the Road Home Program of that State.

(e) COVERED AMOUNTS.—The amounts described in this subsection are any amounts provided to the State of Louisiana because of Hurricane Katrina of 2005 or Hurricane Rita of 2005 under the hazard mitigation grant program of the Federal Emergency Management Agency under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

Mr. VITTER. Madam President, this is an important amendment for the State of Louisiana. It would be not the whole solution but a significant part of the solution to a real problem—even a crisis—we have with our recovery from Hurricanes Rita and Katrina.

This Congress and, in fact, the American people have been enormously generous in terms of responding to the devastation of those storms. One of the best examples of that unprecedented generosity is the billions of dollars the American taxpayer, through Congress, sent to the devastated areas to help people who were wiped out and had enormous uninsured losses. At the time there was a big debate: Shouldn't these folks have had more insurance? Shouldn't they have done this or that?

Congress and the American people got it right, recognizing that the event was unprecedented and recognizing, in the case of Louisiana, that most of the losses were caused by the actual failures of Federal levees. The levees broke. They broke from underneath. They were inadequately engineered. That caused devastating losses to folks throughout the greater New Orleans area in particular.

The American people and Congress responded generously. In the case of Louisiana, most of that money went into what was called the Road Home Program to help compensate folks for enormous uninsured losses, up to $150,000 per household. That is the good news. It was unprecedented generosity. Again, we say thank you for that.

The bad news is that months later, it was determined that appropriated money would not be enough and, in fact, the Road Home Program was running short because even more claims were coming in than had been anticipated and calculated. So there is a shortfall in the program which is at the very heart of our ongoing struggle to recover.

My amendment will not fix all of that shortfall, but it would fix a big part of it. It would be a big piece of the puzzle, a big part of the solution, without costing the Federal taxpayer any more money.

There is something called the Hazard Mitigation Program that is always involved when there are natural disasters. Because of the scope and size of the devastation of Hurricanes Rita and Katrina, following those storms, that Hazard Mitigation Program would send $1.2 billion to Louisiana. We wish to use that money in the context of the Road Home Program to help meet that shortfall, to help bridge the gap, to help fund that program. However, there are some technical requirements under normal hazard mitigation rules that prevent us from doing that. My amendment would waive those few technical requirements so the hazard mitigation money, $1.2 billion in this case, could

be used in the context of the Road Home Program to help bridge the gap, to help make people whole.

It is important and accurate that I underscore that these requirements are technical. They are things that are normal requirements of hazard mitigation, but nothing I am waiving with this amendment would go to the heart of the hazard mitigation purpose. Congress, in setting up the program, wanted to make sure funds would be used to mitigate hazards, to make sure the same sort of losses don't happen again, to build higher, better, stronger, smarter. Nothing in my amendment gets away from that fundamental intent. That is important because I don't want to get away from the mandate and neither do most people in the House or the Senate.

Again, I underscore, this amendment would help fund our Road Home shortfall, would not cost the Federal taxpayer any more money, would preserve and honor the intent of the Hazard Mitigation Program by making sure the funds went to true hazard mitigation, rebuilding higher and better and stronger and smarter, not simply allowing people to rebuild any way they could build before. What it would do is waive certain technical requirements to make all of this work. That is appropriate given the unprecedented scope, size, and nature of the disasters about which we are talking.

I urge all of my colleagues to look hard at the amendment and then support it, because this funding shortfall within the Road Home Program is a real impediment to our ongoing challenge and struggle to recover. This amendment would be a major piece of the puzzle to solve the problem without costing the Federal taxpayer any more money and without throwing out the window the very significant and smart focus of the Hazard Mitigation Program. It would make us build smarter and stronger and higher but still help get people back, make them whole, rebuild through the Road Home Program.

I yield the floor.

MOMENT OF SILENCE

The PRESIDING OFFICER. Under the previous order, the Senate will now observe a moment of silence in memory of Detective John Gibson and Officer Jacob Chestnut who lost their lives on July 24, 1998, protecting the men and women who visit and work in this building.

(Moment of silence.)

The PRESIDING OFFICER. Thank you.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I have been watching the floor, and not much is happening. What we are going to try to do now, with the consent of the two managers, is move to something the Republican leader has worked on for many years, and that is the Burma sanctions legislation. That will take about an hour. That will take us to 5 o'clock or thereabouts, if we do it right away. But in conferring with the two managers—this is an important appropriations bill—we want to get this thing to conference so that for any problems the White House has with it, they can weigh in and try to work this out so we can send the President a bill. So if we do not have amendments start coming in tonight or in the morning, we will move to third reading.

I have laid out, in as much detail as I could, alerting everybody what we need to do this work period. I think I am like most everyone. We have worked long and hard. We had one work period during this year that was 7 weeks long. We have worked hard. We have worked late nights. We have worked a couple of weekends. We worked all night last week. We have things we need to do at home in our States.

Speaking for this Senator, 90 percent of the people in the State of Nevada are in Reno and Las Vegas, but that makes up a relatively small part of the area of the State of Nevada. I have 10 percent of the people in the State of Nevada whom I also represent, and I need to visit with them. I have a wonderful trip scheduled this August to make a tour of places I do not have the opportunity to get to very much. With the rules changes we have made and the lack of air travel, I have to drive. I cannot take a train. There is no air travel. So I will drive around there. I am looking forward to it.

The reason I mention that is we have a lot to do when we go home in August. People have things to do, just as I do. But I told people we have to finish this Homeland Security appropriations bill. We have to complete SCHIP, which is a bipartisan bill. It was reported out of the Finance Committee 17 to 4. The two big cheerleaders we have for that legislation are Senators BAUCUS and GRASSLEY. We need to finish that. The 9/11 Commission recommendations conference, Senator LIEBERMAN informed me earlier today, should be completed very shortly, within a matter of hours. Then we have ethics and lobbying reform. We have to do that before we leave here.

I hope we can do all this by a week from Friday, but if we have a lot of delays, we cannot do that. I have said it a number of times, but we are going to finish that stuff before we leave. If there are insurmountable obstacles, one of the obstacles that is not insurmountable is to stay here until we get it done. So this is not a threat. I have indicated this is what we needed to do weeks and weeks ago.

So I hope we can have some cooperation. We need to get appropriations bills done. I had a conversation with Josh Bolten today, the President's Chief of Staff. We are trying to figure out some way we can work together on this issue. I hope we can. One way we could start is to finish this bill.

One thing I didn't mention—it won't take a vote—but the Tuesday we get back here after the break, we are going to be on another appropriations bill. If we cannot get a motion to proceed agreed to, then we will file cloture on it and have cloture the day we get back.

I also telegraph my punches here, so there is no surprise; the next bill I want to move to is the VA–Military Construction appropriations bill. The subcommittee has changed a little bit from in the past, but my friend from Mississippi can remember when we used to do the Military Construction bill in wrap-up. There was no discussion on it at all. We know it has more jurisdiction than it had in the past. I chaired that Subcommittee on Military Construction for a while. It was really a good experience. You understand what our military leaders need. They have a process they go through to put on the drawing board what they would like, but we never give them everything they want. But, with rare exceptions, these are not just things we throw in; we work this out with the military. So that is what we are going to move to when we get back.

I laid out the schedule, and we have to move to third reading if we do not have some amendments here. We will wait until the morning. We should give everybody a chance.

Also, I say to the managers of this bill, I do not want to file cloture. I really don't want to file cloture. I hope on an appropriations bill we do not have to file cloture. Now, I know I cannot control unusual amendments on my side, and I know the distinguished former chairman and ranking member of this committee cannot control them on his side, but I hope it will not be necessary to have cloture as a result of amendments that have nothing to do with this very important piece of legislation.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, one of the things I did not do when I talked about the Burma sanctions bill—because I was so focused on the Republican leader—was to mention that working with him side by side on this legislation has been Senator FEINSTEIN. She has worked on this very much. So, again, this is something we can bring to the floor that is bipartisan. But I apologize for not mentioning her name because she has worked on this very long and hard herself.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. Madam President, it is my understanding that the Senator from Virginia, Mr. WEBB, wishes to speak as in morning business for a period of time of up to—how long? It does not matter. I would like to know.

Mr. WEBB. I would estimate 10 minutes, Mr. Leader.

Mr. REID. Madam President, I ask unanimous consent that when the statement by the Senator from Virginia is completed—I ask the Senator from Virginia, would you rather complete your statement now? You are here ready to go; is that right?

Mr. WEBB. That is correct.

Mr. REID. Madam President, I ask unanimous consent that when the Senator completes his statement—whenever that might be in the next 10 or so minutes, but that be today—the Senate proceed to the immediate consideration of H.J. Res. 44, which was received from the House. I further ask consent that there be 30 minutes of debate equally divided between the two leaders or their designees and that following the use or yielding back of time, the joint resolution be read a third time and the Senate proceed to a vote on passage, without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Madam President, just briefly reserving the right to object, I was unclear if the majority leader was trying to get the Senator from Virginia up right now. I have a very brief statement related to the joint resolution we are proceeding to.

Mr. REID. Madam President, what I would suggest is—and I am sure my friend from Virginia would have no objection—the Senator from Kentucky, the Republican leader, would make his statement, and it would be made as if during the half hour's time. Would that be OK?

Mr. MCCONNELL. Yes.

Mr. REID. So you would make that now. I know you have things going on in your office.

Is that OK with the Senator from Virginia?

Mr. WEBB. It is certainly OK with me. Thank you.

Mr. REID. So I modify my request to let the Senator from Kentucky speak for however long he desires for up to 30 minutes on the Burma resolution; following that, we go to Senator WEBB. I ask unanimous consent that my consent request be approved.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, parliamentary inquiry: Are we now on H.J. Res. 44?

The PRESIDING OFFICER. My understanding of the consent is that the Senator would speak against the half hour that was allotted on the resolution. Then we would go back to morning business briefly for a statement from Senator WEBB. And then we would return for the rest of the half hour of debate on the resolution the Senate will consider.

APPROVING THE RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003

Mr. REID. Madam President, I ask the clerk to report the resolution.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 44) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

The PRESIDING OFFICER. The minority leader.

Mr. MCCONNELL. Madam President, this legislation continues the sanctions already in place against Burma's illegitimate Peace and Development Council. If enacted, these sanctions will continue to show the SPDC that the United States stands squarely with the long-suffering people of Burma and against its brutal regime.

Just last month, the International Committee of the Red Cross condemned the actions of the Burmese regime—a rare vocal stance for an organization that has historically worked to bring about change behind the scenes. The ICRC's statement, according to international observers, is the harshest it has issued since the Rwandan genocide more than 12 years ago.

Burma's sham reforms are not fooling the Red Cross and they should not be fooling anyone else. The SPDC recently resumed its so-called constitutional convention, a convention in which most delegates were selected by the regime itself and in which delegates are not allowed to offer draft changes without permission. Criticism of the draft constitution is prohibited by law. One notable provision in the draft forbids the spouse of a foreign national from sitting in Parliament, an addition clearly aimed at National League for Democracy leader and Nobel Peace Prize winner Aung San Suu Kyi, whose British husband died in 1999.

The SPDC calls the convention a ''roadmap'' to democracy. But on the SPDC's map, the destination is not freedom, it is tyranny.

Until the NLD and Burma's ethnic minorities are fully included in the governing process, until this process reflects true democratic principles, this convention should be shunned—shunned—by the international community. A sham constitutional process is a step backwards, not forward.

With that said, there are some encouraging signs. International pressure on the Burmese regime has begun to increase. Members of the Association of Southeast Asia Nations have expressed concern about the SPDC's behavior, and much like the ICRC's condemnation, recent statements of ASEAN members represent a departure from traditional practice. Clearly, there is growing international impatience with the Burmese regime.

I am proud to say that the United States has long been at the vanguard of the movement to democratize Burma. Others, such as ASEAN, are following our lead. They are beginning to recognize the moral imperative to help the people of this beleaguered nation.

I am also proud of the continued unified stance taken by the Senate over the years with respect to Burma. On Monday, the Senate Finance Committee voted out this bill unanimously. The legislation has 60 cosponsors and once again enjoys broad bipartisan support.

I am pleased to be joined again by my good friend and cosponsor, the senior Senator from California, Mrs. FEINSTEIN. I also thank Rich Harper of her staff for all the hard work he has put forward to make this legislation possible. On the Republican side, my good friend Senator MCCAIN continues to use his respected voice to support the Burmese people.

It is time for the Senate, once again, to go on record and show that we stand with the people of Burma. As we do, we can be confident of their gratitude.

In a recent book on the plight of the Burmese people by author Emma Larkin, a Burmese man urges outside nations to keep the pressure on. ''Change has to come from outside,'' he says. ''The world must pinch Burma harder. . . . Give any money to these generals and it is like watching a poisonous plant grow.''

Let's show that we stand for freedom and against oppression, for real democratic progress and against hollow promises of reform, against the poisonous plant that is the SPDC.

I urge my Senate colleagues to support adoption of this joint resolution.

Madam President, I ask for the yeas and nays for when we ultimately get back to the resolution.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WEBB. Madam President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WEBB. Madam President, I wish to address two issues this afternoon. Before I do, I say to the Republican leader that I will gladly support his

joint resolution. I spent time in Burma. I have observed the situation on the ground. We do need to engage Burma and assist in its movement toward better political conditions, but I believe sanctions are clearly appropriate.

(The further remarks of Mr. WEBB are printed in today's RECORD under ''Morning Business.'')

Mr. WEBB. Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WEBB. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WEBB. Madam President, I ask unanimous consent that any time remaining in the quorum call be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WEBB. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

DARFUR

Mr. DURBIN. Madam President, I return to the floor to discuss the ongoing genocide in Darfur. Most of the discussion on the floor of the Senate and in Congress for the last several weeks has been about Iraq, and appropriately so, yet the time spent dealing with the failed policy in Iraq is a stark reminder of how it also distracts us from so many other critical issues around the world. One issue in particular is the 4-year humanitarian tragedy in the Darfur region of Sudan.

Sadly, in front of the global community's eyes, we have witnessed unspeakable horror—mass killings, rape, torture, the torching of homes and entire villages. The estimates of death are wide ranging, from 200,000 to 400,000. Some 2½ million people have been displaced from their homes, and there is a mounting refugee crisis in neighboring Chad and the Central African Republic.

Despite a worldwide call for action, the tragedy continues. The genocide in Sudan is becoming increasingly complicated and tragic. The violence threatens to destabilize an entire region, and without change there is little end in sight. Today, we have an important opportunity to break the cycle of violence, an opportunity that we must seize.

After years of duplicity and stalling, Sudanese President Bashir agreed last month to a significantly expanded joint United Nations-African Union peacekeeping force. We have to seize that opportunity and seize it quickly. Unfortunately, there are already disturbing signs this window may be closing. Yesterday, the Washington Post covered a visit by President Bashir to the Darfur section of his country. President Bashir said that people there were ''living normal lives;'' that only 9,000 people had died and that ''most of Darfur is now secure and enjoying real peace.'' He rejected foreign intervention in the conflict.

This crisis has gone on long enough. Over 2 years ago, President Bush declared a genocide in Darfur. Secretary of State Colin Powell joined in that chorus. Secretary of State Condoleezza Rice also agreed. And the President said: Not on my watch—remembering the horror of Rwanda, where 800,000 people died in a genocide during the Clinton administration. President Clinton did not respond at that time, has regretted it ever since, and said so publicly. President Bush said the same thing would not happen in his administration. I have reminded the President now several times on the floor of the Senate and personally that his administration is coming to an end. If he is going to do anything about the crisis and genocide in Darfur, he needs to move and move quickly.

The need is simple: rapid deployment of a full peacekeeping force. We have seen this type of urgency with other peacekeeping forces, including last year in Lebanon, and we must act with similar speed for the people, the victims, suffering in Darfur.

Last week, U.N. Secretary General Ban Ki-moon and I had a good conversation. He returned my call on the telephone and we spoke for a few minutes. We talked about the importance of rapidly deploying a new peacekeeping force and of working toward a long-term political settlement in this region. It is my hope that our United States Ambassador to the United Nations, Zalmay Khalilzad, will work closely with Secretary General Ban Ki-moon to make these steps a reality.

The U.N. Security Council will be meeting soon to authorize this force. The Security Council should be firm in its mandate and its timeline.

The needs are clear. The force must have sufficient resources and numbers. We can help. The United States has resources set aside for peacekeeping efforts in the world. I can't think of many more pressing than the genocide in Darfur. If we are not providing soldiers, we certainly need to be providing resources.

It must have a strong chapter VII mandate for protecting civilians, peacekeepers, and humanitarian workers. Some of these nongovernmental organizations, these humanitarian workers, have been the victims of the violence in Darfur. Men and women who are risking their lives to provide the basic necessities of life have been the targets themselves, for the jingaweit militia and all the violence taking place there. This U.N. force must have a clear command-and-control structure and firm timetable. It should be clear day-to-day operational instructions come from the United Nations. The U.N. mandate must set benchmarks and hold the Sudanese Government accountable for any failure to cooperate. In particular, there should be no room for further stalling or reinterpretation by the Sudanese Government. We have been blindsided too many times by President Bashir of Sudan, who has said so many times there is no problem in Darfur; you can bring in a force; no, I have changed my mind.

As this man has weaved back and forth, more and more innocent people have died and been displaced from their homes. We must match this peacekeeping force with a renewed diplomatic effort to bring about a long-term political settlement, including naming a Special Representative of the Secretary General to monitor implementation of a comprehensive peace agreement.

The force must be deployed immediately. The notion that we are going to do this months from now is unacceptable.

Finally, we need a long-term political settlement to match the peacekeeping effort. I call on the United States, the United Nations, and the African Union to continue intensive negotiations with all parties.

I also strongly urge all parties, including those representing nonsignatory Darfur rebel movements, to participate fully in the U.N.-African Union-led negotiations and to tirelessly cooperate in the effort to bring about a political solution that will return peace and stability to the people of Darfur.

Those who choose not to participate leave themselves open to further international isolation and sanction. Each day we delay on peacekeeping and political settlement efforts leads to more death, more rape, more human suffering, more people displaced from their homes, more desperate refugees. Each day we delay, the crisis becomes more complex, with increased violence and numbers of refugees spilling over into neighboring countries creating burdens and instabilities there. Each day we delay gives President Bashir another opportunity to stall and back away from his commitment. Each day we delay is a further indictment of the global community's failure to act decisively in the face of genocide.

We must not wait another day. Let us not forget the major export of Sudan is oil. The major company in Sudan that is drilling the oil and exporting it is PetroChina, a company controlled by the Chinese Government. The Chinese need to be involved in this as well, first at the United Nations and then beyond.

A few weeks ago, after an article appeared in the Wall Street Journal written by Mia Farrow, the actress, the Chinese finally responded and made some overtures toward the Bashir Government, saying they had to act. We have not heard anything since.

It is time for the Chinese to step up. If they want to be part of this global community, they should stand on the side of civilized conduct. They should condemn the genocide in Darfur and do more.

In closing, I thank President Bush, Secretary General Ban, and U.N. Ambassador Khalilzad. I want them to know there is strong support in the Congress for swift action to field this peacekeeping force. Many of my colleagues on both sides of the aisle have spoken out for years on the need to do more to halt the genocide in Darfur. We will and we must continue to focus this concern on doing everything we can to halt this genocide.

I hope we have an active voice and role in this debate in the Senate. Yes, we can do many things—our legislative business—but not ignoring the rest of the world. I hope, in the next 2 weeks, we can take action on the floor to adopt resolutions and to make it clear, on a bipartisan basis, we want the U.N. peacekeeping force to act and act quickly in response.

We should also be working with the Ambassadors from countries that are represented in the African Union, as well as those on the Security Council, to reassure them that the United States wants swift action. We need to make sure our appropriations bills reflect the need for resources to make this a success. As the President said more than 2 years ago, ''Not on my watch.'' We in the Congress, we in the Senate, should say the same, and we should follow that statement with action.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, I compliment the distinguished Senator from Illinois on his remarks. Not only were they heartfelt but they were certainly cogent and certainly correct.

My warmest congratulations to the, Senator.

Mr. DURBIN. I thank the Senator.

Mrs. FEINSTEIN. Madam President, I come to speak to the passage of the joint resolution renewing the import sanctions on Burma for another year. This legislation has been introduced for several years now by Senator MCCONNELL and myself. I began working on this issue with Senator Bill Cohen a long time ago when he was in this body.

Yesterday, the House passed the joint resolution by voice vote and the Senate Finance Committee reported the McConnell-Feinstein bill to the Senate floor on a unanimous bipartisan basis, so I urge my colleagues to pass this resolution.

These sanctions are set to expire in 2 days, that is July 26, and any delay will only serve to benefit the ruling military junta in Burma—the State Peace and Development Council is its name—at the expense of Nobel Peace Prize Laureate and leader of the National League for Democracy Aung San Suu Kyi and the democratic opposition in Burma.

I remind my colleagues that the National League for Democracy, headed by Aung San Suu Kyi, decisively won the last parliamentary elections in 1989. These sanctions will be renewed for 1 year, so we will have a chance to discuss them in a year if the military junta should decide to make some reforms. But, simply put, the junta to date has failed to take any meaningful steps to release Suu Kyi and other political prisoners. There are over a thousand political prisoners many of her political party, elected to the Parliament, who remain in prison.

Last month, we celebrated the 62nd birthday of Aung San Suu Kyi. She spent her day, as she has for most of her past 17 years, alone and under house arrest—17 long years alone in a house in Burma, with no communication with the outside world. In May, the State Peace and Development Council renewed her sentence for yet another year.

I am heartened to know the Senate and the international community are coming together to ensure the abuses and injustices of the military junta in Burma do not go unnoticed.

Earlier this year, 45 Senators signed a letter to U.N. Secretary Ban Ki-moon, urging him to get personally involved in pressing for Suu Kyi's release. In a recent letter addressed to the State Peace and Development Council, a distinguished group of 59 former heads of State, including former Filipino President Corazon Aquino, former Czech President Vaclav Havel, former British Prime Minister John Major, and former Presidents Bill Clinton, Jimmy Carter, and George H.W. Bush, called for the regime to release Aung San Suu Kyi. They correctly noted that:

> Aung San Suu Kyi is not calling for revolution in Burma but rather peaceful, nonviolent dialog between the military, National League for Democracy, and Burma's ethnic groups.

What kind of threat can that be to a government? The calls for Suu Kyi's release are also coming from Burma's neighbors. The Association of Southwest Asian Nations, known as ASEAN, now recognizes that Burma's actions are not an internal matter but a significant threat to peace and stability in the region. At a meeting of senior diplomats last month, ASEAN made a clear call for Aung San Suu Kyi's release. That call is so welcome. I would like to encourage ASEAN to continue to speak out.

Last month, the women of the Senate—and you were one, Madam President—came together to form the Women's Caucus on Burma, to express our solidarity with Suu Kyi, to call for her immediate release and urge the United Nations to pass a binding resolution on Burma.

We did not do this in vain. The United Nations did pass a resolution earlier this year, but unfortunately it was vetoed by China and Russia. At our inaugural event, we were pleased to be joined by First Lady Laura Bush, who added her own voice to those calling for peace and democracy in Burma.

Our message is spreading and it is clear and we will not remain silent. We will not stand still until Aung San Suu Kyi and all political prisoners are released and democratic government is restored in Burma. Let us not forget that this human rights situation compels us to action. Consider this: There are still 1,300 political prisoners in jail. According to the U.N. Special Rapporteur, over 3,000 villages have been destroyed by the military junta; 70,000 child soldiers have been forcibly recruited; and over half a million people are internally displaced in Burma today; and over 1 million people have fled Burma in the past two decades, destabilizing Burma's neighbors.

The practice of rape as a form of repression has been sanctioned by the Burmese military. Use of forced labor is widespread. Human trafficking is rampant. Burma is the world's second largest opium producer, after Afghanistan, and increasingly a source of trafficking of synthetic narcotics.

Sanctions are not a panacea for every problem, and in many cases they don't work, but in this instance, we still hope they can be effective. Suu Kyi herself has said this:

> We would like the world to know that economic sanctions do not hurt the common people of Burma. We would like the European Community, the United States and the rest of the world to be aware that sanctions do help the movement for democracy in Burma.

Members of this body, this is an amazing woman, a Nobel Peace Prize winner, under house arrest for the better part of 17 years because her party was democratically elected to lead Burma. We should speak out. This resolution is one way of doing that.

I urge its passage.

I yield the floor.

Mrs. HUTCHISON. Madam President, I rise today in strong support of H.J. Res. 44, the Burmese Freedom and Democracy Act. This legislation will send a strong message to the military leaders of Burma, by renewing sanctions on their repressive regime.

As cochairman of the Senate Women's Caucus on Burma, I have closely monitored the political situation in that country, including the inspiring leadership of a brave Burmese woman named Aung San Suu Kyi. A former winner of the Nobel Peace Prize, Aung San Suu Kyi has dedicated her life for the cause of democracy in her country, including spending most of the last 17 years in detention.

I have been proud to stand with the other women of the Senate on behalf of

Aung San Suu Kyi. In May 2007, I joined with Senator FEINSTEIN, Senator COLLINS, Senator KLOBUCHAR, Senator STABENOW, and First Lady Laura Bush at a press event to show our concern for Aung San Suu Kyi, and the need for the U.S. Government to stand in solidarity with the people of Burma.

By passing the Burmese Freedom and Democracy Act, we are reengaging on this vitally important issue, but we can do, and must do, more. The U.S. should use its influence with the international community to put more pressure on the Burmese to stop the murder, oppression and imprisonment of its critics.

I know that Aung San Suu Kyi—and the people of Burma—will applaud this landmark legislation. I am proud to cosponsor it, and I urge my Senate colleagues to vote for it.

Mr. GRASSLEY. Madam President, I want to offer a few comments on H.J. Res. 44, which will renew the import ban we first imposed on Burma in 2003.

The Burmese Freedom and Democracy Act was our response to the reprehensible attack on the National League for Democracy which occurred on May 30, 2003, and the arrest of many NLD officials, including their leader, Daw Aung San Suu Kyi.

I worked with my colleagues, Senator MCCONNELL and Senator BAUCUS, to develop and pass that legislation. We authorized a ban on imports from Burma, subject to annual renewal by Congress.

As Senator BAUCUS and I noted after the Senate passed that legislation, the Burmese Freedom and Democracy Act contains a guarantee of ongoing congressional oversight. We felt it was important that the Congress revisit the issue of trade sanctions on Burma each year. That way, Congress can consider whether, in light of any changed circumstances, it is appropriate to renew the ban on Burmese imports for another year.

Unfortunately, the situation in Burma has not improved. The human rights record in Burma remains extremely poor. There is a pattern of government policies that suppress liberties. The abuses have been extensive and the trend continues to worsen. There are reportedly over 1,000 political-prisoners in jail. Daw Aung San Suu Kyi has spent 11 out the past 18 years under house arrest.

In December 2006, the United Nations General Assembly adopted a resolution expressing its grave concern over human rights violations in Burma. In addition, Burma poses serious risks to peace and security in the region. This is not the time to reward the bad actions of the illegitimate Burmese Government.

We should send a strong signal to the military junta that their ongoing behavior is unacceptable. I urge my colleagues to vote in favor of continuing the trade sanctions against Burma for another year.

Mr. BAUCUS. Madam President, ''Do what you can, with what you have, where you are.'' These essential principles for action, articulated by President Theodore Roosevelt, aptly apply to America's sanctions policy against the Burmese Government.

Four years ago, Congress enacted the Burmese Freedom and Democracy Act of 2003 in response to the Burmese junta's brutal crackdown on democracy advocate Aung San Suu Kyi and her followers. At the time, there were few options available to the Congress to change events in Burma. Congress did what it could with the tools available at that time.

Tragically, 4 years later, conditions in Burma have worsened. Suu Kyi remains under house arrest, which she has endured for most of the last two decades. The junta continues to commit gross human rights violations including extrajudicial killings, rape, and torture. Security forces continue to compel citizens into forced labor, and beat and abuse prisoners. And the junta's poor economic policies have made Burma one of the most impoverished countries in Asia.

When Congress considered the Burmese Freedom and Democracy Act in 2003, I expressed reservations about whether these new sanctions would have the desired effect. Too often, unilateral sanctions only worsen the plight of the oppressed people we seek to support. Too often, they fail to weaken the tyrannical governments at which they are targeted. That is why Senator GRASSLEY and I worked together to ensure that the import sanctions would not be open-ended. We agreed to revisit the ban on an annual basis to ensure that they remain the proper policy to address America's human rights concerns with Burma.

Over the last year, we have seen limited progress in our efforts to enlist the cooperation of Burma's trading partners to isolate the regime. The European Union has renewed its sanctions against Burma. Some ASEAN-member countries, which previously declined to publicly criticize the Burmese Government, are now calling for change. But none of these measures yet amounts to a unified and forceful deterrent to Burma's ruling military junta.

Democracy, national reconciliation, and respect for human rights in Burma can only be achieved if we enlist more than just the moral support of other countries. We must enlist Burma's trading partners, particularly its neighbors, to take more concrete actions that put real economic and political pressure on the military generals. I urge the administration to intensify its efforts to garner international cooperation to isolate the junta. I will support renewal of the import ban on Burma, because I am hopeful that we will see greater progress in the year ahead. In renewing the import ban on Burma, I believe we will follow the right course of action: to do what we can, with the best tools available, where we are.

The PRESIDING OFFICER. Under the previous order, the clerk will read the joint resolution for the third time.

The joint resolution (H.J. Res 44) was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is on the passage of the joint resolution.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from North Carolina (Mr. BURR), and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. SALAZAR). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 1, as follows:

[Rollcall Vote No. 276 Leg.]

YEAS—93

Akaka	Domenici	McConnell
Alexander	Dorgan	Menendez
Allard	Durbin	Mikulski
Barrasso	Ensign	Murkowski
Baucus	Feingold	Murray
Bayh	Feinstein	Nelson (FL)
Bennett	Graham	Nelson (NE)
Biden	Grassley	Pryor
Bingaman	Gregg	Reed
Bond	Hagel	Reid
Boxer	Harkin	Roberts
Brown	Hatch	Rockefeller
Bunning	Hutchison	Salazar
Byrd	Inhofe	Sanders
Cantwell	Inouye	Schumer
Cardin	Isakson	Sessions
Carper	Kennedy	Shelby
Casey	Kerry	Smith
Chambliss	Klobuchar	Snowe
Coburn	Kohl	Specter
Cochran	Kyl	Stabenow
Coleman	Landrieu	Stevens
Collins	Lautenberg	Sununu
Conrad	Leahy	Tester
Corker	Levin	Thune
Cornyn	Lieberman	Vitter
Craig	Lincoln	Voinovich
Crapo	Lott	Warner
DeMint	Lugar	Webb
Dodd	Martinez	Whitehouse
Dole	McCaskill	Wyden

NAYS—1

Enzi

NOT VOTING—6

Brownback	Clinton	McCain
Burr	Johnson	Obama

The resolution (H.J. Res. 44) was passed.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2008—Continued

AMENDMENT NO. 2384

Mrs. MURRAY. Mr. President, the Senate is currently considering the Homeland Security appropriations bill. Earlier, the Senator from Louisiana offered amendment No. 2384. I am concerned that the amendment is being offered to an appropriations bill. That amendment is clearly authorizing on an appropriations bill. Notwithstanding any other provision of the law, it is my understanding that the Homeland Security and Governmental Affairs Committee objects to that amendment. Therefore, I raise a point of order under rule XVI.

The PRESIDING OFFICER. The point of order is sustained, and the amendment falls.

Mrs. MURRAY. 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. BINGAMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2388 TO AMENDMENT NO. 2383

Mr. BINGAMAN. Mr. President, I call up Senate amendment No. 2388 and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN], for himself and Mr. DOMENICI, Mrs. HUTCHISON, and Mr. CORNYN, proposes an amendment numbered 2388 to amendment No. 2383.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide financial aid to local law enforcement officials along the Nation's borders, and for other purposes)

At the end of the bill, insert the following:

TITLE VI—BORDER LAW ENFORCEMENT RELIEF ACT

SEC. 601. SHORT TITLE.

This title may be cited as the ''Border Law Enforcement Relief Act of 2007''.

SEC. 602. BORDER RELIEF GRANT PROGRAM.

(a) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Secretary is authorized to award grants, subject to the availability of appropriations, to an eligible law enforcement agency to provide assistance to such agency to address—

(A) criminal activity that occurs in the jurisdiction of such agency by virtue of such agency's proximity to the United States border; and

(B) the impact of any lack of security along the United States border.

(2) DURATION.—Grants may be awarded under this subsection during fiscal years 2008 through 2012.

(3) COMPETITIVE BASIS.—The Secretary shall award grants under this subsection on a competitive basis, except that the Secretary shall give priority to applications from any eligible law enforcement agency serving a community—

(A) with a population of less than 50,000; and

(B) located no more than 100 miles from a United States border with—

(i) Canada; or

(ii) Mexico.

(b) USE OF FUNDS.—Grants awarded pursuant to subsection (a) may only be used to provide additional resources for an eligible law enforcement agency to address criminal activity occurring along any such border, including—

(1) to obtain equipment;

(2) to hire additional personnel;

(3) to upgrade and maintain law enforcement technology;

(4) to cover operational costs, including overtime and transportation costs; and

(5) such other resources as are available to assist that agency.

(c) APPLICATION.—

(1) IN GENERAL.—Each eligible law enforcement agency seeking a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(2) CONTENTS.—Each application submitted pursuant to paragraph (1) shall—

(A) describe the activities for which assistance under this section is sought; and

(B) provide such additional assurances as the Secretary determines to be essential to ensure compliance with the requirements of this section.

(d) DEFINITIONS.—For the purposes of this section:

(1) ELIGIBLE LAW ENFORCEMENT AGENCY.—The term ''eligible law enforcement agency'' means a tribal, State, or local law enforcement agency—

(A) located in a county no more than 100 miles from a United States border with—

(i) Canada; or

(ii) Mexico; or

(B) located in a county more than 100 miles from any such border, but where such county has been certified by the Secretary as a High Impact Area.

(2) HIGH IMPACT AREA.—The term ''High Impact Area'' means any county designated by the Secretary as such, taking into consideration—

(A) whether local law enforcement agencies in that county have the resources to protect the lives, property, safety, or welfare of the residents of that county;

(B) the relationship between any lack of security along the United States border and the rise, if any, of criminal activity in that county; and

(C) any other unique challenges that local law enforcement face due to a lack of security along the United States border.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Department of Homeland Security.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated $50,000,000 for each of fiscal years 2008 through 2012 to carry out the provisions of this section.

(2) DIVISION OF AUTHORIZED FUNDS.—Of the amounts authorized under paragraph (1)—

(A) ⅔ shall be set aside for eligible law enforcement agencies located in the 6 States with the largest number of undocumented alien apprehensions; and

(B) ⅓ shall be set aside for areas designated as a High Impact Area under subsection (d).

(f) SUPPLEMENT NOT SUPPLANT.—Amounts appropriated for grants under this section shall be used to supplement and not supplant other State and local public funds obligated for the purposes provided under this title.

SEC. 603. ENFORCEMENT OF FEDERAL IMMIGRATION LAW.

Nothing in this title shall be construed to authorize State or local law enforcement agencies or their officers to exercise Federal immigration law enforcement authority.

Mr. BINGAMAN. Mr. President, this amendment is aimed at providing needed assistance to law enforcement agencies to address the problem of criminal activity along our Nation's borders. The legislation is cosponsored by myself, Senator DOMENICI, Senator HUTCHISON, and Senator CORNYN. It has passed the Senate on two previous occasions, including last year as part of the Senate's 2007 Homeland Security Appropriations bill.

Specifically, the amendment establishes a competitive grant program within the Department of Homeland Security to help local law enforcement that is situated along our borders to cover some of the costs they incur as a result of having to deal with illegal immigration, with drug trafficking, with stolen vehicles, and with other border-related crimes. The amendment authorizes $50 million a year to enable law enforcement within 100 miles of the border to hire additional personnel and obtain the equipment and cover the overtime and transportation costs they incur in these activities. Law enforcement outside of this geographic limit that is provided for in the amendment would be eligible if the Secretary of Homeland Security certified that they were located in a ''High Impact Area.''

The United States shares 5,525 miles of border with Canada and 1,989 miles of border with Mexico. Many of the local law enforcement agencies that are located along these borders are small, rural departments that are charged with patrolling large areas of land with very few officers and very limited resources. According to a 2001 study of the U.S.-Mexico Border Counties Coalition, criminal justice costs associated with illegal immigration exceed $89 million each year. Counties along the southwest border are some of the poorest in the country and are not in a good position to cover these additional costs.

For far too long, local law enforcement agencies operating along our borders have had to incur significant costs due to the inability of Government to secure our Nation's borders. It is time that the Federal Government recognize that border communities should not have to bear this burden alone. For that reason, I urge my colleagues to support this amendment.

I am informed this amendment has been cleared by both sides, and I think we are ready to go to a vote on it, unless the managers wish additional debate.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, we have reviewed this amendment. It is as the Senator from New Mexico said, a matter that has been before the body

before and has been previously approved. We have no objection to proceeding as suggested by the Senator.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2388) was agreed to.

Mr. BINGAMAN. Mr. President, I move to reconsider the vote.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BINGAMAN. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SECOND HIGHER EDUCATION EXTENSION ACT OF 2007

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 1868 introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1868) to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to be engrossed for a third reading, read the third time and passed, as follows:

S. 1868

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 ''Second Higher Education Extension Act of 2007''.

SEC. 2. EXTENSION OF PROGRAMS.

Section 2(a) of the Higher Education Extension Act of 2005 (Public Law 109–81; 20 U.S.C. 1001 note) is amended by striking ''July 31, 2007'' and inserting ''October 31, 2007''.

SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act, or in the Higher Education Extension Act of 2005 as amended by this Act, shall be construed to limit or otherwise alter the authorizations of appropriations for, or the durations of, programs contained in the amendments made by the Higher Education Reconciliation Act of 2005 (Public Law 109–171) to the provisions of the Higher Education Act of 1965 and the Taxpayer-Teacher Protection Act of 2004.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS

Mr. REID. Mr. President, I have spoken to the two managers, Senators BYRD and COCHRAN. We have done some work this afternoon. We are getting a feel of the legislation. Senator CANTWELL has an amendment she will offer at the appropriate time. Maybe it can be worked out with the managers. If it cannot, we certainly are not going to be able to debate it all tonight. We are working on the warrior legislation. If we decide to finish that tonight, that will be done by unanimous consent and won't require a rollcall vote. At least it won't require one tonight. So I think that with a number of balls being up in the air—and we are waiting for other Senators to come and offer amendments—we will have no more rollcall votes tonight.

I suggest, though, that Senators should understand that tomorrow is Wednesday and we really need to finish this bill. I hope Senators who have amendments to offer will do that. I checked with the managers, and I have spoken with Senator COCHRAN. Tomorrow, if we are in a period where there are no amendments being offered, we will move to third reading. If people want to improve this bill in any way that they feel appropriate, the way to do it is to come and offer an amendment.

I have said today—and I say it again—I don't want to file cloture on the bill. I think it would set a pattern for how we need to work on appropriations bills. Let's get this done in the regular order. In fact, I said earlier today—and I will say it again—I have spoken to the President's Chief of Staff about appropriations bills generally. My feeling is that we will be happy to sit down and talk to the President's people about an overall program to get these bills passed. In the meantime, let's do them one at a time. The power of the White House, whether it is a Democratic or a Republican President, comes when we have the conference, anyway.

Again, I hope we can work within the regular order to get this passed. I notify all Senate offices that there will be no more rollcall votes tonight.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MENENDEZ). Without objection, it is so ordered.

MORNING BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WOUNDED WARRIOR

Mr. REID. Mr. President, we have not been able to clear the Wounded Warrior legislation. It is my understanding the minority is looking at that again tonight. Hopefully, we can get it done tomorrow.

When I come in in the morning, when the Senate convenes, I am going to ask consent again to pass that. This is one of the opportunities we have to really do something for the troops. The Defense authorization bill, the other stuff in it, doesn't become effective until the beginning of the fiscal year, October 1, but this, Wounded Warrior, becomes effective upon passage and approval, so it would really be good if we could do that sooner rather than later. As soon as we complete it here, we will be that much closer to being able to get that to the President. The House can do it very quickly.

I was meeting with the Speaker this afternoon. It is amazing what they can do in just a short period of time. I went over my list of things I wanted to complete for the Senate this next couple of weeks: This appropriations bill we are working on now, SCHIP, the conference report on ethics, and then the one on 9/11.

She had two pages of things they were going to do in the next couple of weeks. We can't do that here but she can. That is when you realize the difference between the House and the Senate.

EDUCATION AND THE MINIMUM WAGE

Mr. BROWN. Mr. President, during the last year I have listened to a lot of things Ohioans have said, have told me, as I have traveled from Cleveland to Portsmouth, and from Toledo to Cincinnati and from Youngstown to Lima and Bryan. I have heard repeatedly, particularly middle class and working families talk about lost opportunity, that they do not have the same opportunity for wage increases, do not have the same opportunity to join a union, do not have the same opportunity to send their kids to college.

Earlier today, we passed legislation—overwhelmingly, bipartisanly—finally, to raise Pell grants to increase the opportunity for young people to go to school. Pell grants had not been increased in years and years and years.

We know for students in Ohio, for example, the cost of a public education at a 4-year public school has gone up, in the last 5 years, 53 percent. The cost of a private education at a 4-year private school has gone up 28 percent. Yet the average wage in Ohio only went up 3 percent. So we have private education going up this much, public education going up this much, and wages increasing only slightly. That is why the legislation the Senate passed earlier and legislation the House is working on absolutely will matter to provide opportunity for middle-class kids.

At the same time, as I traveled the State, I heard people talk about tax policy. It is clear to people in Akron, in Youngstown, it is clear to people in Dayton and Middletown, and Hamilton and Gallipolis and Galion, OH, that too often the wealthy have paid, as their income goes up and up and up, very little in taxes, relatively, while middle-class families get more and more of a burden.

We saw, from 1946 to 1973, in the history of this country, economic opportunities for poor families and working families grew. Then, from 1973 to 2000, we saw it pretty much level out. We have seen those families who are working hard, playing by the rules, not even enjoying increases at all in their wages. In fact, they have fallen behind in too many cases.

That is why today, in addition to passing the bill providing opportunity for students to go to Ohio State or Hiram College or the University of Toledo or the University of Steubenville, students in Ohio have more opportunity—after this bill becomes law, if we can get the President to sign it—than they had yesterday.

Today is also a cause to celebrate. Today the minimum wage goes into effect. It is the first raise in 10 years. For 300,000 working Ohioans, 13 million workers nationwide, they will see their wages go up today.

For 10 years, worker productivity has gone up. In this country, more productive workers meant higher income workers. But too often we have seen a disconnect between productivity and wages. While American workers are continually more productive, their wages have not gone up. Whether that is a minimum wage worker, whether it is a worker making $20 an hour, it is way too common.

Today, we did something about it for those minimum wage workers. Because of workers in this country—minimum wage and higher income workers—because of what they did last November, voting for change, minimum wage workers have the increase in the pay they deserve and have earned.

It is a good day for American workers. It is especially a good day for minimum wage workers. We have lots more work to do.

IRAQ CONTINGENCY PLANS

Mr. WEBB. Mr. President, an issue I wish to address today relates to a request that Senator CLINTON, my colleague from New York, made to the Secretary of Defense back in May, asking that appropriate oversight committees in the Congress, particularly the Armed Services Committee on which I serve, as does the Presiding Officer, be given briefings regarding what current contingency plans might exist in the Department of Defense if we do, in fact, begin a withdrawal of our forces from Iraq.

The Secretary of Defense did not respond to the Senator from New York directly. Instead, the Under Secretary of Defense for Policy, Eric Edelman, wrote her a letter with which she took great umbrage last weekend stating, and I quote from Mr. Edelman's letter, ''that premature and public discussion of the withdrawal of U.S. forces from Iraq reinforces enemy propaganda that the United States will abandon its allies in Iraq, much as we are perceived to have done in Vietnam, Lebanon, and Somalia.''

He then said at the end of his letter:

> It is a longstanding departmental policy that operational plans, including contingency plans, are not released outside of the department.

I have great concerns about this letter, having spent 5 years working in the Pentagon and knowing these sorts of letters require coordination among the highest offices inside the Pentagon. I ask that the Secretary of Defense clarify that position of the Department of Defense on the matters that his Under Secretary addressed.

Is it the policy of the Department of Defense that a discussion of the withdrawal of forces reinforces enemy propaganda and that we might be abandoning our allies, as we are perceived to have done in Lebanon and Somalia?

The first thing I ask is, what allies did we abandon in Lebanon and Somalia?—I was in Lebanon as a journalist. We went into Lebanon as part of a U.N. peacekeeping force in order to separate warring factions. We were there purely on a mission of peace. We were not there to side with one faction or another. In Somalia, it was basically gang warfare. We all know that now.

This is the kind of rhetoric that, in my opinion, was designed purely for the purpose of attacking Senator CLINTON rather than addressing the issues that we need to be looking at.

There is probably no greater testimony to that than to just go back to the bill that Senator WARNER and Senator LUGAR offered as an amendment on the Defense authorization bill, which was just pulled because this amendment—which was put together after careful thought by the former chairman of the Armed Services Committee and the former chairman of the Foreign Relations Committee, two of the esteemed leaders of the Republican Party—asked for the same thing. In fact, it called for the same thing.

Senator WARNER and Senator LUGAR were stating in this amendment that the President should require, among other things, a report to be presented to the Congress no later than October 16, 2007, which specifically addressed the same issues that Senator CLINTON asked to be addressed in her letter, showing what the plans might be and when they might be executable in the event we decide to withdraw our forces from Iraq.

Also, I think it is a legitimate question for people in Congress to be asking when we look back at the way we ended up going into Iraq. I was not a Member of this body, but I watched, as did so many Americans, on television as this body and the House of Representatives had administration officials testifying. They asked in the runup to this war how long we were going to be in Iraq, and the answer was a litany. It was as long as is necessary and not 1 day more.

For Under Secretary Edelman to in any way indicate that it is the policy of this administration that they do not have to share the thought they are putting into these options is totally out of line.

For that reason, I joined with Senator CLINTON, Senator BAYH, and Senator BYRD in a letter to the chairman of the Armed Services Committee specifically asking that we have hearings in the Armed Services Committee that will address these issues. If the administration wants to go into closed hearings, that is fine. But I am asking today, No. 1, that the Secretary of Defense clarify for us what his beliefs are with respect to the rhetoric that came out of a letter that took 2 months to be generated from his Department in response to what Senator CLINTON asked for; and then secondly, that the other Members of this body join me in expressing their concern on this issue.

We have to have contingency plans. It is within the purview of the Congress for us to examine them. Again, I ask Senators on both sides of the aisle to put their eyes on this and join me in this expression of concern.

ADDITIONAL STATEMENTS

NATIONAL HISTORY DAY WINNERS

● Mrs. MURRAY. Mr. President, today I recognize and congratulate three of Washington State's outstanding students, Leigh Douglas and Helen Lee from Redmond, Washington and Brian Maskal from Tacoma, WA, for their award-winning projects recognized by the National History Day program.

Each student's project reflects this year's National History Day theme, ''Triumph and Tragedy in History.'' I am proud to say that these students were selected from more than 2,000 finalists by the National History Day program to present their projects.

Leigh Douglas presented a performance titled, ''Traditional Irish Music and Dance: Triumphing over Tragedy'' at the Smithsonian American Art Museum. Helen Lee's exhibit titled, ''The Triangle Factory Fire: Tragedy and Triumph for the American Worker,'' and Brian Maskal's exhibit, ''Atomic Bomb: A Race for Triumph or Tragedy'' were displayed at the National Archives and Records Administration.

These students created projects that add important perspectives to the way we think about American history. Lee's exhibit explored how a workplace tragedy reshaped the role of the American worker. Douglas's performance illustrated the ability of Irish dance and music to provide strength, unity and tradition within the community. Maskal articulately portrayed the role of the atom bomb in the 20th century and how it too has reshaped the way we view the world. I am proud of the dedication and hard work of these students from Washington State.

I would like to commend the National History Day Program for empowering students like Leigh Douglas, Helen Lee, and Brian Maskal to take a deeper look into history so we can better understand and address the problems our Nation faces today.●

RECOGNIZING WARREN BERRY

● Mr. THUNE. Mr. President, today I wish to recognize Warren Berry, an intern in my Aberdeen, SD, office, for all the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

Warren is a graduate of Kadoka High School in Kadoka, SD. Currently he is attending Northern State University, where he is majoring in political science and history. Warren also serves as president of the College Republican chapter at NSU. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Warren for all of the fine work he has done and wish him continued success in the years to come.●

RECOGNIZING JOE COOCH

● Mr. THUNE. Mr. President, today I wish to recognize Joe Cooch, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

Joe is a graduate of Spearfish High School in Spearfish, SD. Currently he is attending the University of South Dakota, where he is majoring in political science and economics. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Joe for all of the fine work he has done and wish him continued success in the years to come.●

RECOGNIZING ROXY HAMMOND

● Mr. THUNE. Mr. President, today I wish to recognize Roxy Hammond, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several months.

Roxy is a graduate of Mitchell High School in Mitchell, SD. Currently she is attending South Dakota State University, where she is majoring in broadcast journalism, political science, and Spanish. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Roxy for all of the fine work she has done and wish her continued success in the years to come.●

RECOGNIZING HEATHER JELEN

● Mr. THUNE. Mr. President, today I wish to recognize Heather Jelen, an intern in my Sioux Falls, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several months.

Heather is a graduate of Lincoln High School in Sioux Falls, SD. Currently she is attending Bethel University, where she is majoring in political science. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Heather for all of the fine work she has done and wish her continued success in the years to come.●

RECOGNIZING JOSH KLUMB

● Mr. THUNE. Mr. President, today I wish to recognize Josh Klumb, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

Josh is a graduate of Mitchell Christian High School in Mitchell, SD. He is a recent graduate of Oklahoma Wesleyan University, where he majored in business administration and business marketing. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Josh for all of the fine work he has done and wish him continued success in the years to come.●

RECOGNIZING CODY RHODEN

● Mr. THUNE. Mr. President, today I wish to recognize Cody Rhoden, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

Cody is a graduate of Sunshine Bible Academy in Miller, SD. Currently he is attending Black Hills State University, where he is majoring in business administration. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Cody for all of the fine work he has done and wish him continued success in the years to come.●

RECOGNIZING KATHRYN RICH

● Mr. THUNE. Mr. President, today I recognize Kathryn Rich, an intern in my Rapid City, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several months.

Kathryn is a graduate of Stevens High School in Rapid City, SD, and Colorado State University. Currently she is attending the University of South Dakota, where she is studying law. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Kathryn for all of the fine work she has done and wish her continued success in the years to come.●

RECOGNIZING LAURA SUNDE

● Mr. THUNE. Mr. President, today I wish to recognize Laura Sunde, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several months.

Laura is a graduate of Madison High School in Madison, SD. Currently she is attending South Dakota State University, where she is majoring in agriculture education. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Laura for all of the fine work she has done and wish her continued success in the years to come.●

MESSAGES FROM THE HOUSE

At 11:04 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 44. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

S. 966. An act to enable the Department of State to respond to a critical shortage of passport processing personnel, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

At 2:31 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 50. An act to reauthorize the African Elephant Conservation Act and the Rhinoceros and Tiger Conservation Act of 1994.

H.R. 404. An act to require the establishment of customer service standards for Federal agencies.

H.R. 465. An act to reauthorize the Asian Elephant Conservation Act of 1997.

H.R. 495. An act to update the management of Oregon water resources, and for other purposes.

H.R. 716. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Santa Rosa Urban Water Reuse Plan.

H.R. 761. An act to authorize the Secretary of Interior to convey to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail.

H.R. 1239. An act to amend the National Underground Railroad Network to Freedom Act of 1998 to authorize additional funding to carry out the Act, and for other purposes.

H.R. 1285. An act to provide for the conveyance of a parcel of National Forest System land in Kittitas County, Washington, to facilitate the construction of a new fire and rescue station, and for other purposes.

H.R. 1388. An act to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail.

H.R. 1503. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Avra/Black Wash Reclamation and Riparian Restoration Project.

H.R. 1526. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Bay Area Regional Water Recycling Program, and for other purposes.

H.R. 2400. An act to direct the Administrator of the National Oceanic and Atmospheric Administration to establish an integrated Federal ocean and coastal mapping plan for the Great Lakes and coastal state waters, the territorial sea, the exclusive economic zone, and the Continental Shelf of the United States, and for other purposes.

H.R. 2630. An act to amend the Federal Election Campaign Act of 1971 to prohibit certain political committees from compensating the spouse of the candidate for services provided to or on behalf of the committee, to require such committees to report on payments made to the spouse and the immediate family members of the candidate, and for other purposes.

H.R. 2798. An act to reauthorize the programs of the Overseas Private Investment Corporation, and for other purposes.

H.R. 3095. An act to amend the Adam Walsh Child Protection and Safety Act of 2006 to modify a deadline relating to a certain election by Indian tribes.

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 139. Concurrent resolution expressing the sense of the Congress that the United States should address the ongoing problem of untouchability in India.

H. Con. Res. 175. Concurrent resolution expressing the sense of Congress that courts with fiduciary responsibility for a child of a deceased member of the Armed Forces who receives a death gratuity payment under section 1477 of title 10, United States Code, should take into consideration the expression of clear intent of the member regarding the distribution of funds on behalf of the child.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 50. An act to reauthorize the African Elephant Conservation Act and the Rhinoceros and Tiger Conservation Act of 1994; to the Committee on Environment and Public Works.

H.R. 404. An act to require the establishment of customer service standards for Federal agencies; to the Committee on Homeland Security and Governmental Affairs.

H.R. 465. An act to reauthorize the Asian Elephant Conservation Act of 1997; to the Committee on Environment and Public Works.

H.R. 495. An act to update the management of Oregon water resources, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 716. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Santa Rosa Urban Water Reuse Plan; to the Committee on Energy and Natural Resources.

H.R. 761. An act to authorize the Secretary of Interior to convey to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail; to the Committee on Energy and Natural Resources.

H.R. 1239. An act to amend the National Underground Railroad Network to Freedom Act of 1998 to authorize additional funding to carry out the Act, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1285. An act to provide for the conveyance of a parcel of National Forest System land in Kittitas County, Washington, to facilitate the construction of a new fire and rescue station, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1503. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Avra Black Wash Reclamation and Riparian Restoration Project; to the Committee on Energy and Natural Resources.

H.R. 1526. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Bay Area Regional Water Recycling Program, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2400. An act to direct the Administrator of the National Oceanic and Atmospheric Administration to establish an integrated Federal ocean and coastal mapping plan for the Great Lakes and coastal state waters, the territorial sea, the exclusive economic zone, and the Continental Shelf of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 2630. An act to amend the Federal Election Campaign Act of 1971 to prohibit certain political committees from compensating the spouse of the candidate for services provided to or on behalf of the committee, to require such committees to report on payments made to the spouse and the immediate family members of the candidate, and for other purposes; to the Committee on Rules and Administration.

H.R. 2798. An act to reauthorize the programs of the Overseas Private Investment Corporation, and for other purposes; to the Committee on Foreign Relations.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 139. Concurrent resolution expressing the sense of the Congress that the United States should address the ongoing problem of untouchability in India; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1388. An act to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 24, 2007, she had presented to the President of the United States the following enrolled bill:

S. 966. An act to enable the Department of State to respond to a critical shortage of passport processing personnel, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2644. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Cattle for Export; Removal of Certain Testing Requirements'' (Docket No. APHIS–2006–0147) received on July 23, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2645. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oriental Fruit Fly; Removal of Quarantined Areas'' (Docket No. APHIS–2006–0151) received on July 23, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2646. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Brucellosis in Cattle; State and Area Classifications; Idaho'' (Docket No. APHIS–2007–0097) received on July 23, 2007; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2647. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the development of an alternative process that would allow Service

members to request their military identification cards not contain their Social Security Number; to the Committee on Armed Services.

EC–2648. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, an annual report relative to the conduct of the Defense Acquisition Challenge Program for fiscal year 2006; to the Committee on Armed Services.

EC–2649. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Antiboycott Penalty Guidelines'' (RIN0694–AD63) received on July 23, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2650. A communication from the Deputy Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Extension of Interactive Data Voluntary Reporting Program on the EDGAR System To Include Mutual Fund Risk/Return Summary Information'' (RIN3235–AJ59) received on July 23, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2651. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Addition of Entities to the Entity List'' (RIN0694–AE06) received on July 23, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2652. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' (72 FR 32008) received on July 20, 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–2653. A communication from the Assistant Secretary, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, a report relative to its contract with the Trinity Technology Group for security screening services at the Sonoma County Airport in Santa Rosa, California; to the Committee on Commerce, Science, and Transportation.

EC–2654. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the Board's compliance with the Federal Manager's Financial Integrity Act; to the Committee on Commerce, Science, and Transportation.

EC–2655. A communication from the Acting Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''NASA Grant and Cooperative Agreement Handbook—Individual Procurement Action'' (RIN2700–AD34) received on July 23, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2656. A communication from the Director, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, a report entitled ''2006 Status of U.S. Fisheries''; to the Committee on Commerce, Science, and Transportation.

EC–2657. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Coast Guard Sector, Marine Inspection Zone, and Captain of the Port Zone Structure; Technical Amendment'' ((RIN1625–AB07) (USCG2006–25556)) received on July 19, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2658. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones (including 2 regulations beginning with CGD05–07–010)'' (RIN1625–AA00) received on July 19, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2659. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones (including 10 regulations beginning with CGD01–07–03)'' (RIN1625–AB00) received on July 19, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2660. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones (including 9 regulations beginning with CGD01–07–080)'' (RIN1625–AB00) received on July 19, 2007; to the Committee on Commerce, Science, and Transportation.

EC–2661. A communication from the Secretary of Transportation, transmitting, proposed legislation relative to amending certain maritime programs of the Department; to the Committee on Commerce, Science, and Transportation.

EC–2662. A communication from the White House Liaison, Office of Congressional and Intergovernmental Affairs, Department of Energy, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary, received on July 20, 2007; to the Committee on Energy and Natural Resources.

EC–2663. A communication from the Principal Deputy General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities'' (RIN1902–AC51) received on July 20, 2007; to the Committee on Energy and Natural Resources.

EC–2664. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Louisiana; Clean Air Interstate Rule Sulfur Dioxide Trading Program'' (FRL No. 8442–8) received on July 19, 2007; to the Committee on Environment and Public Works.

EC–2665. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation; North Dakota; Revisions to New Source Review Rules'' (FRL No. 8441–9) received on July 19, 2007; to the Committee on Environment and Public Works.

EC–2666. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Diflubenzuron; Pesticide Tolerances for Emergency Exemptions'' (FRL No. 8136–7) received on July 19, 2007; to the Committee on Environment and Public Works.

EC–2667. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Glufosinate-Ammonium; Pesticide Tolerance'' (FRL No. 8137–4) received on July 19, 2007; to the Committee on Environment and Public Works.

EC–2668. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Partial Withdrawal of Direct Final Rule Revising the California State Implementation Plan, San Joaquin Valley Air Pollution Control District'' (FRL No. 8444–3) received on July 19, 2007; to the Committee on Environment and Public Works.

EC–2669. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Penoxsulam Benzenesulfonamide; Pesticide Tolerance'' (FRL No. 8137–7) received on July 19, 2007; to the Committee on Environment and Public Works.

EC–2670. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revised Compliance Dates Under the National Pollutant Discharge Elimination System Permit Regulations and Effluent Limitations Guidelines and Standards for Concentrated Animal Feeding Operations'' (FRL No. 8444–8) received on July 19, 2007; to the Committee on Environment and Public Works.

EC–2671. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Evaluation of the Medicare Replacement Drug Demonstration''; to the Committee on Finance.

EC–2672. A communication from the Regulations Coordinator, Center for Medicare Management, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Revised Payment System Policies for Services Furnished in Ambulatory Surgical Centers Beginning in Calendar Year 2008'' (RIN0938–AO73) received on July 23, 2007; to the Committee on Finance.

EC–2673. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Technical Correction: Voluntary Reliquidation of Deemed Liquidated Entries'' (CBP Dec. 07–62) received on July 20, 2007; to the Committee on Finance.

EC–2674. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Tacking Rule of Life/Non-Life Consolidated Return Regulations'' ((RIN1545–BE85) (TD 9342)) received on July 20, 2007; to the Committee on Finance.

EC–2675. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department's 2006 Performance Report relative to the Prescription Drug User Fee Act; to the Committee on Finance.

EC–2676. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—August 2007'' (Rev. Rul. 2007–50) received on July 19, 2007; to the Committee on Finance.

EC–2677. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Treatment of Excess Loss Accounts'' ((RIN1545–BE87) (TD 9341)) received on July 19, 2007; to the Committee on Finance.

EC–2678. A communication from the White House Liaison, Department of the Treasury, transmitting, pursuant to law, (18) reports relative to vacancy announcements within the Department, received on July 20, 2007; to the Committee on Finance.

EC–2679. A communication from the Acting White House Liaison, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of the confirmation of a nomination for the position of Assistant Secretary, received on July 23, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–2680. A communication from the Human Resources Specialist, Office of the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Assistant Secretary for Disability Employment Policy, received on July 20, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–2681. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research—Rehabilitation Research and Training Centers on Vocational Rehabilitation—Notice of Final Priority'' (72 FR 35443) received on July 23, 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–2682. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Performance Report of the Food and Drug Administration's Office of Combination Products for fiscal year 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–2683. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, (2) reports relative to vacancy announcements within the Department, received on July 23, 2007; to the Committee on Homeland Security and Governmental Affairs.

EC–2684. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report relative to the category rating system; to the Committee on Homeland Security and Governmental Affairs.

EC–2685. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, the report of a nomination and a change in previously submitted report information for the position of Principal Deputy Director of National Intelligence, received on July 20, 2007; to the Select Committee on Intelligence.

EC–2686. A communication from the Editor, Office of General Counsel, Federal Bureau of Prisons, transmitting, pursuant to law, the report of a rule entitled ''Searches of Housing Units, Inmates, and Inmate Work Areas: Electronic Devices'' (RIN1120–AA90) received on July 23, 2007; to the Committee on the Judiciary.

EC–2687. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting a legislative proposal entitled, ''Identity Theft Enforcement and Restitution Act of 2007''; to the Committee on the Judiciary.

EC–2688. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a supplemental update of the Budget that was previously transmitted earlier in the year; referred jointly to the Committees on Appropriations and Budget.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–169. A resolution adopted by the Senate of the State of Pennsylvania opposing the provisions of the Energy Policy Act of 1992 that preempt the authority of the Commonwealth of Pennsylvania to determine land use policies; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION No. 129

Whereas, the Energy Policy Act of 2005 (EPact) was passed by the Congress on July 29, 2005, and signed into law on August 8, 2005; and

Whereas, the EPact was promoted as a comprehensive approach to growing energy needs and designed to guarantee development of domestic fuel production and energy supply, thereby ending United States dependence on foreign oil; and

Whereas, provisions of the omnibus legislation touch on nearly every segment of energy production and use, including nuclear power, electricity, natural gas, fossil fuels, renewable energy and competitive generation; and

Whereas, a provision of Title XII of the EPact, Electricity, however, preempts what have long been fundamental powers of state and local governments; and

Whereas, section 1221, for example, transfers the authority to approve the siting of certain transmission lines from state governments and their political subdivisions to agencies of the Federal Government; and

Whereas, section 1221(a) of EPact directs the Untied States Secretary of Energy to, in consultation with states, conduct periodic nationwide studies of electric transmission congestion; and

Whereas, the Secretary of Energy released its initial National Electric Transmission Congestion study in August 2006; and

Whereas, based upon the findings of any congestion study, the Secretary of Energy may designate ''any geographical area experiencing electric energy transmission capacity constraints or congestion that adversely affects customers'' as ''national interest electric transmission corridor'' or national corridor; and

Whereas, section 1221(b) further conveys to the Federal Energy Regulatory Commission (FERC) the authority to issue permits for construction or modification of electric transmission facilities situated or proposed to be situated in any Department of Energy designated national interest electric transmission corridor; and

Whereas, the FERC would be able to override the authority of the Pennsylvania Public Utility Commission to issue a certificate of public convenience to approve and locate a transmission line in a Department of Energy designated national interest electric transmission corridor if:

(1) the Pennsylvania Public Utility Commission had no authority to approve a specified transmission line proposal or would fail to consider interstate benefits of the proposed transmission line:

(2) the applicant would not qualify for a certificate of public convenience issued by the Pennsylvania Public Utility Commission because it does not serve end-use customers in the Commonwealth of Pennsylvania;

(3) the Pennsylvania Public Utility Commission would fail to act on an application for approval to locate and construct the new transmission line within one year of the filing of an application or one year after designation as a national interest electric transmission corridor, whichever is later; or

(4) the Pennsylvania Public Utility Commission would condition its approval in such a manner that the proposed construction or modification would not significantly reduce transmission congestion or would not be economically feasible; and

Whereas, the Pennsylvania Public Utility Commission and its predecessor, the Public Service Commission, have had jurisdictional and regulatory authority over public utilities and public utility service, including the review and approval of applications for the location and construction of transmission lines in the Commonwealth of Pennsylvania since 1913, or for 94 years; and

Whereas, the designation of national interest electric transmission corridors in the Commonwealth of Pennsylvania, coupled with FERC ''backstop'' authority to issue permits to site a transmission line and thereby override the recommendations of the Pennsylvania Public Utility Commission, would give electric utilities access to Federal eminent domain authority; and

Whereas, if FERC would institute its ''backstop'' authority, the holder of a FERC-issued permit would be empowered to exercise the right of eminent domain to condemn and acquire private property to locate and construct the transmission line; and

Whereas, on March 6, 2006, Allegheny Power and the PJM Interconnection, the Regional Transmission Organization that coordinates the movement of wholesale electricity in all or parts of 13 states and the District of Columbia, including the Commonwealth of Pennsylvania, filed for early designation as a national interest electric transmission corridor a 240-mile, 500 kV transmission line which would extend from southwestern Pennsylvania, traverse West Virginia and terminate in northern Virginia; and

Whereas, on October 10, 2006, the PJM Interconnection submitted another request to the Department of Energy for early designation of three additional national interest electric transmission corridors that will encompass nearly all of the Mid-Atlantic region; and

Whereas, the early request filed with the United States Department of Energy by Allegheny Power and the PJM Interconnection, if granted, will include significant acreage of land in the Commonwealth of Pennsylvania; and

Whereas, on April 26, 2007, the United States Department of Energy released drafts of two national interest electric transmission corridor designations, including the Mid-Atlantic Area National Corridor; and

Whereas, the Mid-Atlantic area National Corridor designation includes counties in Ohio, West Virginia, Pennsylvania, New York, Maryland, Virginia and includes all of New Jersey, Delaware and the District of Columbia; and

Whereas, Fifty of the Commonwealth of Pennsylvania's 67 counties, or 75% of the land within the Commonwealth's geographic borders, are included in the Mid-Atlantic Area National Corridor designation; and

Whereas, in its release announcing the draft national interest electric transmission corridor designations, the Department of Energy revealed that it would convene three public meetings during a 60-day comment period; and

Whereas, in its April 26, 2007, announcement, the Department of Energy revealed that public meetings would be held in New York, Virginia and California during the 60-day comment period; and

Whereas, some local governments, citizens and preservation groups that would be directly impacted by the designation of national interest electric transmission corridors in the Commonwealth of Pennsylvania

and some other affected states contacted the Department of Energy to express their disappointment and concern that no public meetings were planned for Pennsylvania and other affected states during the 60-day comment period; and

Whereas, on May 8, 2007, the Department of Energy announced that it would hold four additional meetings during the 60-day public comment period in some states, including the Commonwealth of Pennsylvania, that would be impacted by the national interest electric transmission corridor designations; and

Whereas, the Pennsylvania public meeting will be convened in the month of June in Pittsburgh, Pennsylvania; and

Whereas, the 60-day comment period for the Mid-Atlantic Area National Corridor designation is scheduled to and on July 6, 2007; and

Whereas, it is alleged that the transmission lines proposed to be located and constructed in the Mid-Atlantic Area National Corridor would be used to relieve energy congestion and constraints and improve electric reliability in population centers of the East Coast; and

Whereas, designation of national interest electric transmission corridors in the Commonwealth of Pennsylvania could diminish or eliminate the role of the Pennsylvania Public Utility Commission, the administrative agency of the Commonwealth that has regulatory authority over the approval of applications for the location and construction of transmission lines; and

Whereas, designation of national interest electric transmission corridors would also adversely limit or completely eliminate the roles of the Office of Consumer Advocate and the Office of Small Business Advocate; and

Whereas, the Office of Consumer Advocate and the Office of Small Business Advocate are administrative agencies of the Commonwealth of Pennsylvania that were expressly established by Pennsylvania statute to represent the interests of consumers and small businesses, respectively, in proceedings before the Pennsylvania Public Utility Commission, including certain matters related to the location and construction of transmission lines; and

Whereas, designation of national interest electric transmission corridors and FERC's accompanying ''backstop'' authority could diminish or even eliminate the roles of other administrative agencies of the Commonwealth of Pennsylvania that were established for the express purpose of protecting Pennsylvania's economic, natural, historical, cultural and recreational resources, including the Departments of Environmental Protection, Conservation and Natural Resources, Agriculture and Transportation as well as the Game Commission and the Historical and Museum Commission; and

Whereas, designation of national interest electric transmission corridors in the Commonwealth of Pennsylvania would undermine and in some cases eliminate the Commonwealth's ability to determinate, manage and control land use policies, including land use policies on its agricultural lands, forest reserves, recreational areas, game lands and other natural and environmentally sensitive areas: Therefore, be it

Resolved, That the Senate of Pennsylvania recognize fully the energy and environmental challenges facing the Commonwealth of Pennsylvania in general and the United States in particular; and be it further

Resolved, That the Senate believes that demand for energy continues to be a concern nationwide, especially in major population centers, and that an effective national energy policy must include increased emphasis on conservation, renewable energy, energy-efficient alternatives, demand-side management, innovations and new technologies while simultaneously providing incentives to increase domestic production and supply; and be it further

Resolved, That the Senate recognize that an effective energy policy must be addressed nationally but should reflect traditional state and local authority over environmental and energy matters; and be it further

Resolved, That the Senate oppose the provisions of EPact which preempt the authority of the Commonwealth of Pennsylvania and its political subdivisions to determined land use policies and which usurp the traditional and fundamental authority of the Pennsylvania Public Utility Commission to review and approve applications for the location and construction of transmission lines in the Commonwealth of Pennsylvania; and be it further

Resolved, That the Senate urge the members of the Pennsylvania Congressional Delegation to support legislation to repeal section 1221 of EPact and thereby preserve the fundamental rights of the Commonwealth of Pennsylvania and its people to determine the future of land use policies; and be it further

Resolved, That copies of this resolution be transmitted to the residing officers of each house of Congress and to each member of Congress from Pennsylvania.

POM–170. A concurrent resolution adopted by the Senate of the State of Louisiana urging Congress to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement systems or funds; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 114

Whereas, the Congress of the United States has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor Social Security benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefit for any person who also receives a federal, state, or local retirement or pension benefit; and

Whereas, the intent of Congress in enacting the GPO and the WEP provisions was to address concerns that a public employee who had worked primarily in federal, state, or local government employment might receive a public pension in addition to the same Social Security benefit as a person who had worked only in employment covered by Social Security throughout his career; and

Whereas, the purpose of Congress in enacting these reduction provisions was to provide a disincentive for public employees to receive two pensions; and

Whereas, the GPO negatively affects a spouse or survivor receiving a federal, state, or local government retirement or pension benefit who would also be entitled to a Social Security benefit earned by a spouse; and

Whereas, the GPO formula reduces the spousal or survivor Social Security benefit by two-thirds of the amount of the federal, state, or local government retirement or pension benefit received by the spouse or survivor, in many cases completely eliminating the Social Security benefit; and

Whereas, the WEP applies to those persons who have earned federal, state, or local government retirement benefits, in addition to working in employment covered under Social Security and paying into the Social Security system; and

Whereas, the WEP reduces the earned Social Security benefit using an averaged indexed monthly earnings formula and may reduce Social Security benefits for affected persons by as much as one-half of the retirement benefit earned as a public servant in employment not covered under Social Security; and

Whereas, because of these calculation characteristics, the GPO and the WEP have a disproportionately negative effect on employees working in lower-wage government jobs, like policemen, firefighters, teachers, and state employees; and

Whereas, because the Social Security benefit statements do not calculate the GPO and the WEP, many public employees in Louisiana are unaware that their expected Social Security benefits shown on such statements will be significantly lower or nonexistent due to the service in public employment through which they are members of a Louisiana public retirement or pension system or fund; and

Whereas, these provisions also have a greater adverse effect on women than on men because of the gender differences in salary that continue to plague our nation and the longer life expectancy of women; and

Whereas, Louisiana is making every effort to improve the quality of life of her citizens and to encourage them to live here lifelong: Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to review the GPO and the WEP Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2007 (H.R. 82 or S. 206) or a similar instrument. Be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–171. A concurrent resolution adopted by the Senate of the State of New Hampshire urging Congress to amend the No Child Left Behind Act with consideration of the National Conference of State Legislatures' task force recommendations; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION

Whereas, in 2002 the No Child Left Behind Act was enacted on a bipartisan basis, which has as its purpose bringing academic achievement in language arts, mathematics, and science to students who are not presently achieving at proficiency levels; and

Whereas, in 2004 the National Conference of State Legislatures created a bipartisan task force to study the No Child Left Behind Act and the task force suggested specific changes to make the No Child Left Behind Act more workable, more responsive to variations among the states, and more effective in improving education; and

Whereas, a stated goal of the No Child Left Behind Act is to provide flexibility for states to improve academic achievement and to close the achievement gap, the task force found that more flexibility should be granted to states to implement the No Child Left Behind Act; and

Whereas, the New Hampshire general court had representation on the bipartisan task force and concurs with the spirit of the recommendations of the National Conference of State Legislatures; and

Whereas, a well-designed growth model, with multiple forms of assessment, is a more meaningful and accurate measure of student success than the No Child Left Behind Act model of identifying schools in need of improvement; and

Whereas, the No Child Left Behind Act mandates a costly sequence of intervention services, which the task force found to be inflexible and instead recommended states to be allowed to decide the interventions when

a school is ''in need of improvement'': Now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the New Hampshire general court urges the Congress of the United States to amend the No Child Left Behind Act with consideration of the National Conference of State Legislatures' task force recommendations, to allow each state department of education the flexibility to monitor, supervise, and evaluate each school's effectiveness in documenting the physical, personal, social, and academic growth of each child; and

That the New Hampshire general court urges the Congress of the United States to request a Government Accountability Office evaluation of the costs to states and local school districts of complying with the No Child Left Behind Act requirements and of achieving the 100 percent proficiency goals of the No Child Left Behind Act; and

That the senate clerk send copies of this resolution to the President and Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, and each member of the New Hampshire congressional delegation.

POM–172. A resolution adopted by the Senate of the State of Pennsylvania urging Congress to repeal the REAL ID Act or delay its implementation until such time as sufficient funds are available to adequately cover the costs of implementation and amendment is made to preserve essential civil rights; to the Committee on the Judiciary.

SENATE RESOLUTION

Whereas, in May 2005 the Congress of the United States passed the REAL ID Act of 2005 (REAL ID Act) as part of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief Act, 2005 (Public Law 109–13), which was signed into law on May 11, 2005, and which becomes fully effective May 11, 2008; and

Whereas, the Senate of the Commonwealth of Pennsylvania denounces terrorism in all its forms and condemns all acts of terrorism by any entity, wherever the acts occur; and

Whereas, any new security measures to protect against terrorist attacks should be carefully designed to enhance public safety without infringing on the civil liberties and rights of citizens; and

Whereas, the REAL ID Act constitutes an unfunded mandate by the Federal Government to the states; and

Whereas, it will cost the Commonwealth of Pennsylvania an estimated $100 million to implement the REAL ID Act; and

Whereas, the implementation of the REAL ID Act intrudes upon the states' sovereign power to determine their own policies for identification, licensure and credentialing of individuals residing therein; and

Whereas, the REAL ID Act requires the creation of a massive public sector database containing information on every American that is accessible to all motor vehicle agency employees and law enforcement officers nationwide and that can be used to gather and manage information on citizens, which is neither the business nor the responsibility of government; and

Whereas, the REAL ID Act enables the creation of additional massive private sector databases, combining both transactional information and driver's license information gained from scanning the machine-readable information contained on every driver's license; and

Whereas, these public and private databases are likely to contain numerous errors and false information, creating significant hardship for Americans attempting to verify their identities in order to fly, open a bank account or perform any of the numerous functions required to live in the United States today; and

Whereas, the REAL ID Act requires a driver's license to contain a person's actual home address and makes no exception for individuals in potential danger, such as undercover law enforcement officials or victims of domestic violence, stalking or criminal harassment; and

Whereas, the REAL ID Act contains onerous record verification provisions that place unreasonable burdens on Pennsylvanians renewing their driver's licenses; and

Whereas, some of the intended privacy requirements of the REAL ID Act, such as the use of common machine-readable technology and state maintenance of a database that can be shared with the United States Government and agencies of other states, may actually make it more likely that a federally required driver's license or state identification card, or the information about the bearer on which the license or card is based, will be stolen, sold or otherwise used for purposes that were never intended or that are criminally related than if the REAL ID Act had not been enacted; and

Whereas, these potential breaches in privacy that could result directly from compliance with the REAL ID Act may violate the right to privacy of thousands of Pennsylvanians; and

Whereas, identification-based security provides only limited security benefits because it can be avoided by defrauding or corrupting card issuers and because it gives no protection against people not already known to be planning or committing wrongful acts; and

Whereas, a growing number of states have proposed and passed legislation that opposes the implementation of the REAL ID Act: Therefore, be it

Resolved, That the Senate of the Commonwealth of Pennsylvania support the intention of the United States Government to prevent terrorism, but not at the expense of the essential civil rights and liberties of the citizens of this country; and be it further

Resolved, That the Senate oppose any portion of the REAL ID Act that violates the rights and liberties guaranteed under the Constitution of Pennsylvania or the Constitution of the United States, including the Bill of Rights; and be it further

Resolved, That the Senate urge the Pennsylvania Congressional Delegation to support measures to repeal the REAL ID Act or to delay its implementation until such time as sufficient funds are available to adequately cover the costs of implementation and amendment is made to preserve essential civil rights and liberties of the citizens of this country; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD, from the Committee on Appropriations:

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2008'' (Rept. No. 110–133).

By Mr. KOHL, from the Committee on Appropriations, without amendment:

S. 1859. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008, and for other purposes (Rept. No. 110–134).

By Mr. AKAKA, from the Committee on Veterans' Affairs, without amendment:

S. 423. A bill to increase, effective as of December 1, 2007, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans (Rept. No. 110–135).

By Mr. BIDEN, from the Committee on Foreign Relations, without amendment:

S. 1500. A bill to support democracy and human rights in Zimbabwe, and for other purposes (Rept. No. 110–136).

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S.J. Res. 16. A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

William Lindsay Osteen, Jr., of North Carolina, to be United States District Judge for the Middle District of North Carolina.

Martin Karl Reidinger, of North Carolina, to be United States District Judge for the Western District of North Carolina.

Timothy D. DeGiusti, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

Janis Lynn Sammartino, of California, to be United States District Judge for the Southern District of California.

Roslynn Renee Mauskopf, of New York, to be United States District Judge for the Eastern District of New York.

Joe W. Stecher, of Nebraska, to be United States Attorney for the District of Nebraska for the term of four years.

By Mr. AKAKA for the Committee on Veterans' Affairs.

*Charles L. Hopkins, of Massachusetts, to be an Assistant Secretary of Veterans Affairs (Operations, Preparedness, Security and Law Enforcement).

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendations that they be confirmed.)

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. KOHL:

S. 1859. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. CORNYN (for himself and Mr. KYL):

S. 1860. A bill to control violent crime; to the Committee on the Judiciary.

By Mr. ISAKSON:

S. 1861. A bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia; to the Committee on Environment and Public Works.

By Mr. KYL (for himself and Mr. MCCAIN):

S. 1862. A bill to provide for the exchange and conveyance of certain National Forest land and other land in southeast Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD (for himself, Mr. KOHL, Mr. KENNEDY, and Mr. BROWN):

S. 1863. A bill to authorize the President to posthumously award a gold medal on behalf of Congress to Robert M. La Follette, Sr., in recognition of his important contributions to the Progressive movement, the State of Wisconsin, and the United States; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FEINGOLD (for himself, Mr. KOHL, Mr. KENNEDY, and Mr. BROWN):

S. 1864. A bill to require the Secretary of the Treasury to mint coins in commemoration of Robert M. La Follette, Sr., in recognition of his important contributions to the Progressive movement, the State of Wisconsin, and the United States; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER:

S. 1865. A bill to provide for mandatory availability of life insurance that does not preclude future lawful travel, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER:

S. 1866. A bill to amend title 49, United States Code, to exempt certain local restrictions from review under the airport noise and access restriction review program; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER:

S. 1867. A bill to require the Administrator of the Federal Aviation Administration to conduct a study on the operation of helicopters over Long Island, New York and for other purposes; to the Committee on Commerce , Science, and Transportation.

By Mr. KENNEDY (for himself and Mr. ENZI):

S. 1868. A bill to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CASEY (for himself, Mr. SMITH, Mr. DODD, Mr. CARDIN, and Mr. DEMINT):

S. Res. 278. A resolution expressing the sense of the Senate regarding the announcement of the Russian Federation of its suspension of implementation of the Conventional Armed Forces in Europe Treaty; to the Committee on Foreign Relations.

By Mr. LUGAR (for himself, Ms. MURKOWSKI, Mr. HAGEL, Mr. WEBB, and Mr. ISAKSON):

S. Res. 279. A resolution expressing the sense of the Senate regarding the 125th anniversary of the 1882 Treaty of Peace, Amity, Commerce and Navigation between the Kingdom and Chosun (Korea) and the United States; to the Committee on Foreign Relations.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. Res. 280. A resolution congratulating the Anaheim Ducks for winning the 2007 Stanley Cup Championship; considered and agreed to.

By Mr. COLEMAN (for himself and Mr. DURBIN):

S. Con. Res. 42. A concurrent resolution recognizing the need to pursue research into the causes, treatment, and eventual cure for idiopathic pulmonary fibrosis, supporting the designation of a National Idiopathic Pulmonary Fibrosis Awareness Week, and for other purposes; considered and agreed to.

ADDITIONAL COSPONSORS

S. 294

At the request of Mr. LAUTENBERG, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 294, a bill to reauthorize Amtrak, and for other purposes.

S. 442

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 442, a bill to provide for loan repayment for prosecutors and public defenders.

S. 444

At the request of Mr. SALAZAR, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 444, a bill to establish the South Park National Heritage Area in the State of Colorado, and for other purposes.

S. 543

At the request of Mr. NELSON of Nebraska, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 543, a bill to improve Medicare beneficiary access by extending the 60 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility under the Medicare program.

S. 573

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor 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. 661

At the request of Mrs. CLINTON, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Vermont (Mr. LEAHY), and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 661, a bill to establish kinship navigator programs, to establish guardianship assistance payments for children, and for other purposes.

S. 719

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 719, a bill to amend section 10501 of title 49, United States Code, to exclude solid waste disposal from the jurisdiction of the Surface Transportation Board.

S. 737

At the request of Mr. OBAMA, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 737, a bill to amend the Help America Vote Act of 2002 in order to measure, compare, and improve the quality of voter access to polls and voter services in the administration of Federal elections in the States.

S. 746

At the request of Mr. ALLARD, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 746, a bill to establish a competitive grant program to build capacity in veterinary medical education and expand the workforce of veterinarians engaged in public health practice and biomedical research.

S. 803

At the request of Mr. ROCKEFELLER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 803, a bill to repeal a provision enacted to end Federal matching of State spending of child support incentive payments.

S. 838

At the request of Mr. SMITH, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 838, a bill to authorize funding for eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, and for other purposes.

S. 961

At the request of Mr. NELSON of Nebraska, the name of the Senator from Vermont (Mr. LEAHY) 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. 972

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 972, a bill to provide for the reduction of adolescent pregnancy, HIV rates, and other sexually transmitted diseases, and for other purposes.

S. 1204

At the request of Mr. DODD, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1204, a bill to enhance Federal efforts focused on public awareness and education about the risks and dangers associated with Shaken Baby Syndrome.

S. 1338

At the request of Mr. ROCKEFELLER, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Mississippi (Mr. LOTT) were added

as cosponsors of S. 1338, a bill to amend title XVIII of the Social Security Act to provide for a two-year moratorium on certain Medicare physician payment reductions for imaging services.

S. 1343

At the request of Mrs. CLINTON, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1343, a bill to amend the Public Health Service Act with respect to prevention and treatment of diabetes, and for other purposes.

S. 1356

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1356, a bill to amend the Federal Deposit Insurance Act to establish industrial bank holding company regulation, and for other purposes.

S. 1375

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1375, a bill to ensure that new mothers and their families are educated about postpartum depression, screened for symptoms, and provided with essential services, and to increase research at the National Institutes of Health on postpartum depression.

S. 1428

At the request of Mr. HATCH, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 1428, a bill to amend part B of title XVIII of the Social Security Act to assure access to durable medical equipment under the Medicare program.

S. 1492

At the request of Mr. INOUYE, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1492, a bill to improve the quality of Federal and State data regarding the availability and quality of broadband services and to promote the deployment of affordable broadband services to all parts of the Nation.

S. 1496

At the request of Mr. BAUCUS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1496, a bill to amend the Food Security Act of 1985 to include pollinators in certain conservation programs.

S. 1514

At the request of Mr. DODD, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 1514, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 1576

At the request of Mr. KENNEDY, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1576, a bill to amend the Public Health Service Act to improve the health and healthcare of racial and ethnic minority groups.

S. 1603

At the request of Mr. MENENDEZ, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1603, a bill to authorize Congress to award a gold medal to Jerry Lewis, in recognition of his outstanding service to the Nation.

S. 1661

At the request of Mr. DORGAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1661, a bill to communicate United States travel policies and improve marketing and other activities designed to increase travel in the United States from abroad.

S. 1678

At the request of Ms. COLLINS, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1678, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 1716

At the request of Mr. THUNE, the names of the Senator from Montana (Mr. BAUCUS), the Senator from North Dakota (Mr. CONRAD), the Senator from South Dakota (Mr. JOHNSON), the Senator from Iowa (Mr. HARKIN), the Senator from Nebraska (Mr. NELSON), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 1716, a bill to amend the U.S. Troop Readiness, Veterans' Care, Katrina Recovery and Iraq Accountability Appropriations Act, 2007, to strike a requirement relating to forage producers.

S. 1755

At the request of Mr. CASEY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1755, a bill to amend the Richard B. Russell National School Lunch Act to make permanent the summer food service pilot project for rural areas of Pennsylvania and apply the program to rural areas of every State.

S. 1763

At the request of Mrs. CLINTON, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1763, a bill to amend title 10, United States Code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War era.

S. 1780

At the request of Mr. ROCKEFELLER, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1780, a bill to require the FCC, in enforcing its regulations concerning the broadcast of indecent programming, to maintain a policy that a single word or image may be considered indecent.

S. 1801

At the request of Mrs. CLINTON, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1801, a bill to require a study on the relocation of the Sector Buffalo facilities of the Coast Guard, and for other purposes.

S. 1805

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1805, a bill to amend the National Housing Act to increase the mortgage amount limits applicable to housing insured by FHA mortgage insurance.

S. 1812

At the request of Mrs. CLINTON, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1812, a bill to amend the Elementary and Secondary Education Act of 1965 to strengthen mentoring programs, and for other purposes.

S. 1816

At the request of Mrs. CLINTON, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1816, a bill to authorize the Secretary of the Interior to establish a commemorative trail in connection with the Women's Rights National Historical Park to link properties that are historically and thematically associated with the struggle for women's suffrage, and for other purposes.

S. 1842

At the request of Mr. KENNEDY, the names of the Senator from California (Mrs. BOXER) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1842, a bill to amend title XVIII of the Social Security Act to provide for patient protection by limiting the number of mandatory overtime hours a nurse may be required to work in certain providers of services to which payments are made under the Medicare Program.

S. 1848

At the request of Mr. BAUCUS, the names of the Senator from Montana (Mr. TESTER), the Senator from California (Mrs. BOXER), the Senator from Indiana (Mr. BAYH) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 1848, a bill to amend the Trade Act of 1974 to address the impact of globalization, to reauthorize trade adjustment assistance, to extend trade adjustment assistance to service workers, communities, firms, and farmers, and for other purposes.

S. 1852

At the request of Mr. INOUYE, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1852, a bill to designate the Friday after Thanksgiving of each year as ''Native American Heritage Day'' in honor of the achievements and contributions of Native Americans to the United States.

S. 1855

At the request of Mr. GRASSLEY, the name of the Senator from New Mexico (Mr. BINGAMAN) was withdrawn as a cosponsor of S. 1855, a bill to amend the Internal Revenue Code of 1986 to provide relief to individuals from the penalty for failure to pay estimated taxes

on amounts attributable to the alternative minimum tax in cases where the taxpayer was not subject to the alternative minimum tax in the preceding year.

At the request of Mr. GRASSLEY, the names of the Senator from Oregon (Mr. SMITH) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1855, supra.

S. RES. 276

At the request of Mr. BIDEN, the names of the Senator from Vermont (Mr. LEAHY), the Senator from North Carolina (Mrs. DOLE), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from New Hampshire (Mr. SUNUNU) were added as cosponsors of S. Res. 276, a resolution calling for the urgent deployment of a robust and effective multinational peacekeeping mission with sufficient size, resources, leadership, and mandate to protect civilians in Darfur, Sudan, and for efforts to strengthen the renewal of a just and inclusive peace process.

AMENDMENT NO. 2067

At the request of Mr. KENNEDY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 2067 intended to be proposed to H.R. 1585, 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 for other purposes.

AMENDMENT NO. 2108

At the request of Mrs. CLINTON, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of amendment No. 2108 intended to be proposed to H.R. 1585, 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 for other purposes.

AMENDMENT NO. 2381

At the request of Mr. KENNEDY, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of amendment No. 2381 proposed to S. 1642, a bill to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes.

At the request of Mr. ENZI, his name was added as a cosponsor of amendment No. 2381 proposed to S. 1642, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself and Mr. KYL):

S. 1860. A bill to control violent crime; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I rise today to introduce a crime bill that I hope all of my colleagues will support. Several of my colleagues and I have worked with the Department of Justice to develop an important comprehensive crime bill which will provide new tools to law enforcement and prosecutors across the country.

This is an important issue. The New York Times wrote recently that violent crime was on the rise in our larger cities. Murder, robbery and gun assaults seem to be on the rise in midsized to large cities. Experts attribute this increase, in part, to the spread of drug use, gangs, high poverty, a record number of people being released from prison, and easy access to guns and a willingness to settle disputes with them.

This comprehensive crime bill will help law enforcement officers and prosecutors beat back this rise in violent crimes. It is an extensive bill but let me discuss a few of its provisions here.

Over the past several years, Congress has worked to crack down on child predators. From the PROTECT Act in 2003 to last year's Adam Walsh Act, Congress has made clear that those who commit crimes against our children will face swift and severe punishment. The bill I am introducing today builds on this momentum and adds additional tools to the prosecutorial arsenal. Among the changes provided in this bill is an increase in the punishments for a variety of sex offenses, including providing mandatory minimums for possession of child pornography. The bill would triple the criminal fines available against electronic service providers who knowingly and willfully fail to report child pornography and would make it a Federal crime to participate in the sex tourism trade in order to produce child pornography.

We must protect the most vulnerable of us, children, and these provisions will continue this progress.

The bill amends the armed career criminal statute to create a tiered punishment approach such that defendants with more serious criminal histories who use guns will face harsher punishments, including mandatory minimum prison sentences. Additionally, the bill also increases the statute of limitations for violent crimes from 5 to 10 years.

The bill also makes some technical but important changes to the gun statutes. For instance, the bill inserts an interstate commerce jurisdictional statement in 18 U.S.C. 924h cases, the statute that prohibits the transfer of firearms to others who intend to use those firearms in a drug trafficking or violent crime. This corrects a post Lopez congressional oversight and ensures that if this statute is used, it will not be struck down. Additionally, this bill provides that those felons who are arrested for possession of firearms will be detained without bail pending trial.

We need to send a strong message of deterrence to those who would illegally use firearms. This bill sends that message loud and clear.

Finally, the bill includes some significant changes to critical terrorism statutes. For instance, this bill criminalizes providing financial support to families of suicide bombers. It also increases penalties for those convicted of material support and denies Federal benefits to convicted terrorists.

These are but a few of the provisions contained in this bill. Congress must continue to evaluate and, when necessary, provide needed tools to law enforcement to enable those public servants to effectively do their job.

This bill does that and I hope that my colleagues will support it.

By Mr. KYL (for himself and Mr. MCCAIN):

S. 1862. A bill to provide for the exchange and conveyance of certain National Forest land and other land in southeast Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. KYL. Mr. President, I rise today to introduce the Southeast Arizona Land Exchange and Conservation Act of 2007. This bill facilitates an important land exchange in Arizona that will provide for the acquisition and protection of environmentally sensitive lands while providing a much needed economic engine for the people of Superior, AZ, and the surrounding communities. I am pleased to be joined by Senator MCCAIN as an original cosponsor of this bill.

This is not the first time Senator MCCAIN and I have introduced this land exchange legislation. In 2005, we introduced S. 1122. S. 1122 was later modified and reintroduced in 2006 as S. 2466. S. 2466, as introduced, reflected the painstaking negotiated compromises and public feedback that we received with respect to the bill. S. 2466 had a favorable hearing before the Subcommittee on Forests and Public Lands in the Senate Committee on Energy and Natural Resources in May 2006. At that hearing, both the Forest Service and the Bureau of Land Management testified in support of the bill. The bill, however, was not enacted in the last Congress. I am pleased to say we are back again this year with a bill that includes some new provisions based on the work of the stakeholders to continue to improve the bill.

The exchange facilitates the conveyance to Resolution Copper of approximately 3,025 acres of National Forest System land, 3 miles outside of Superior, Arizona in the historic Pioneer Mining District. The acreage commonly called ''Oak Flat'' would be traded to Resolution Copper to facilitate future exploration, and possible development, of what may be one of the largest deposits of copper ore ever discovered in North America. The 3,025 acres of Federal lands are intermingled with, or lie next to, private lands already owned by Resolution Copper, and are located south and east of Resolution's existing underground Magma copper mine. Approximately 75 percent

of the Federal land is already blanketed by federally authorized mining claims owned by Resolution Copper that give it the right to explore and develop the minerals. Given the intermingled ownership, the public safety issues that may be associated with mining activities, and the significant financial investment Resolution Copper must make to even determine whether development of a mine is feasible, it makes sense, for Resolution Copper to own the entire Oak Flat area.

However, we also recognize that there are public impacts associated with transferring Oak Flat out of federal ownership. This bill goes far in addressing these impacts. Let me explain. First, the land exchange is conditioned on the execution of a permanent conservation easement to protect Apache Leap, a spectacular cliff area rich in cultural history on the western side of the Federal parcel. Although the conservation easement has been a feature in this bill since it was first introduced, we have expanded and strengthened the protections required by the easement. The easement will now apply to the entire Apache Leap escarpment totaling approximately 695 acres up from the 562 acres that were protected in the original bill. To address concerns that were raised that the mining operation might still affect the area, the conservation easement will not just prohibit surface development, it will also prohibit commercial mineral extraction under the easement area. In addition, the exchange includes a fund endowment for the implementation of the terms of the conservation easement.

The Oak Flat Campground, consisting of 16 rustic tent/RV sites, is located on the north side of the parcel, adjacent to U.S. Highway 60. Recognizing that the campground is used by the community and others, we are requiring that this campground be replaced on the Globe Ranger District at Resolution Copper's expense. Public access to this campground will not immediately terminate on enactment of the legislation: The bill stipulates continued public access to the campground for two years after enactment.

We also heard from the public that climbing and bouldering are important recreational resources at Oak Flat. For this reason, we included a placeholder in S. 1122 for additional climbing provisions as a good faith offer to the climbing community to work with us and Resolution Copper to address the loss of public access to climbing at Oak Flat in a way that would not compromise public safety. A compromise was reached by the stakeholders to continue temporary interim access to some climbing at Oak Flat; and execute a license between Resolution Copper and Access Fund, a national advocacy climbing organization, to allow climbers to gain access to popular climbing sites located on Resolution Copper's private land. This compromise along with the discovery of ''Tamo,'' a climbing gem in the Tam O'Shanter Mountains, which is slated to become Arizona's newest State park, are examples of how parties coming together can turn an unfortunate situation into a win-win.

We had hoped we would be able to make a similar announcement with regard to the cultural resource concerns that were raised by the San Carlos Apache Tribe in May of last year. Unfortunately, that is not the case. I am still hopeful, however, and I will continue to reach out to the Yavapai and Apache tribes as this bill moves through the legislative process.

In return for conveying the Federal land to Resolution Copper, the Forest Service and Bureau of Land Management will receive eight parcels of private land, totaling 4,583 acres plus $7.5 million to be placed in a trust account to be expended by the United States on additional conservation lands in Arizona. The parcels included in this bill have been identified, and are strongly endorsed for acquisition by the Arizona Audubon Society, Nature Conservancy, Trust for Public Land, Sonoran Institute, Arizona Game and Fish Department, and numerous others. They include lands along the San Pedro River, an important internationally recognized migratory bird corridor, riparian and wetland habitat for threatened and endangered animal and plant species, including the southwestern willow flycatcher and the hedgehog cactus, and magnificent canyons and forests that are home to big game species. Most of the parcels are in holdings whose acquisition will enable more effective management of the federal land. It is in the public interest to bring these conservation lands into Federal ownership for the enjoyment of future generations.

Although the focus of this bill is the land exchange between Resolution Copper and the U.S., it also includes provisions allowing for the conveyance of Federal lands to the town of Superior. These lands include the town cemetery, lands around the town airport, and a Federal reversionary interest that exists at the airport site. These lands are included in the proposed exchange to help the town to provide its municipal needs and expand and diversify its economic development.

Though I have described the many benefits of and the important compromises that are part of this exchange, you may be asking why we are legislating this land exchange. Why not use the existing administrative land exchange process? The answer is that this exchange can only be accomplished legislatively because the Forest Service does not have the authority to convey away Federal lands in order to acquire other lands outside the boundaries of the National Forest System, no matter how ecologically valuable.

This bill contains procedural safeguards and conditions that ensure it is an equal value exchange in the public interest. I will highlight some of those safeguards: First, it requires that all appraisals of the lands must follow standard federal practice and be performed in accordance with appraisal standards promulgated by the U.S. Department of Justice. All appraisals must also be formally reviewed, and approved, by the Secretary of Agriculture. Second, to ensure the Federal Government gets full value for the Federal parcel it is giving up, the Federal parcel will be appraised to include the minerals and appraised as if unencumbered by the private mining claims that detract from the fair market value of the land. These are important provisions not required by federal law. They are especially significant given that over 75 percent of the Federal parcel is covered by mining claims owned by Resolution Copper and the bulk of the value of the Federal parcel is expected to be the minerals. Third, the Apache Leap conservation easement is expressly excluded from the valuation of the Federal land, preventing any possibility that this easement would devalue the Federal land. By following standard appraisal practices and including these additional safeguards in the valuation process, the U.S., and ultimately the taxpayer, will receive full fair market value for both the land and the minerals it contains.

With this land exchange we can preserve lands that advance the important public objectives of protecting wildlife habitat, cultural resources, the watershed, and aesthetic values, while generating economic, recreation, and employment opportunities for state and local residents. I hope we approve the legislation at the earliest possible date. It is a winning scenario for our environment and our economy.

Mr. FEINGOLD (for himself, Mr. KOHL, Mr. KENNEDY, and Mr. BROWN):

S. 1863. A bill to authorize the President to posthumously award a gold medal on behalf of Congress to Robert M. La Follette, Sr., in recognition of his important contributions to the Progressive movement, the State of Wisconsin, and the United States; to the Committee on Banking, Housing, and Urban Affairs.

Mr. FEINGOLD. Mr. President, I rise today to honor the extraordinary life of Robert M. La Follette, Sr. This week, on June 14, people around my home State of Wisconsin will mark the 152nd anniversary of La Follette's birth. Throughout his life, La Follette was revered for his tireless service to the people of Wisconsin and to the people of the U.S. His dogged, full-steam-ahead approach to his life's work earned him the nickname ''Fighting Bob.''

Robert Marion La Follette, Sr., was born on June 14, 1855, in Primrose, a small town southwest of Madison in Dane County. He graduated from the University of Wisconsin Law School in

1879 and, after being admitted to the State bar, began his long career in public service as Dane County district attorney.

La Follette was elected to the U.S. House of Representatives in 1884, and he served three terms as a member of that body, where he was a member of the Ways and Means Committee.

After losing his campaign for reelection in 1890, La Follette returned to Wisconsin and continued to serve the people of my state as a judge. Upon his exit from Washington DC, a reporter wrote, La Follette ''is popular at home, popular with his colleagues, and popular in the House. He is so good a fellow that even his enemies like him.''

He was elected the 20th Governor of Wisconsin in 1900. He served in that office until 1906, when he stepped down in order to serve the people of Wisconsin in the U.S. Senate, where he remained until his death in 1925.

As a founder of the national progressive movement, La Follette championed progressive causes as governor of Wisconsin and in the U.S. Congress. As governor, he advanced an agenda that included the country's first workers compensation system, direct election of U.S. Senators, and railroad rate and tax reforms. Collectively, these reforms would become known as the ''Wisconsin Idea.'' As governor, La Follette also supported cooperation between the state and the University of Wisconsin.

His terms in the House of Representatives and the Senate were spent fighting for women's rights, working to limit the power of monopolies, and opposing pork barrel legislation. La Follette also advocated electoral reforms, and he brought his support of the direct election of U.S. Senators to this body. His efforts were brought to fruition with the ratification of the 17th Amendment in 1913. Fighting Bob also worked tirelessly to hold the Government accountable, and was a key figure in exposing the Teapot Dome Scandal.

La Follette earned the respect of such notable Americans as Frederick Douglass, Booker T. Washington and Harriet Tubman Upton for making civil rights one of his trademark issues. At a speech before the 1886 graduating class of Howard University, La Follette said, ''We are one people, one by truth, one almost by blood. Our lives run side by side, our ashes rest in the same soil. [Seize] the waiting world of opportunity. Separatism is snobbish stupidity, it is supreme folly, to talk of non-contact, or exclusion!''

La Follette ran for President three times, twice as a Republican and once on the Progressive ticket. In 1924, as the Progressive candidate for President, La Follette garnered more than 17 percent of the popular vote and carried the State of Wisconsin.

La Follette's years of public service were not without controversy. In 1917, he filibustered a bill to allow the arming of U.S. merchant ships in response to a series of German submarine attacks. His filibuster was successful in blocking passage of this bill in the closing hours of the 64th Congress. Soon after, La Follette was one of only six Senators who voted against U.S. entry into World War I.

Fighting Bob was outspoken in his belief that the right to free speech did not end when war began. In the fall of 1917, La Follette gave a speech about the war in Minnesota, and he was misquoted in press reports as saying that he supported the sinking of the Lusitania. The Wisconsin State Legislature condemned his supposed statement as treason, and some of La Follette's Senate colleagues introduced a resolution to expel him. In response to this action, he delivered his seminal floor address, ''Free Speech in Wartime,'' on October 16, 1917. If you listen closely, you can almost hear his strong voice echoing through this chamber as he said: ''Mr. President, our government, above all others, is founded on the right of the people freely to discuss all matters pertaining to their government, in war not less than in peace, for in this government, the people are the rulers in war no less than in peace.''

Of the expulsion petition filed against him, La Follette said:

> I am aware, Mr. President, that in pursuance of this general campaign of vilification and attempted intimidation, requests from various individuals and certain organizations have been submitted to the Senate for my expulsion from this body, and that such requests have been referred to and considered by one of the Committees of the Senate.
>
> If I alone had been made the victim of these attacks, I should not take one moment of the Senate's time for their consideration, and I believe that other Senators who have been unjustly and unfairly assailed, as I have been, hold the same attitude upon this that I do. Neither the clamor of the mob nor the voice of power will ever turn me by the breadth of a hair from the course I mark out for myself, guided by such knowledge as I can obtain and controlled and directed by a solemn conviction of right and duty.

This powerful speech led to a Senate investigation of whether La Follette's conduct constituted treason. In 1919, following the end of World War I, the Senate dropped its investigation and reimbursed La Follette for the legal fees he incurred as a result of the expulsion petition and corresponding investigation. This incident is indicative of Fighting Bob's commitment to his ideals and of his tenacious spirit.

La Follette died on June 18, 1925, in Washington, DC., while serving Wisconsin in this body. His daughter noted, ''His passing was mysteriously peaceful for one who had stood so long on the battle line.'' Mourners visited the Wisconsin Capitol to view his body, and paid respects in a crowd nearing 50,000 people. La Follette's son, Robert M. La Follette, Jr., was appointed to his father's seat, and went on to be elected in his own right and to serve in this body for more than 20 years, following the progressive path blazed by his father.

La Follette has been honored a number of times for his unwavering commitment to his ideals and for his service to the people of Wisconsin and of the U.S.

During the 109th Congress, I was proud to support Senate passage of a bill introduced in the House of Representatives by Congresswoman TAMMY BALDWIN that named the post office at 215 Martin Luther King, Jr., Boulevard in Madison in La Follette's honor. I commend Congresswomen BALDWIN for her efforts to pass that bill and I am pleased she is introducing House companion measures of the legislation I am introducing today in the Senate.

The Library of Congress recognized La Follette in 1985 by naming the Congressional Research Service reading room in the Madison Building in honor of both Fighting Bob and his son, Robert M. La Follette, Jr., for their shared commitment to the development of a legislative research service to support the U.S. Congress. In his autobiography, Fighting Bob noted that, as governor of Wisconsin, he ''made it a . . . policy to bring all the reserves of knowledge and inspiration of the university more fully to the service of the people. . . . Many of the university staff are now in State service, and a bureau of investigation and research established as a legislative reference library . . . has proved of the greatest assistance to the legislature in furnishing the latest and best thought of the advanced students of Government in this and other countries.'' He went on to call this service ''a model which the Federal government and ultimately every state in the union will follow.'' Thus, the legislative reference service that La Follette created in Madison served as the basis for his work to create the Congressional Research Service at the Library of Congress.

The La Follette Reading Room was dedicated on March 5, 1985, the 100th anniversary of Fighting Bob being sworn in for his first term as a Member of Congress.

Across this magnificent Capitol in National Statuary Hall, Fighting Bob is forever immortalized in white marble, still proudly representing the state of Wisconsin. His statue resides in the Old House Chamber, now known as National Statuary Hall, among those of other notable figures who have made their marks in American history. One of the few seated statues is that of Fighting Bob. Though he is sitting, he is shown with one foot forward, and one hand on the arm of his chair, as if he is about to leap to his feet and begin a robust speech.

When then-Senator John F. Kennedy's five-member Special Committee on the Senate Reception Room chose La Follette as one of the ''Five Outstanding Senators'' whose portraits would hang outside of this chamber in the Senate reception room, he was described as being a ''ceaseless battler for

the underprivileged'' and a ''courageous independent.'' Today, his painting still hangs just outside this chamber, where it bears witness to the proceedings of this body—and, perhaps, challenges his successors here to continue fighting for the social and government reforms he championed.

Mr. President, to honor Robert M. La Follette, Sr., during the week of the anniversary of his birth, today I am introducing two pieces of legislation. I am pleased to be joined in this effort by the senior Senator from Wisconsin, Senator KOHL; the senior Senator from Massachusetts, Senator KENNEDY; and the junior Senator from Ohio, Senator BROWN.

I am introducing a bill that would direct the Secretary of the Treasury to mint coins to commemorate Fighting Bob's life and legacy. The second bill that I am introducing today, 1864, would authorize the President to posthumously award a gold medal on behalf of Congress to Robert M. La Follette, Sr. The minting of a commemorative coin and the awarding of the Congressional Gold Medal would be fitting tributes to the memory of Robert M. La Follette, Sr., and to his deeply held beliefs and long record of service to his state and to his country. I hope that my colleagues will support these proposals.

Let us never forget Robert M. La Follette, Sr.'s character, his integrity, his deep commitment to Progressive causes, and his unwillingness to waver from doing what he thought was right. The Senate has known no greater champion of the common man and woman, no greater enemy of corruption and cronyism, than ''Fighting Bob'' La Follette, and it is an honor to speak in the same chamber, and serve the same great state, as he did.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 278—EXPRESSING THE SENSE OF THE SENATE REGARDING THE ANNOUNCEMENT OF THE RUSSIAN FEDERATION OF ITS SUSPENSION OF IMPLEMENTATION OF THE CONVENTIONAL ARMED FORCES IN EUROPE TREATY

Mr. CASEY (for himself, Mr. SMITH, Mr. DODD, Mr. CARDIN, and Mr. DEMINT) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 278

Whereas the Treaty on Conventional Armed Forces in Europe, signed at Paris November 19, 1990 (''the CFE Treaty''), was agreed upon and signed by 22 States Parties in order to establish predictability, transparency, and stability in the balance of conventional military forces and equipment in an area of Europe stretching from the Atlantic Ocean to the Ural Mountains;

Whereas there are now 30 States Parties to the CFE Treaty, including Armenia, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Czech Republic, Denmark, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Kazakhstan, Luxembourg, Moldova, Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, Slovakia, Spain, Turkey, Ukraine, the United Kingdom, and the United States;

Whereas the CFE Treaty is recognized as one of the most successful arms control treaties of the modern era and has served as a cornerstone of European security as the continent emerged from the shadows of the Cold War;

Whereas the CFE Treaty facilitated the destruction or conversion of over 52,000 battle tanks, armored combat vehicles, artillery pieces, combat aircraft, and attack helicopters;

Whereas the CFE Treaty continues to enable an unprecedented level of transparency into military equipment holdings and troop deployments in Europe, including over 4,000 on-site inspections of military units and installations implemented since the entry into force of the Treaty;

Whereas, on November 19, 1999, at the Organization for Security and Co-operation in Europe Summit in Istanbul, Turkey, the parties to the CFE Treaty signed an Adaptation Agreement to reflect the dissolution of the Warsaw Pact, the expansion of membership in the North Atlantic Treaty Organization (''NATO''), and other changes in the European geopolitical environment;

Whereas, at the time of the signing of the Adaptation Agreement, the Russian Federation made a series of pledges, known as the Istanbul Commitments, to withdraw its remaining military forces and equipment from the territory of Georgia and Moldova or otherwise negotiate consensual agreements on their continued presence;

Whereas while the Government of the Russian Federation has taken initial steps towards fulfilling the Istanbul Commitments, it continues to maintain troops and associated equipment in both Georgia and Moldova without the express sovereign consent of the governments of either of those countries, and the United States and other parties to the CFE Treaty have therefore refrained from taking steps to ratify the Adaptation Agreement;

Whereas, on April 26, 2007, President of the Russian Federation, Vladimir Putin, in a speech to the Federation Council of the Russian Federation, announced his intention to initiate an unspecified ''moratorium'' on Russian compliance with the CFE Treaty, citing the refusal of NATO Members to ratify the Adaptation Agreement, concerns over the proposed United States missile defense deployment in Poland and the Czech Republic, and new basing arrangements between the United States Government and the Governments of Bulgaria and Romania as unacceptable encroachments on the security of the Russian Federation;

Whereas the Government of the Russian Federation subsequently requested, as is its right under the CFE Treaty, an Extraordinary Conference to discuss its outstanding concerns, which was held from June 12 to June 15, 2007, in Vienna, Austria;

Whereas, on July 14, 2007, President Putin issued a formal decree announcing the intention of the Russian Federation to suspend compliance with the CFE Treaty after providing 150 days advance notice to the other CFE Treaty signatories;

Whereas President Putin justified his decision on ''extraordinary circumstances'' that ''affect the security of the Russian Federation and require immediate measures'';

Whereas the CFE Treaty provides a formal mechanism for withdrawal of a State Party from the Treaty following 150 days of notice, but does not contain any provision for suspension; and

Whereas the Department of State, in responding to the announcement by the Government of the Russian Federation to suspend compliance with the CFE Treaty, declared, ''The United States is disappointed by the Russian announcement of its intention to suspend implementation of the Conventional Armed Forces in Europe (CFE) Treaty. The United States remains committed to CFE's full implementation. We also remain committed to the ratification and entry into force of the Adapted CFE Treaty. We look forward to continuing to engage with Russia and the other States Parties to the Treaty to create the conditions necessary for ratification by all 30 CFE States.'': Now, therefore, be it

Resolved, That—

(1) it is the sense of the Senate that the decision of the Government of the Russian Federation to suspend implementation of the Treaty on Conventional Armed Forces in Europe, signed at Paris November 19, 1990 (''the CFE Treaty''), is a regrettable step that will unnecessarily heighten tensions in Europe;

(2) the Senate recognizes the enduring value of the CFE Treaty as a cornerstone of European security and affirms its support for the basic principles of transparency, accountability, host country consent for the stationing of foreign military forces, and the rule of law embodied in the CFE Treaty and the 1999 Adaptation Agreement thereto;

(3) the Senate strongly urges the Government of the Russian Federation to reconsider its suspension of CFE implementation and engage with the other parties to the CFE Treaty to resolve outstanding problems and establish an agreed approach leading to the eventual implementation of the Adaption Agreement to the CFE Treaty;

(4) the Senate calls on the Russian Federation to fulfill its Istanbul Commitments of 1999 and move speedily to withdraw all remaining forces and military equipment from Georgia and Moldova;

(5) the Senate encourages all parties to the CFE Treaty to engage the Russian Federation in seeking innovative and constructive mechanisms to fully implement the Istanbul Commitments, consistent with the principles and objectives of the Organization of Security and Cooperation in Europe (OSCE) and making full use of OSCE mechanisms;

(6) the Senate calls on all States Parties to ensure that the resolution of the current disputes surrounding the CFE Treaty be considered a priority at the highest political levels, recognizing that the CFE Treaty is important both as an arms control treaty and as an essential building block for stable relations between the Russian Federation and neighboring countries in Europe; and

(7) the Senate encourages officials of the Government of the Russian Federation to refrain from belligerent statements that only further polarize relations and jeopardize security in Europe.

SENATE RESOLUTION 279—EXPRESSING THE SENSE OF THE SENATE REGARDING THE 125TH ANNIVERSARY OF THE 1882 TREATY OF PEACE, AMITY, COMMERCE AND NAVIGATION BETWEEN THE KINGDOM AND CHOSUN (KOREA) AND THE UNITED STATES

Mr. LUGAR (for himself, Ms. MURKOWSKI, Mr. HAGEL, Mr. WEBB, and Mr. ISAKSON) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 279

Whereas both the Republic of Korea and the United States are fully democratic states with a common commitment to human rights and the rule of law;

Whereas 2007 marks the 125th anniversary of the Treaty of Peace, Amity, Commerce and Navigation between the Kingdom of Chosun (Korea) and the United States, concluded May 22, 1882, which was a seminal moment in relations between the United States and Korea;

Whereas the treaty contemplates ''everlasting amity and friendship between the two peoples'', a tradition that both state signatories have worked to achieve during the past 125 years;

Whereas 2007 marks the 50th anniversary of the entry into force of the Treaty of Friendship, Commerce, and Navigation, with Protocol, signed at Seoul November 28, 1956 (8 UST 2217), between the United States and the Republic of Korea;

Whereas the United States and the Republic of Korea share a mutual interest in the peaceful denuclearization of the Korean peninsula;

Whereas nearly 40,000 citizens of the United States gave their lives during the Korean War with the hope that the Republic of Korea would remain free and independent;

Whereas the Mutual Defense Treaty, signed at Washington October 1, 1953 (5 UST 2368), between the United States and the Republic of Korea, has led to more than 50 years of effective deterrence against attack by the Democratic People's Republic of Korea;

Whereas 29,000 troops from the United States remain stationed in the Republic of Korea as a tangible sign of the commitment of the United States to the security of the Republic of Korea;

Whereas the Republic of Korea is the fourth largest contributor of troops to the peacekeeping effort in Iraq and continues its tradition of supporting the United States in key armed struggles;

Whereas the Republic of Korea is making a significant military and financial contribution to building lasting stability in Afghanistan;

Whereas the United States and the Republic of Korea continuously work to modernize their security relationship through annual Security Consultative Meetings between their defense ministers, the Strategic Consultation for Allied Partnership Dialogue, and various lower-level forums;

Whereas the economic partnership between the United States and the Republic of Korea has contributed to significant economic growth for both countries;

Whereas the Republic of Korea is the seventh largest trading partner of the United States, and the United States is the third largest trading partner of the Republic of Korea;

Whereas the Free Trade Agreement between the United States of America and the Republic of Korea, done at Washington June 30, 2007, is the first free trade agreement between the United States and a Northeast Asian nation, paving the way for greater economic efficiency and consumer benefits in both countries;

Whereas nearly 2,000,000 Korean-Americans contribute to the fabric of life in the United States and link the United States to Korea on a personal basis;

Whereas the Republic of Korea sends more international students to the United States than any other country; and

Whereas the strong relationship between the United States and the Republic of Korea across many fronts has proven beneficial for both countries: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the strength and endurance of the alliance between the United States and the Republic of Korea should be acknowledged and celebrated;

(2) the Free Trade Agreement between the United States of America and the Republic of Korea, done at Washington June 30, 2007, highlights the vibrancy and diversity of the common interests of the United States and the Republic of Korea and should be fully implemented by both countries;

(3) the United States should sustain substantive dialogue with both the Republic of Korea and the Democratic People's Republic of Korea, with the expectation of the eventual unification of the Korean peninsula, as it was at the signing of the Treaty of Peace, Amity, Commerce and Navigation between the Kingdom of Chosun (Korea) and the United States, concluded May 22, 1882;

(4) working with the Republic of Korea to foster greater regional cooperation in East Asia should be a priority of the United States, as such cooperation brings long and short term benefits to all those involved; and

(5) the United States and the Republic of Korea should strive to develop further a more global perspective in their partnership, with the goal of addressing international priorities such as the fight against terrorism, the promotion of human rights, the enhancement of democracy, and support for peacekeeping.

Mr. LUGAR. Mr. President, I rise today to introduce a resolution commemorating the 125th anniversary of the 1882 Treaty of Peace, Amity, Commerce, and Navigation between the Kingdom of Chosun, Korea, and the United States Treaty provisions covered the appointment of diplomatic and consular representatives, care for U.S. ships in distress or needing fuel, and protection for American citizens. The treaty also allowed that Koreans could work in the United States.

As President Reagan noted on the 100th anniversary of the treaty signing, ''This Treaty marked a chapter in the history of northeast Asia and was the auspicious beginning of an enduring partnership between the United States and Korea.''

Initial efforts in 1880 by U.S. Commodore Robert W. Shufeldt to negotiate a treaty of friendship and commerce with Korea were unsuccessful. However, in an interesting similarity to current events, Chinese officials assisted in this endeavor. Viceroy Li Hongzhang, a leading Chinese figure, invited Commodore Shufeldt to visit China so that discussions could be held regarding the U.S. efforts for a treaty with Korea. In May of 1882, in part due to Chinese assistance, agreement was reached. Commodore Shufeldt and Minister Sin Hon among others, participated in the treaty ceremony in Inchon. After it arrived in the United States, the treaty was ratified the following January.

The Republic of Korea-United States partnership covers economic, educational, security, and other fronts. Nearly 40,000 American citizens gave their lives during the Korean War with the hope that the Republic of Korea would remain free and independent. The U.S. Department of Defense reports that over 8,000 American personnel remain missing from their service in that war, with nearly 200 of those from my home State of Indiana.

Today, approximately 2 million Korean-Americans contribute to the fabric of life in the United States, and serve as an important link, on a personal basis, with the Republic of Korea. I am pleased to introduce this resolution with deep appreciation for this important bilateral relationship.

SENATE RESOLUTION 280—CONGRATULATING THE ANAHEIM DUCKS FOR WINNING THE 2007 STANLEY CUP CHAMPIONSHIP

Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted the following resolution; which was considered and agreed to:

S. RES. 280

Whereas, on June 6, 2007, the Anaheim Ducks (referred to in this preamble as the ''Ducks'') won their first National Hockey League Stanley Cup Championship by defeating the Ottawa Senators by a score of 6 to 2 in the fifth game of the Stanley Cup finals;

Whereas the Ducks are the first National Hockey League franchise to bring the Stanley Cup to the State of California;

Whereas the Ducks won the first Pacific Division Championship and the second Western Conference title in franchise history before winning the Stanley Cup;

Whereas the Ottawa Senators displayed the qualities of worthy opponents and played a hard-fought series against the Ducks;

Whereas the Ducks finished the regular season with the best record in the 13 year history of the franchise, with 48 wins, 20 losses, and 14 overtime losses, for a total of 110 points;

Whereas the Ducks players Francois Beauchemin, Ilya Bryzgalov, Sebastien Caron, Ryan Carter, Joe DiPenta, Ryan Getzlaf, Jean-Sebastien Giquere, Mark Hartigan, Kent Huskins, Chris Kunitz, Ric Jackman, Todd Marchant, Brad May, Andy McDonald, Drew Miller, Travis Moen, Joe Motzko, Scott Niedermayer, Rob Niedermayer, Sean O'Donnell, Samuel Pahlsson, George Parros, Dustin Penner, Corey Perry, Chris Pronger, Aaron Rome, Teemu Selanne, Ryan Shannon, and Shawn Thorton exemplify the team motto, ''Heart, Sacrifice, and Passion'';

Whereas team captain Scott Niedermayer earned the Conn Smythe Trophy as the most valuable player in the 2007 Stanley Cup Playoffs;

Whereas team and community leader Teemu Selanne won his first Stanley Cup in an illustrious 15 year career that has brought pride and excitement to Orange County, California;

Whereas, under the direction of head coach Randy Carlyle and Assistant Coaches Newell Brown and Dave Farrish, the Ducks have reached the Western Conference Finals in 2 consecutive seasons and have earned a reputation as 1 of the best teams in the league;

Whereas General Manager Brian Burke has exercised impeccable vision in building a strong, competitive, and exciting team in Anaheim;

Whereas team owners Henry and Susan Samueli have infused the Ducks with a winning spirit and have demonstrated an unparalleled commitment to hockey fans and the community;

Whereas Ducks fans are enthusiastic and passionate about the team and the sport of

hockey and are integral to the success of the Ducks, and the National Hockey League, in the State of California;

Whereas the Ducks have established a winning tradition in Orange County;

Whereas the Ducks exemplify the championship spirit of the State of California; and

Whereas the Ducks won the 2007 Stanley Cup Championship in a convincing fashion: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Anaheim Ducks for winning their first Stanley Cup Championship;

(2) congratulates the Anaheim Ducks for winning the first Stanley Cup Championship in the history of the State of California; and

(3) commends the players, coaches, managers, and owners of the Anaheim Ducks for their heart, sacrifice, and passion.

SENATE CONCURRENT RESOLUTION 42—RECOGNIZING THE NEED TO PURSUE RESEARCH INTO THE CAUSES, TREATMENT, AND EVENTUAL CURE FOR IDIOPATHIC PULMONARY FIBROSIS, SUPPORTING THE DESIGNATION OF A NATIONAL IDIOPATHIC PULMONARY FIBROSIS AWARENESS WEEK, AND FOR OTHER PURPOSES

Mr. COLEMAN (for himself and Mr. DURBIN) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 42

Whereas idiopathic pulmonary fibrosis is a serious lung disorder that causes progressive, incurable lung scarring;

Whereas idiopathic pulmonary fibrosis is 1 of about 200 disorders that are called ''interstitial lung diseases'';

Whereas idiopathic pulmonary fibrosis is the most common form of interstitial lung disease;

Whereas idiopathic pulmonary fibrosis is a debilitating and generally fatal disease marked by progressive scarring of the lungs that causes an irreversible loss of the ability of the lung tissue to transport oxygen;

Whereas idiopathic pulmonary fibrosis progresses quickly, often causing disability or death within a few years;

Whereas there is no proven cause of idiopathic pulmonary fibrosis;

Whereas more than 128,000 people in the United States have idiopathic pulmonary fibrosis, and more than 48,000 new cases are diagnosed each year;

Whereas there has been a 156-percent increase in mortality from idiopathic pulmonary fibrosis since 2001;

Whereas idiopathic pulmonary fibrosis is often misdiagnosed or under-diagnosed;

Whereas the median survival rate for patients with idiopathic pulmonary fibrosis is 2 to 3 years, about ⅔ of patients with idiopathic pulmonary fibrosis die within 5 years, and approximately 40,000 patients with idiopathic pulmonary fibrosis die each year; and

Whereas there is a pressing need to increase awareness and detection of this misdiagnosed and under-diagnosed disorder, and of all interstitial lung diseases: Now, therefore, be it

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

(1) recognizes the need to pursue research into the causes, treatment, and eventual cure for idiopathic pulmonary fibrosis;

(2) supports the work of advocates and organizations in educating, supporting, and providing hope for individuals who suffer from idiopathic pulmonary fibrosis, including efforts to organize a National Idiopathic Pulmonary Fibrosis Awareness Week;

(3) congratulates advocates and organizations for their efforts to educate the public about idiopathic pulmonary fibrosis while funding research to help find a cure for this disorder;

(4) supports the designation of an appropriate week as National Idiopathic Pulmonary Fibrosis Awareness Week;

(5) welcomes the issuance of a proclamation designating an appropriate week as National Idiopathic Pulmonary Fibrosis Awareness Week; and

(6) supports the goals and ideals of a National Idiopathic Pulmonary Fibrosis Awareness Week.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2383. Mr. BYRD (for himself and Mr. COCHRAN) proposed an amendment to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes.

SA 2384. Mr. VITTER proposed an amendment to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, supra.

SA 2385. Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2638, supra; which was ordered to lie on the table.

SA 2386. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, supra; which was ordered to lie on the table.

SA 2387. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, supra; which was ordered to lie on the table.

SA 2388. Mr. BINGAMAN (for himself, Mr. DOMENICI, Mrs. HUTCHISON, Mr. CORNYN, and Mr. SALAZAR) submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, supra.

SA 2389. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, supra; which was ordered to lie on the table.

SA 2390. Mrs. CLINTON submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, supra; which was ordered to lie on the table.

SA 2391. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, supra; which was ordered to lie on the table.

SA 2392. Mr. ISAKSON (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill H.R. 2638, supra; which was ordered to lie on the table.

SA 2393. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, supra; which was ordered to lie on the table.

SA 2394. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, supra; which was ordered to lie on the table.

SA 2395. Mr. HAGEL submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, supra; which was ordered to lie on the table.

SA 2396. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 2638, supra; which was ordered to lie on the table.

SA 2397. Mr. FEINGOLD submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, supra; which was ordered to lie on the table.

SA 2398. Mrs. CLINTON (for herself, Mr. KENNEDY, Mr. SCHUMER, Mr. LAUTENBERG, Mr. AKAKA, and Mr. LIEBERMAN) submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, supra; which was ordered to lie on the table.

SA 2399. Mr. KERRY submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, supra; which was ordered to lie on the table.

SA 2400. Mr. VITTER (for himself, Mr. NELSON, of Florida, and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, supra; which was ordered to lie on the table.

SA 2401. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2383. Mr. BYRD (for himself and Mr. COCHRAN) proposed an amendment to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; as follows:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2008, for the Department of Homeland Security and for other purposes, namely:

TITLE I

DEPARTMENT OF HOMELAND SECURITY

DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, $100,000,000: *Provided*, That not to exceed $40,000 shall be for official reception and representation expenses: *Provided further*, That $15,000,000 shall not be available for obligation until the Secretary certifies and reports to the Committees on Appropriations of the Senate and the House of Representatives that the Department has revised Departmental guidance with respect to relations with the Government Accountability Office to specifically provide for: (1) expedited timeframes for providing the Government Accountability Office with access to records not to exceed 20 days from the date of request; (2) expedited timeframes for interviews of program officials by

the Government Accountability Office after reasonable notice has been furnished to the Department by the Government Accountability Office; and (3) a significant streamlining of the review process for documents and interview requests by liaisons, counsel, and program officials, consistent with the objective that the Government Accountability Office be given timely and complete access to documents and agency officials: *Provided further*, That the Secretary shall make the revisions to Departmental guidance with respect to relations with the Government Accountability Office in consultation with the Comptroller General of the United States.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

For necessary expenses of the Office of the Under Secretary for Management, as authorized by sections 701 through 705 of the Homeland Security Act of 2002 (6 U.S.C. 341 through 345), $234,883,000, of which not to exceed $3,000 shall be for official reception and representation expenses: *Provided*, That of the total amount, $6,000,000 shall remain available until expended solely for the alteration and improvement of facilities, tenant improvements, and relocation costs to consolidate Department headquarters operations; and $88,000,000 shall remain available until expended for the Consolidated Headquarters Project.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), $30,076,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), and Department-wide technology investments, $321,100,000; of which $82,400,000 shall be available for salaries and expenses; and of which $238,700,000, to remain available until expended, shall be available for development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security, of which $97,300,000 shall be for the National Center for Critical Information Processing and Storage: *Provided*, That none of the funds appropriated shall be used to support or supplement the appropriations provided for the United States Visitor and Immigrant Status Indicator Technology project or the Automated Commercial Environment.

ANALYSIS AND OPERATIONS

For necessary expenses for information analysis and operations coordination activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $306,000,000, to remain available until September 30, 2009, of which not to exceed $5,000 shall be for official reception and representation expenses.

OFFICE OF THE FEDERAL COORDINATOR FOR GULF COAST REBUILDING

For necessary expenses of the Office of the Federal Coordinator for Gulf Coast Rebuilding, $3,000,000: *Provided*, That $1,000,000 shall not be available for obligation until the Committees on Appropriations of the Senate and the House of Representatives receive an expenditure plan for fiscal year 2008.

OFFICE OF INSPECTOR GENERAL

OPERATING EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $95,211,000, of which not to exceed $150,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For necessary expenses for enforcement of laws relating to border security, immigration, customs, and agricultural inspections and regulatory activities related to plant and animal imports; purchase and lease of up to 4,500 (2,400 for replacement only) police-type vehicles; and contracting with individuals for personal services abroad; $6,601,058,000; of which $230,316,000 shall remain available until September 30, 2009, to support software development, equipment, contract services, and the implementation of inbound lanes and modification to vehicle primary processing lanes at ports of entry; of which $3,093,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which not to exceed $45,000 shall be for official reception and representation expenses; of which not less than $226,740,000 shall be for Air and Marine Operations; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; of which not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations; and of which not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided*, That for fiscal year 2008, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be $35,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act may be available to compensate any employee of United States Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies.

AUTOMATION MODERNIZATION

For expenses for customs and border protection automated systems, $476,609,000, to remain available until expended, of which not less than $316,969,000 shall be for the development of the Automated Commercial Environment: *Provided*, That of the total amount made available under this heading, $216,969,000 may not be obligated for the Automated Commercial Environment until the Committees on Appropriations of the Senate and the House of Representatives receive a plan for expenditure prepared by the Secretary of Homeland Security that includes:

(1) a detailed accounting of the program's progress to date relative to system capabilities or services, system performance levels, mission benefits and outcomes, milestones, cost targets, and program management capabilities;

(2) an explicit plan of action defining how all funds are to be obligated to meet future program commitments, with the planned expenditure of funds linked to the milestone-based delivery of specific capabilities, services, performance levels, mission benefits and outcomes, and program management capabilities;

(3) a listing of all open Government Accountability Office and Office of Inspector General recommendations related to the program and the status of Department of Homeland Security actions to address the recommendations, including milestones for fully addressing them;

(4) a certification by the Chief Financial Officer of the Department that the program has been reviewed and approved in accordance with the investment management process of the Department, and that the process fulfills all capital planning and investment control requirements and reviews established by the Office of Management and Budget, including Circular A–11, part 7;

(5) a certification by the Chief Information Officer of the Department that an independent validation and verification agent has and will continue to actively review the program;

(6) a certification by the Chief Information Officer of the Department that the system architecture of the program is sufficiently aligned with the information systems enterprise architecture of the Department to minimize future rework, including a description of all aspects of the architectures that were and were not assessed in making the alignment determination, the date of the alignment determination, any known areas of misalignment along with the associated risks and corrective actions to address any such areas;

(7) a certification by the Chief Procurement Officer of the Department that the plans for the program comply with the Federal acquisition rules, requirements, guidelines, and practices, and a description of the actions being taken to address areas of noncompliance, the risks associated with them along with any plans for addressing these risks and the status of their implementation;

(8) a certification by the Chief Information Officer of the Department that the program has a risk management process that regularly identifies, evaluates, mitigates, and monitors risks throughout the system life cycle, and communicates high-risk conditions to agency and department heads, as well as a listing of all the program's high risks and the status of efforts to address them; and

(9) a certification by the Chief Human Capital Officer of the Department that the human capital needs of the program are being strategically and proactively managed, and that current human capital capabilities are sufficient to execute the plans discussed in the report.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For expenses for customs and border protection fencing, infrastructure, and technology, $1,000,000,000, to remain available until expended: *Provided*, That of the amount provided under this heading, $500,000,000 shall not be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure, prepared by the Secretary of Homeland Security and submitted within 90 days after the date of enactment of this Act, that includes:

(1) a detailed accounting of the program's progress to date relative to system capabilities or services, system performance levels, mission benefits and outcomes, milestones, cost targets, and program management capabilities;

(2) an explicit plan of action defining how all funds are to be obligated to meet future program commitments, with the planned expenditure of funds linked to the milestone-

based delivery of specific capabilities, services, performance levels, mission benefits and outcomes, and program management capabilities;

(3) a listing of all open Government Accountability Office and Office of Inspector General recommendations related to the program and the status of Department of Homeland Security actions to address the recommendations, including milestones for fully addressing them;

(4) a certification by the Chief Financial Officer of the Department that the program has been reviewed and approved in accordance with the investment management process of the Department, and that the process fulfills all capital planning and investment control requirements and reviews established by the Office of Management and Budget, including Circular A–11, part 7;

(5) a certification by the Chief Information Officer of the Department that an independent validation and verification agent has and will continue to actively review the program;

(6) a certification by the Chief Information Officer of the Department that the system architecture of the program is sufficiently aligned with the information systems enterprise architecture of the Department to minimize future rework, including a description of all aspects of the architectures that were and were not assessed in making the alignment determination, the date of the alignment determination, any known areas of misalignment along with the associated risks and corrective actions to address any such areas;

(7) a certification by the Chief Procurement Officer of the Department that the plans for the program comply with the Federal acquisition rules, requirements, guidelines, and practices, and a description of the actions being taken to address areas of noncompliance, the risks associated with them along with any plans for addressing these risks and the status of their implementation;

(8) a certification by the Chief Information Officer of the Department that the program has a risk management process that regularly identifies, evaluates, mitigates, and monitors risks throughout the system life cycle, and communicates high-risk conditions to agency and department heads, as well as a listing of all the program's high risks and the status of efforts to address them;

(9) a certification by the Chief Human Capital Officer of the Department that the human capital needs of the program are being strategically and proactively managed, and that current human capital capabilities are sufficient to execute the plans discussed in the report;

(10) a description of initial plans for securing the Northern border and United States maritime border; and

(11) which is reviewed by the Government Accountability Office.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, unmanned aircraft systems, and other related equipment of the air and marine program, including operational training and mission-related travel, and rental payments for facilities occupied by the air or marine interdiction and demand reduction programs, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and at the discretion of the Secretary of Homeland Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts, $488,947,000, to remain available until expended: *Provided,* That no aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to United States Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2008 without the prior approval of the Committees on Appropriations of the Senate and the House of Representatives.

CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to customs and immigration, $274,863,000, to remain available until expended; of which $40,200,000 shall be for the Advanced Training Center.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations; and purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; $4,401,643,000, of which not to exceed $7,500,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081); of which not to exceed $15,000 shall be for official reception and representation expenses; of which not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security; of which not less than $102,000 shall be for promotion of public awareness of the child pornography tipline; of which not less than $203,000 shall be for Project Alert; of which not less than $5,400,000 may be used to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); and of which not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens: *Provided,* That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes and in cases of immigration emergencies: *Provided further,* That of the total amount provided, $15,770,000 shall be for activities to enforce laws against forced child labor in fiscal year 2008, of which not to exceed $6,000,000 shall remain available until expended.

FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account shall be available until expended for necessary expenses related to the protection of federally-owned and leased buildings and for the operations of the Federal Protective Service: *Provided,* That the Secretary of Homeland Security and the Director of the Office of Management and Budget shall certify in writing to the Committees on Appropriations of the Senate and the House of Representatives no later than November 1, 2007, that the operations of the Federal Protective Service will be fully funded in fiscal year 2008 through revenues and collection of security fees: *Provided further,* That a certification shall be provided no later than February 10, 2008, for fiscal year 2009.

AUTOMATION MODERNIZATION

For expenses of immigration and customs enforcement automated systems, $15,000,000, to remain available until expended: *Provided,* That of the funds made available under this heading, $5,000,000 may not be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive a plan for expenditure prepared by the Secretary of Homeland Security.

CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to customs and immigration, $16,250,000, to remain available until expended.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $5,039,559,000, to remain available until September 30, 2009, of which not to exceed $10,000 shall be for official reception and representation expenses: *Provided,* That of the total amount made available under this heading, not to exceed $4,074,889,000 shall be for screening operations, of which $529,400,000 shall be available only for procurement and installation of checked baggage explosive detection systems; and not to exceed $964,445,000 shall be for aviation security direction and enforcement: *Provided further,* That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: *Provided further,* That the sum herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2008, so as to result in a final fiscal year appropriation from the General Fund estimated at not more than $2,329,334,000: *Provided further,* That any security service fees collected in excess of the amount made available under this heading shall become available during fiscal year 2009: *Provided further,* That Members of the United States House of Representatives and United States Senate, including the leadership; and the heads of Federal agencies and commissions, including the Secretary, Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the United States Attorney General and Assistant Attorneys General and the United States attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget; shall not be exempt from Federal passenger and baggage screening.

SURFACE TRANSPORTATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing surface transportation security activities, $41,413,000, to remain available until September 30, 2009.

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

For necessary expenses for the development and implementation of screening programs of the Office of Transportation Threat Assessment and Credentialing, $67,490,000, to remain available until September 30, 2009.

TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to

providing transportation security support and intelligence pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $524,515,000, to remain available until September 30, 2009: *Provided*, That of the funds appropriated under this heading, $20,000,000 may not be obligated until the Secretary of Homeland Security submits to the Committees on Appropriations of the Senate and the House of Representatives a strategic plan required for checkpoint technologies as described in the joint explanatory statement of managers accompanying the fiscal year 2007 conference report (H. Rept. 109–699): *Provided further*, That this plan shall be submitted no later than 60 days after the date of enactment of this Act.

FEDERAL AIR MARSHALS

For necessary expenses of the Federal Air Marshals, $722,000,000.

UNITED STATES COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the United States Coast Guard not otherwise provided for; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; payments pursuant to section 156 of Public Law 97–377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; $5,930,545,000, of which $340,000,000 shall be for defense-related activities; of which $24,500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which not to exceed $10,000 shall be for official reception and representation expenses: *Provided*, That none of the funds made available by this or any other Act shall be available for administrative expenses in connection with shipping commissioners in the United States: *Provided further*, That none of the funds made available by this Act shall be for expenses incurred for yacht documentation under section 12109 of title 46, United States Code, except to the extent fees are collected from yacht owners and credited to this appropriation.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the United States Coast Guard under chapter 19 of title 14, United States Code, $12,079,000, to remain available until expended.

RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, as authorized by law; operations and maintenance of the reserve program; personnel and training costs; and equipment and services; $126,883,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(INCLUDING RESCISSIONS OF FUNDS)

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law; $1,048,068,000, of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); of which $9,200,000 shall be available until September 30, 2012, to acquire, repair, renovate, or improve vessels, small boats, and related equipment; of which $173,600,000 shall be available until September 30, 2010, for other equipment; of which $37,897,000 shall be available until September 30, 2010, for shore facilities and aids to navigation facilities; of which $505,000 shall be available for personnel related costs; and of which $770,079,000 shall be available until September 30, 2012, for the Integrated Deepwater Systems program: *Provided*, That the Commandant of the Coast Guard is authorized to dispose of surplus real property, by sale or lease, and the proceeds shall be credited to this appropriation as offsetting collections and shall be available until September 30, 2010: *Provided further*, That of amounts made available under this heading in Public Law 109–90, $48,787,000 for the Offshore Patrol Cutter are rescinded: *Provided further*, That of the amounts made available under this heading in Public Law 109–295, $8,000,000 for the Fast Response Cutter (FRC–A) are rescinded: *Provided further*, That the Secretary shall submit an expenditure plan to the Committees on Appropriations of the Senate and the House of Representatives within 60 days after the date of enactment of this Act for funds made available for the Integrated Deepwater Program, that: (1) defines activities, milestones, yearly costs, and life-cycle costs for each procurement of a major asset; (2) identifies life-cycle staffing and training needs of Coast Guard project managers and of procurement and contract staff; (3) includes a certification by the Chief Human Capital Officer of the Department that current human capital capabilities are sufficient to execute the plans discussed in the report; (4) identifies individual project balances by fiscal year, including planned carryover into fiscal year 2009 by project; (5) identifies operational gaps for all Deepwater assets and an explanation of how funds provided in this Act address the shortfalls between current operational capabilities and requirements; (6) includes a listing of all open Government Accountability Office and Office of Inspector General recommendations related to the program and the status of Coast Guard actions to address the recommendations, including milestones for fully addressing them; (7) includes a certification by the Chief Financial Officer of the Department that the program has been reviewed and approved in accordance with the investment management process of the Department, and that the process fulfills all capital planning and investment control requirements and reviews established by the Office of Management and Budget, including Circular A–11, part 7; (8) identifies competition to be conducted in each procurement; (9) includes a certification by the head of contracting activity for the Coast Guard and the Chief Procurement Officer of the Department that the plans for the program comply with the Federal acquisition rules, requirements, guidelines, and practices, and a description of the actions being taken to address areas of non-compliance, the risks associated with them along with plans for addressing these risks and the status of their implementation; (10) identifies the use of independent validation and verification; and (11) is reviewed by the Government Accountability Office: *Provided further*, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, in conjunction with the President's fiscal year 2009 budget, a review of the Revised Deepwater Implementation Plan that identifies any changes to the plan for the fiscal year; an annual performance comparison of Deepwater assets to pre-Deepwater legacy assets; a status report of legacy assets; a detailed explanation of how the costs of legacy assets are being accounted for within the Deepwater program; and the earned value management system gold card data for each Deepwater asset: *Provided further*, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives a comprehensive review of the Revised Deepwater Implementation Plan every five years, beginning in fiscal year 2011, that includes a complete projection of the acquisition costs and schedule for the duration of the plan through fiscal year 2027: *Provided further*, That the Secretary shall annually submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget is submitted under section 1105(a) of title 31, United States Code, a future-years capital investment plan for the Coast Guard that identifies for each capital budget line item—

(1) the proposed appropriation included in that budget;

(2) the total estimated cost of completion;

(3) projected funding levels for each fiscal year for the next five fiscal years or until project completion, whichever is earlier;

(4) an estimated completion date at the projected funding levels; and

(5) changes, if any, in the total estimated cost of completion or estimated completion date from previous future-years capital investment plans submitted to the Committees on Appropriations of the Senate and the House of Representatives:

Provided further, That the Secretary shall ensure that amounts specified in the future-years capital investment plan are consistent to the maximum extent practicable with proposed appropriations necessary to support the programs, projects, and activities of the Coast Guard in the President's budget as submitted under section 1105(a) of title 31, United States Code, for that fiscal year: *Provided further*, That any inconsistencies between the capital investment plan and proposed appropriations shall be identified and justified.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, as authorized by section 6 of the Truman-Hobbs Act (33 U.S.C. 516), $16,000,000, to remain available until expended.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; $25,583,000, to remain available until expended, of which $500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, concurrent receipts and combat-related special compensation under the National Defense Authorization Act, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, $1,184,720,000, to remain available until expended.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of

not to exceed 645 vehicles for police-type use, which shall be for replacement only, and hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director of the Secret Service; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee requires an employee to work 16 hours per day or to remain overnight at a post of duty; conduct of and participation in firearms matches; presentation of awards; travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations of the Senate and the House of Representatives; research and development; grants to conduct behavioral research in support of protective research and operations; and payment in advance for commercial accommodations as may be necessary to perform protective functions; $1,392,171,000, of which not to exceed $25,000 shall be for official reception and representation expenses; of which not to exceed $100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; of which $2,366,000 shall be for forensic and related support of investigations of missing and exploited children; and of which $6,000,000 shall be a grant for activities related to the investigations of missing and exploited children and shall remain available until expended: *Provided,* That up to $18,000,000 provided for protective travel shall remain available until September 30, 2009: *Provided further,* That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Federal agencies and entities, as defined in section 105 of title 5, United States Code, receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under this heading at the end of the fiscal year.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of facilities, $3,725,000, to remain available until expended.

TITLE III

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

National Protection and Programs Directorate

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the immediate Office of the Under Secretary for National Protection and Programs, the National Protection Planning Office, support services for business operations and information technology, and facility costs, $30,000,000: *Provided,* That of the amount provided, $15,000,000 shall not be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve in full an expenditure plan by program, project, and activity; prepared by the Secretary of Homeland Security that has been reviewed by the Government Accountability Office.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For necessary expenses for infrastructure protection and information security programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $527,099,000, of which $497,099,000 shall remain available until September 30, 2009.

UNITED STATES VISITOR AND IMMIGRANT STATUS INDICATOR TECHNOLOGY

For necessary expenses for the development of the United States Visitor and Immigrant Status Indicator Technology project, as authorized by section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a), $362,000,000, to remain available until expended: *Provided,* That of the total amount made available under this heading, $100,000,000 may not be obligated for the United States Visitor and Immigrant Status Indicator Technology project until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure prepared by the Secretary of Homeland Security that includes:

(1) a detailed accounting of the program's progress to date relative to system capabilities or services, system performance levels, mission benefits and outcomes, milestones, cost targets, and program management capabilities;

(2) an explicit plan of action defining how all funds are to be obligated to meet future program commitments, with the planned expenditure of funds linked to the milestone-based delivery of specific capabilities, services, performance levels, mission benefits and outcomes, and program management capabilities;

(3) a listing of all open Government Accountability Office and Office of Inspector General recommendations related to the program and the status of Department of Homeland Security actions to address the recommendations, including milestones for fully addressing them;

(4) a certification by the Chief Financial Officer of the Department that the program has been reviewed and approved in accordance with the investment management process of the Department, and that the process fulfills all capital planning and investment control requirements and reviews established by the Office of Management and Budget, including Circular A–11, part 7;

(5) a certification by the Chief Information Officer of the Department that an independent validation and verification agent has and will continue to actively review the program;

(6) a certification by the Chief Information Officer of the Department that the system architecture of the program is sufficiently aligned with the information systems enterprise architecture of the Department to minimize future rework, including a description of all aspects of the architectures that were and were not assessed in making the alignment determination, the date of the alignment determination, any known areas of misalignment along with the associated risks and corrective actions to address any such areas;

(7) a certification by the Chief Procurement Officer of the Department that the plans for the program comply with the Federal acquisition rules, requirements, guidelines, and practices, and a description of the actions being taken to address areas of noncompliance, the risks associated with them along with any plans for addressing these risks and the status of their implementation;

(8) a certification by the Chief Information Officer of the Department that the program has a risk management process that regularly identifies, evaluates, mitigates, and monitors risks throughout the system life cycle, and communicates high-risk conditions to agency and department heads, as well as a listing of all the program's high risks and the status of efforts to address them;

(9) a certification by the Chief Human Capital Officer of the Department that the human capital needs of the program are being strategically and proactively managed, and that current human capital capabilities are sufficient to execute the plans discussed in the report; and

(10) which is reviewed by the Government Accountability Office.

OFFICE OF HEALTH AFFAIRS

For the necessary expenses of the Office of Health Affairs, $115,000,000; of which $20,817,000 is for salaries and expenses; and of which $94,183,000 is for biosurveillance, biowatch, chemical response, and related activities for the Department of Homeland Security, to remain available until September 30, 2009: *Provided,* That not to exceed $3,000 shall be for official reception and representation expenses.

Federal Emergency Management Agency

MANAGEMENT AND ADMINISTRATION

For necessary expenses for management and administration, $678,600,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), and the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295; 120 Stat. 1394): *Provided,* That not to exceed $3,000 shall be for official reception and representation expenses: *Provided further,* That $426,020,000 shall be for Operations Activities: *Provided further,* That $216,580,000 shall be for Management Activities: *Provided further,* That $6,000,000 shall be for the Office of the National Capital Region Coordination: *Provided further,* That for purposes of planning, coordination, execution, and decision-making related to mass evacuation during a disaster, the Governors of the State of West Virginia and the Commonwealth of Pennsylvania, or their designees, shall be incorporated into efforts to integrate the activities of Federal, State, and local governments in the National Capital Region, as defined in section 882 of Public Law 107–296, the Homeland Security Act of 2002: *Provided further,* That of the total amount made available under this heading, $30,000,000 shall be for Urban Search and Rescue Teams, of which not to exceed $1,600,000 may be made available for administrative costs.

STATE AND LOCAL PROGRAMS

For grants, contracts, cooperative agreements, and other activities, including grants to State and local governments for terrorism prevention activities, notwithstanding any other provision of law, $3,030,500,000, which shall be allocated as follows:

(1) $525,000,000 for formula-based grants and $375,000,000 for law enforcement terrorism prevention grants, to be allocated in accordance with section 1014 of the USA PATRIOT ACT (42 U.S.C. 3714): *Provided,* That not to exceed 3 percent of these amounts shall be available for program administration: *Provided further,* That the application for grants shall be made available to States within 45 days after the date of enactment of this Act; that States shall submit applications within 90 days after the grant announcement; and the Federal Emergency Management Agency shall act within 90 days after receipt of an application: *Provided further,* That, in the

event established timeframes detailed in the preceding proviso for departmental actions are missed, funding for the Immediate Office of the Deputy Secretary shall be reduced by $1,000 per day until such actions are executed: *Provided further*, That not less than 80 percent of any grant under this paragraph to a State shall be made available by the State to local governments within 60 days after the receipt of the funds; except in the case of Puerto Rico, where not less than 50 percent of any grant under this paragraph shall be made available to local governments within 60 days after the receipt of the funds.

(2) $1,836,000,000 for discretionary grants, as determined by the Secretary of Homeland Security, of which—

(A) $820,000,000 shall be for use in high-threat, high-density urban areas, of which $20,000,000 shall be available for assistance to organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax section 501(a) of such code) determined by the Secretary to be at high-risk of a terrorist attack;

(B) $50,000,000 shall be for the Regional Catastrophic Preparedness Grants;

(C) $400,000,000 shall be for infrastructure protection grants related to port security pursuant to 46 U.S.C. 70107;

(D) $16,000,000 shall be for infrastructure protection grants related to trucking industry security;

(E) $12,000,000 shall be for infrastructure protection grants related to intercity bus security;

(F) $400,000,000 shall be for infrastructure protection grants related to intercity rail passenger transportation (as defined in section 24102 of title 49, United States Code), freight rail, and transit security;

(G) $50,000,000 shall be for infrastructure protection grants related to buffer zone protection;

(H) $40,000,000 shall be available for the Commercial Equipment Direct Assistance Program;

(I) $33,000,000 shall be for the Metropolitan Medical Response System; and

(J) $15,000,000 shall be for Citizens Corps:

Provided, That not to exceed 3 percent of subparagraphs (A)–(J) shall be available for program administration: *Provided further*, That for grants under subparagraphs (A), (B), and (J), the application for grants shall be made available to States within 45 days after the date of enactment of this Act; that States shall submit applications within 90 days after the grant announcement; and that the Federal Emergency Management Agency shall act within 90 days after receipt of an application: *Provided further*, That, in the event established timeframes detailed in the preceding proviso for departmental actions are missed, funding for the Immediate Office of the Deputy Secretary shall be reduced by $1,000 per day until such actions are executed: *Provided further*, That no less than 80 percent of any grant under this paragraph to a State shall be made available by the State to local governments within 60 days after the receipt of the funds: *Provided further*, That for grants under subparagraphs (C) through (G), the applications for such grants shall be made available to eligible applicants not later than 75 days after the date of enactment of this Act, eligible applicants shall submit applications not later than 45 days after the date of the grant announcement, and the Federal Emergency Management Agency shall act on such applications not later than 60 days after the date on which such an application is received: *Provided further*, That, in the event established timeframes detailed in the preceding proviso for departmental actions are missed, funding for the Immediate Office of the Deputy Secretary shall be reduced by $1,000 per day until such actions are executed.

(3) $294,500,000 for training, exercises, technical assistance, and other programs:

Provided, That none of the grants provided under this heading shall be used for the construction or renovation of facilities, except for a minor perimeter security project, not to exceed $1,000,000, as determined necessary by the Secretary of Homeland Security: *Provided further*, That the preceding proviso shall not apply to grants under subparagraphs (B), (C), (F), and (G) of paragraph (2) of this heading: *Provided further*, That funds appropriated for law enforcement terrorism prevention grants under paragraph (1) of this heading and discretionary grants under paragraph (2)(A) of this heading shall be available for operational costs, to include personnel overtime and overtime associated with the Federal Emergency Management Agency certified training, as needed: *Provided further*, That the Government Accountability Office shall report on the validity, relevance, reliability, timeliness, and availability of the risk factors (including threat, vulnerability, and consequence) used by the Secretary of Homeland Security for the purpose of allocating grants funded under this heading, and the application of those factors in the allocation of funds to the Committees on Appropriations of the Senate and the House of Representatives on its findings not later than 45 days after the date of enactment of this Act: *Provided further*, That within seven days after the date of enactment of this Act, the Secretary of Homeland Security shall provide the Government Accountability Office with the risk methodology and other factors that will be used to allocate grants funded under this heading.

FIREFIGHTER ASSISTANCE GRANTS

For necessary expenses for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), $700,000,000: *Provided*, That not to exceed five percent of this amount shall be available for program administration: *Provided further*, That funds shall be allocated as follows: (1) $560,000,000 shall be available to carry out section 33 of that Act (15 U.S.C. 2229), to remain available until September 30, 2009; and (2) $140,000,000 shall be available to carry out section 34 of that Act (15 U.S.C. 2229a).

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For necessary expenses for emergency management performance grants, as authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), $300,000,000: *Provided*, That total administrative costs shall not exceed three percent of the total appropriation.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2008, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: *Provided*, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: *Provided further*, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2008, and remain available until expended.

UNITED STATES FIRE ADMINISTRATION

For necessary expenses of the United States Fire Administration, as authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), $43,300,000.

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $1,700,000,000, to remain available until expended: *Provided*, That of the total amount provided, $13,500,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters, subject to section 503 of this Act: *Provided further*, That up to $48,000,000 and 250 positions may be transferred to ''Management and Administration'', Federal Emergency Management Agency, for management and administration functions, subject to section 503 of this Act.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For activities under section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5162), $875,000, of which $580,000 is for administrative expenses to carry out the direct loan program and $295,000 is for the cost of direct loans: *Provided*, That gross obligations for the principal amount of direct loans shall not exceed $25,000,000: *Provided further*, That the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a).

FLOOD MAP MODERNIZATION FUND

For necessary expenses under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), $200,000,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act, to remain available until expended: *Provided*, That total administrative costs shall not exceed three percent of the total appropriation.

NATIONAL FLOOD INSURANCE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), and the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), $145,000,000, which is available as follows: (1) not to exceed $45,642,000 for salaries and expenses associated with flood mitigation and flood insurance operations; and (2) not to exceed $99,358,000 for flood hazard mitigation, which shall be derived from offsetting collections assessed and collected under section 1307 of the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), to remain available until September 30, 2009, including up to $34,000,000 for flood mitigation expenses under section 1366 of that Act, which amount shall be available for transfer to the National Flood Mitigation Fund until September 30, 2009: *Provided*, That in fiscal year 2008, no funds shall be available from the National Flood Insurance Fund in excess of: (1) $70,000,000 for operating expenses; (2) $773,772,000 for commissions and taxes of agents; (3) such sums as are necessary for interest on Treasury borrowings; and (4) $90,000,000 for flood mitigation actions with respect to severe repetitive loss properties under section 1361A of that Act (42 U.S.C. 4102a) and repetitive insurance claims properties under section 1323 of that Act (42 U.S.C. 4030), which shall remain available until expended: *Provided further*, That total administrative costs shall

not exceed four percent of the total appropriation.

NATIONAL FLOOD MITIGATION FUND

(INCLUDING TRANSFER OF FUNDS)

Notwithstanding subparagraphs (B) and (C) of subsection (b)(3), and subsection (f), of section 1366 of the National Flood Insurance Act of 1968, $34,000,000 (42 U.S.C. 4104c), to remain available until September 30, 2009, for activities designed to reduce the risk of flood damage to structures pursuant to such Act, of which $34,000,000 shall be derived from the National Flood Insurance Fund.

NATIONAL PRE-DISASTER MITIGATION FUND

For a pre-disaster mitigation grant program under title II of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131 et seq.), $120,000,000, to remain available until expended: *Provided*, That grants made for pre-disaster mitigation shall be awarded on a competitive basis subject to the criteria in section 203(g) of such Act (42 U.S.C. 5133(g)): *Provided further*, That total administrative costs shall not exceed three percent of the total appropriation.

EMERGENCY FOOD AND SHELTER

To carry out an emergency food and shelter program pursuant to title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 et seq.), $153,000,000, to remain available until expended: *Provided*, That total administrative costs shall not exceed 3.5 percent of the total appropriation.

TITLE IV

RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, $50,523,000: *Provided*, That of the total, $20,000,000 provided to address backlogs of security checks associated with pending applications and petitions shall not be available for obligation until the Secretary of Homeland Security and the United States Attorney General submit to the Committees on Appropriations of the Senate and the House of Representatives a plan to eliminate the backlog of security checks that establishes information sharing protocols to ensure United States Citizenship and Immigration Services has the information it needs to carry out its mission.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal mobile phones for official duties; and services as authorized by section 3109 of title 5, United States Code; $221,076,000, of which up to $43,910,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2009; of which $300,000 shall remain available until expended for Federal law enforcement agencies participating in training accreditation, to be distributed as determined by the Federal Law Enforcement Training Center for the needs of participating agencies; and of which not to exceed $12,000 shall be for official reception and representation expenses: *Provided*, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further*, That section 1202(a) of Public Law 107–206 (42 U.S.C. 3771 note) as amended by Public Law 109–295 (120 Stat. 1374) is further amended by striking ''December 31, 2007'' and inserting ''December 31, 2011''.

ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, $44,470,000, to remain available until expended: *Provided*, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Science and Technology and for management and administration of programs and activities, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), $140,632,000: *Provided*, That not to exceed $3,000 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For necessary expenses for science and technology research, including advanced research projects; development; test and evaluation; acquisition; and operations; as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.); $697,364,000, to remain available until expended; and of which $103,814,000 shall be for necessary expenses of the field laboratories and assets of the Science and Technology Directorate.

DOMESTIC NUCLEAR DETECTION OFFICE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office and for management and administration of programs and activities, $32,000,000: *Provided*, That not to exceed $3,000 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation and operations, $336,000,000, to remain available until expended.

SYSTEMS ACQUISITION

For expenses for the Domestic Nuclear Detection Office acquisition and deployment of radiological detection systems in accordance with the global nuclear detection architecture, $182,000,000, to remain available until September 30, 2010: *Provided*, That none of the funds appropriated under this heading shall be obligated for full-scale procurement of Advanced Spectroscopic Portal Monitors until the Secretary of Homeland Security has certified through a report to the Committees on Appropriations of the Senate and the House of Representatives that a significant increase in operational effectiveness will be achieved.

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. None of the funds available in this Act shall be available to carry out section 872 of Public Law 107–296.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or the House of Representatives for a different purpose; or (5) contracts out any function or activity for which funding levels were requested for Federal full-time equivalents in the object classification tables contained in the fiscal year 2008 Budget Appendix for the Department of Homeland Security, as modified by the joint explanatory statement accompanying this Act; unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of $5,000,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by the Congress; or (3) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress; unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations, but no such appropriations, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfers: *Provided*, That any transfer under this section shall be treated as a reprogramming of funds under subsection (b) of this section and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(d) Notwithstanding subsections (a), (b), and (c) of this section, no funds shall be reprogrammed within or transferred between appropriations after June 30, except in extraordinary circumstances which imminently threaten the safety of human life or the protection of property.

SEC. 504. None of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to make payments to the ''Department of Homeland Security Working Capital Fund'', except for the activities and amounts allowed in the President's fiscal year 2008 budget, excluding

sedan service, shuttle service, transit subsidy, mail operations, parking, and competitive sourcing: *Provided*, That any additional activities and amounts shall be approved by the Committees on Appropriations of the Senate and the House of Representatives 30 days in advance of obligation.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2008 from appropriations for salaries and expenses for fiscal year 2008 in this Act shall remain available through September 30, 2009, in the account and for the purposes for which the appropriations were provided: *Provided*, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives for approval in accordance with section 503 of this Act.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2008 until the enactment of an Act authorizing intelligence activities for fiscal year 2008.

SEC. 507. The Federal Law Enforcement Training Accreditation Board shall lead the Federal law enforcement training accreditation process, to include representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

SEC. 508. None of the funds in this Act may be used to make a grant allocation, discretionary grant award, discretionary contract award, or to issue a letter of intent totaling in excess of $1,000,000, or to announce publicly the intention to make such an award, unless the Secretary of Homeland Security notifies the Committees on Appropriations of the Senate and the House of Representatives at least three full business days in advance: *Provided*, That no notification shall involve funds that are not available for obligation: *Provided further*, That the notification shall include the amount of the award, the fiscal year in which the funds for the award were appropriated, and the account for which the funds are being drawn from: *Provided further*, That the Federal Emergency Management Agency shall brief the Committees on Appropriations of the Senate and the House of Representatives five full business days in advance of announcing publicly the intention of making an award of formula-based grants; law enforcement terrorism prevention grants; high-threat, high-density urban areas grants; or regional catastrophic preparedness grants.

SEC. 509. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 510. The Director of the Federal Law Enforcement Training Center shall schedule basic and/or advanced law enforcement training at all four training facilities under the control of the Federal Law Enforcement Training Center to ensure that these training centers are operated at the highest capacity throughout the fiscal year.

SEC. 511. None of the funds appropriated or otherwise made available by this Act may be used for expenses of any construction, repair, alteration, or acquisition project for which a prospectus, if required by the Public Buildings Act of 1959 (40 U.S.C. 3301), has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 512. None of the funds in this Act may be used in contravention of the applicable provisions of the Buy American Act (41 U.S.C. 10a et seq.).

SEC. 513. (a) None of the funds provided by this or previous appropriations Acts may be obligated for deployment or implementation, on other than a test basis, of the Secure Flight program or any other follow on or successor passenger prescreening program, until the Secretary of Homeland Security certifies, and the Government Accountability Office reports, to the Committees on Appropriations of the Senate and the House of Representatives, that all ten of the conditions contained in paragraphs (1) through (10) of section 522(a) of Public Law 108–334 (118 Stat. 1319) have been successfully met.

(b) The report required by subsection (a) shall be submitted within 90 days after the Secretary provides the requisite certification, and periodically thereafter, if necessary, until the Government Accountability Office confirms that all ten conditions have been successfully met.

(c) Within 90 days of enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives a detailed plan that describes: (1) the dates for achieving key milestones, including the date or timeframes that the Secretary will certify the program under subsection (a); and (2) the methodology to be followed to support the Secretary's certification, as required under subsection (a).

(d) During the testing phase permitted by subsection (a), no information gathered from passengers, foreign or domestic air carriers, or reservation systems may be used to screen aviation passengers, or delay or deny boarding to such passengers, except in instances where passenger names are matched to a Government watch list.

(e) None of the funds provided in this or previous appropriations Acts may be utilized to develop or test algorithms assigning risk to passengers whose names are not on Government watch lists.

(f) None of the funds provided in this or previous appropriations Acts may be utilized for data or a database that is obtained from or remains under the control of a non-Federal entity: *Provided*, That this restriction shall not apply to Passenger Name Record data obtained from air carriers.

SEC. 514. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 515. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided as of June 1, 2004, by employees (including employees serving on a temporary or term basis) of United States Citizenship and Immigration Services of the Department of Homeland Security who are known as of that date as Immigration Information Officers, Contact Representatives, or Investigative Assistants.

SEC. 516. (a) None of the funds appropriated to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: *Provided*, That the Director of the United States Secret Service may enter into an agreement to perform such service on a fully reimbursable basis.

(b) None of the funds appropriated by this or any other Act to the United States Secret Service shall be made available for the protection of a Federal official, other than persons granted protection under section 3056(a) of title 18, United States Code, and the Secretary of Homeland Security: *Provided*, That the Director of the United States Secret Service may enter into an agreement to perform such protection on a fully reimbursable basis for protectees not designated under section 3056(a) of title 18, United States Code.

SEC. 517. (a) The Secretary of Homeland Security is directed to research, develop, and procure new technologies to inspect and screen air cargo carried on passenger aircraft at the earliest date possible.

(b) Existing checked baggage explosive detection equipment and screeners shall be utilized to screen air cargo carried on passenger aircraft to the greatest extent practicable at each airport until technologies developed under subsection (a) are available.

(c) The Transportation Security Administration shall report air cargo inspection statistics quarterly to the Committees on Appropriations of the Senate and the House of Representatives, by airport and air carrier, within 45 days after the end of the quarter including any reason for non-compliance with the second proviso of section 513 of the Department of Homeland Security Appropriations Act, 2005 (Public Law 108–334, 118 Stat. 1317).

SEC. 518. None of the funds made available in this Act may be used by any person other than the Privacy Officer appointed under section 222 of the Homeland Security Act of 2002 (6 U.S.C. 142) to alter, direct that changes be made to, delay, or prohibit the transmission to Congress of any report prepared under paragraph (6) of such section.

SEC. 519. No funding provided by this or previous appropriation Acts shall be available to pay the salary of any employee serving as a contracting officer's technical representative (COTR), or anyone acting in a similar or like capacity, who has not received COTR training.

SEC. 520. Except as provided in section 44945 of title 49, United States Code, funds appropriated or transferred to Transportation Security Administration ''Aviation Security'', ''Administration'' and ''Transportation Security Support'' in fiscal years 2004, 2005, 2006, and 2007 that are recovered or deobligated shall be available only for procurement and installation of explosive detection systems for air cargo, baggage, and checkpoint screening systems, subject to notification.

SEC. 521. Section 525(d) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 120 Stat. 1382) shall apply to fiscal year 2008.

(RESCISSION OF FUNDS)

SEC. 522. From the unobligated balances of funds transferred to the Department of Homeland Security when it was created in 2003, excluding mandatory appropriations, $45,000,000 is rescinded, of which $12,000,000 shall be rescinded from Departmental Operations; $12,000,000 shall be rescinded from the Office of State and Local Government Coordination; and $6,000,000 shall be rescinded from the Working Capital Fund.

SEC. 523. Any funds appropriated to United States Coast Guard, ''Acquisition, Construction, and Improvements'' in fiscal years 2002,

2003, 2004, 2005, and 2006 for the 110–123 foot patrol boat conversion that are recovered, collected, or otherwise received as the result of negotiation, mediation, or litigation, shall be available until expended for the Replacement Patrol Boat (FRC–B) program.

SEC. 524. The Department of Homeland Security Working Capital Fund, established, pursuant to section 403 of Public Law 103–356 (31 U.S.C. 501 note), shall continue operations during fiscal year 2008.

SEC. 525. (a) The Federal Emergency Management Agency (FEMA) shall submit a quarterly report to the Committees on Appropriations of the Senate and the House of Representatives detailing the allocation and obligation of funds for ''Disaster Relief'' to include:

(1) status of the Disaster Relief Fund (DRF) including obligations, allocations, and amounts undistributed/unallocated;

(2) allocations, obligations, and expenditures for all open disasters;

(3) information on national flood insurance claims;

(4) obligations, allocations and expenditures by State for unemployment, crisis counseling, inspections, housing assistance, manufactured housing, public assistance and individual assistance;

(5) mission assignment obligations by agency, including:

(A) the amounts reimbursed to other agencies that are in suspense because FEMA has not yet reviewed and approved the documentation supporting the expenditure; and

(B) a disclaimer if the amounts of reported obligations and expenditures do not reflect the status of such obligations and expenditures from a government-wide perspective;

(6) the amount of credit card purchases by agency and mission assignment;

(7) specific reasons for all waivers granted and a description of each waiver;

(8) a list of all contracts that were awarded on a sole source or limited competition basis, including the dollar amount, the purpose of the contract and the reason for the lack of competitive award; and

(9) an estimate of when available appropriations will be exhausted, assuming an average disaster season.

(b) The Secretary of Homeland Security shall at least quarterly obtain from agencies performing mission assignments each such agency's actual obligation and expenditure data and report to the Committees on Appropriations of the Senate and the House of Representatives.

(c) For any request for reimbursement from a Federal agency to the Department of Homeland Security to cover expenditures under the Stafford Act (42 U.S.C. 5121 et seq.), or any mission assignment orders issued by the Department of Homeland Security for such purposes, the Secretary of Homeland Security shall take appropriate steps to ensure that each agency is periodically reminded of Department of Homeland Security policies on—

(1) the detailed information required in supporting documentation for reimbursements, and

(2) the necessity for timeliness of agency billings.

SEC. 526. Within 45 days after the close of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report that includes total obligations, on-board versus funded full-time equivalent staffing levels, and the number of contract employees by office.

SEC. 527. Section 532(a) of Public Law 109–295 is amended by striking ''2007'' and inserting ''2008''.

SEC. 528. The Federal Law Enforcement Training Center instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 529. None of the funds provided in this Act may be used to alter or reduce operations within the Civil Engineering Program of the Coast Guard nationwide, including the civil engineering units, facilities, design, and construction centers, maintenance and logistics command centers, and the Coast Guard Academy, except as specifically authorized by a statute enacted after the date of enactment of this Act.

SEC. 530. EXTENSION OF THE IMPLEMENTATION DEADLINE FOR THE WESTERN HEMISPHERE TRAVEL INITIATIVE. Subparagraph (A) of section 7209(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note) is amended by striking ''This plan shall be implemented not later than three months after the Secretary of State and the Secretary of Homeland Security make the certifications required in subsection (B), or June 1, 2009, whichever is earlier.'' and inserting ''Such plan may not be implemented earlier than the date that is the later of 3 months after the Secretary of State and the Secretary of Homeland Security make the certification required in subparagraph (B) or June 1, 2009.''.

SEC. 531. Section 550 of the Department of Homeland Security Appropriations Act, 2007 (6 U.S.C. 121 note) is amended by adding at the end the following:

''(h) This section shall not preclude or deny any right of any State or political subdivision thereof to adopt or enforce any regulation, requirement, or standard of performance with respect to chemical facility security that is more stringent than a regulation, requirement, or standard of performance issued under this section, or otherwise impair any right or jurisdiction of any State with respect to chemical facilities within that State, unless there is an actual conflict between this section and the law of that State.''.

SEC. 532. None of the funds provided in this Act under the heading ''Office of the Chief Information Officer'' shall be used for data center development other than for the National Center for Critical Information Processing and Storage until the Chief Information Officer certifies that the National Center for Critical Information Processing and Storage is fully utilized as the Department's primary data storage center at the highest capacity throughout the fiscal year.

SEC. 533. None of the funds in this Act shall be used to reduce the United States Coast Guard's Operations Systems Center mission or its government-employed or contract staff levels.

SEC. 534. (a) Notwithstanding section 503 of this Act, up to $25,000,000 from prior year balances currently available to the Transportation Security Administration may be transferred to ''Transportation Threat Assessment and Credentialing'' for the Secure Flight program.

(b) In carrying out the transfer authority under subsection (a), the Transportation Security Administration shall not utilize any prior year balances from the following programs: screener partnership program; explosive detection system purchase; explosive detection system installation; checkpoint support; aviation regulation and other enforcement; air cargo; and air cargo research and development: *Provided,* That any funds proposed to be transferred under this section shall not be available for obligation until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure for such funds that is submitted by the Secretary of Homeland Security: *Provided further,* That the plan shall be submitted simultaneously to the Government Accountability Office for review consistent with its ongoing assessment of the Secure Flight Program as mandated by section 522(a) of Public Law 108–334 (118 Stat. 1319).

SEC. 535. DISASTER ASSISTANCE FOR SCHOOLS. (a) DEFINITIONS.—In this section—

(1) the term ''Administrator'' means the Administrator of the Federal Emergency Management Agency;

(2) the term ''covered assistance'' means assistance—

(A) provided under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172);

(B) to be used to—

(i) repair, restore, reconstruct, or replace school facilities; or

(ii) replace lost contents of a school; and

(C) for damage caused by Hurricane Katrina of 2005 or Hurricane Rita of 2005; and

(3) the term ''local educational agency'' has the meaning given that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(b) ASSISTANCE TO SCHOOLS.—

(1) IN GENERAL.—A local educational agency that has applied for covered assistance before the date of enactment of this Act may request that such assistance (including any eligible costs discovered after the date of the estimate of eligible costs under section 406(e)(1)(A) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(e)(1)(A)) and any cost that was determined to be an eligible cost after an appeal or review) be provided in a single payment.

(2) DISBURSEMENT OF ASSISTANCE.—Not later than 30 days after the date that a local educational agency makes a request under paragraph (1), the Administrator shall provide in a single payment any covered assistance for any eligible cost that was approved by the Administrator on or before the date of that request.

(3) FLOOD INSURANCE REDUCTION.—For any covered assistance provided under paragraph (2), the Administrator shall make not more than 1 reduction under section 406(d) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(d)) in the amount of assistance provided.

(c) ALTERNATE USE.—For any covered assistance provided under subsection (b)(2), the amount of that assistance shall not be reduced under section 406(c)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(c)(1)).

(d) APPLICABILITY.—This section shall apply to any covered assistance provided on or after the date of enactment of this Act.

This Act may be cited as the ''Department of Homeland Security Appropriations Act, 2008''.

SA 2384. Mr. VITTER proposed an amendment to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 69, after line 24, add the following:

SEC. 536. PROHIBITION OF RESTRICTION ON USE OF AMOUNTS.

(a) IN GENERAL.—Subject to subsection (c), and notwithstanding any other provision of law, the President shall not prohibit the use by the State of Louisiana under the Road Home Program of that State of any amounts described in subsection (e), based upon the

existence or extent of any requirement or condition under that program that—

(1) limits the amount made available to an eligible homeowner who does not agree to remain an owner and occupant of a home in Louisiana; or

(2) waives the applicability of any limitation described in paragraph (1) for eligible homeowners who are elderly or senior citizens.

(b) PROCEDURES.—The Administrator of the Federal Emergency Management Agency shall identify and implement mechanisms to simplify the expedited distribution of amounts described in subsection (e), including—

(1) creating a programmatic cost-benefit analysis to provide a means of conducting cost-benefit analysis by project type and geographic factors rather than on a structure-by-structure basis; and

(2) developing a streamlined environmental review process to significantly speed the approval of project applications.

(c) WAIVER.—

(1) IN GENERAL.—Except as provided in paragraph (2), in using amounts described in subsection (e), the President shall waive the requirements of section 206.434(c) of title 44, Code of Federal Regulations (or any corresponding similar regulation or ruling), or specify alternative requirements, upon a request by the State of Louisiana that such waiver is required to facilitate the timely use of funds or a guarantee provided under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

(2) EXCEPTION.—The President may not waive any requirement relating to fair housing, nondiscrimination, labor standards, or, except as provided in subsection (b), the environment under paragraph (1).

(d) SAVINGS PROVISION.—Except as provided in subsections (a), (b), and (c), section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) shall apply to amounts described in subsection (e) that are used by the State of Louisiana under the Road Home Program of that State.

(e) COVERED AMOUNTS.—The amounts described in this subsection are any amounts provided to the State of Louisiana because of Hurricane Katrina of 2005 or Hurricane Rita of 2005 under the hazard mitigation grant program of the Federal Emergency Management Agency under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

SA 2385. Mr. GREGG submitted an amendment intended to be proposed by him to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, after line 24, add the following:

SEC. 536. ACCOUNTABILITY IN GRANT AND CONTRACT ADMINISTRATION.

The Department of Homeland Security, including the Federal Emergency Management Agency, shall—

(1) consider implementation, through fair and open competition, of an already available electronic management, tracking, accountability system to strengthen and enhance information sharing on Federal and State grant allocations, distribution, expenditures, and asset tracking at the Federal and State level; and

(2) provide for efficient and accountable purchasing by considering usage of Federal contracts and multi-state cooperative purchasing agreements.

SA 2386. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, after line 24, add the following:

SEC. ___. TECHNICAL CORRECTIONS.

(a) IN GENERAL.—

(1) REDESIGNATIONS.—Chapter 27 of title 18, United States Code, is amended by redesignating section 554 added by section 551(a) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 120 Stat. 1389) (relating to border tunnels and passages) as section 555.

(2) TABLE OF SECTIONS.—The table of sections for chapter 27 of title 18, United States Code, is amended by striking the item relating to section 554, ''Border tunnels and passages'', and inserting the following:

''555. Border tunnels and passages.''.

(b) CRIMINAL FORFEITURE.—Section 982(a)(6) of title 18, United States Code, is amended by striking ''554'' and inserting ''555''.

(c) DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION.—Section 551(d) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 120 Stat. 1390) is amended in paragraphs (1) and (2)(A) by striking ''554'' and inserting ''555''.

SA 2387. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, after line 24, add the following:

SEC. 536. SEXUAL ABUSE.

Sections 2241, 2242, 2243, and 2244 of title 18, United States Code, are each amended by striking ''the Attorney General'' each place that term appears and inserting ''the head of any Federal department or agency''.

SA 2388. Mr. BINGAMAN (for himself, Mr. DOMENICI, Mrs. HUTCHISON, Mr. CORNYN, and Mr. SALAZAR) submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the end of the bill, insert the following:

TITLE VI—BORDER LAW ENFORCEMENT RELIEF ACT

SEC. 601. SHORT TITLE.

This title may be cited as the ''Border Law Enforcement Relief Act of 2007''.

SEC. 602. BORDER RELIEF GRANT PROGRAM.

(a) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Secretary is authorized to award grants, subject to the availability of appropriations, to an eligible law enforcement agency to provide assistance to such agency to address—

(A) criminal activity that occurs in the jurisdiction of such agency by virtue of such agency's proximity to the United States border; and

(B) the impact of any lack of security along the United States border.

(2) DURATION.—Grants may be awarded under this subsection during fiscal years 2008 through 2012.

(3) COMPETITIVE BASIS.—The Secretary shall award grants under this subsection on a competitive basis, except that the Secretary shall give priority to applications from any eligible law enforcement agency serving a community—

(A) with a population of less than 50,000; and

(B) located no more than 100 miles from a United States border with—

(i) Canada; or

(ii) Mexico.

(b) USE OF FUNDS.—Grants awarded pursuant to subsection (a) may only be used to provide additional resources for an eligible law enforcement agency to address criminal activity occurring along any such border, including—

(1) to obtain equipment;

(2) to hire additional personnel;

(3) to upgrade and maintain law enforcement technology;

(4) to cover operational costs, including overtime and transportation costs; and

(5) such other resources as are available to assist that agency.

(c) APPLICATION.—

(1) IN GENERAL.—Each eligible law enforcement agency seeking a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(2) CONTENTS.—Each application submitted pursuant to paragraph (1) shall—

(A) describe the activities for which assistance under this section is sought; and

(B) provide such additional assurances as the Secretary determines to be essential to ensure compliance with the requirements of this section.

(d) DEFINITIONS.—For the purposes of this section:

(1) ELIGIBLE LAW ENFORCEMENT AGENCY.—The term ''eligible law enforcement agency'' means a tribal, State, or local law enforcement agency—

(A) located in a county no more than 100 miles from a United States border with—

(i) Canada; or

(ii) Mexico; or

(B) located in a county more than 100 miles from any such border, but where such county has been certified by the Secretary as a High Impact Area.

(2) HIGH IMPACT AREA.—The term ''High Impact Area'' means any county designated by the Secretary as such, taking into consideration—

(A) whether local law enforcement agencies in that county have the resources to protect the lives, property, safety, or welfare of the residents of that county;

(B) the relationship between any lack of security along the United States border and the rise, if any, of criminal activity in that county; and

(C) any other unique challenges that local law enforcement face due to a lack of security along the United States border.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Department of Homeland Security.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated $50,000,000 for each of fiscal years 2008 through 2012 to carry out the provisions of this section.

(2) DIVISION OF AUTHORIZED FUNDS.—Of the amounts authorized under paragraph (1)—

(A) ⅔ shall be set aside for eligible law enforcement agencies located in the 6 States with the largest number of undocumented alien apprehensions; and

(B) ⅓ shall be set aside for areas designated as a High Impact Area under subsection (d).

(f) SUPPLEMENT NOT SUPPLANT.—Amounts appropriated for grants under this section shall be used to supplement and not supplant other State and local public funds obligated for the purposes provided under this title.

SEC. 603. ENFORCEMENT OF FEDERAL IMMIGRATION LAW.

Nothing in this title shall be construed to authorize State or local law enforcement agencies or their officers to exercise Federal immigration law enforcement authority.

SA 2389. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, after line 24, insert the following:

SEC. 536. FLEXIBILITY OF FEDERAL FUNDS FOR ROAD HOME PROGRAM.

(a) PROHIBITION OF RESTRICTION ON USE OF AMOUNTS.—

(1) IN GENERAL.—Subject to paragraph (2) and notwithstanding any other provision of law, the Director of the Federal Emergency Management Agency may not prohibit or restrict the use, by the State of Louisiana under the Road Home Program of such State, of any amounts specified in paragraph (3) based upon the existence or extent of any requirement or condition under such program that—

(A) limits or reduces the amount made available to an eligible homeowner who does not agree to remain an owner and occupant of a home in Louisiana; or

(B) waives the applicability of any limitation or reduction referred to in subparagraph (A) for homeowners who are elderly or senior citizens.

(2) SAVINGS PROVISION.—Except as provided in paragraph (1), all other provisions of section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) shall apply to amounts specified in paragraph (3) that are used by the State of Louisiana under the Road Home Program of such State.

(3) COVERED AMOUNTS.—The amounts specified in this paragraph is $1,170,000,000 designated for Hurricanes Katrina and Rita under the Hazard Mitigation Grant Program of the Federal Emergency Management Agency to the State of Louisiana as of June 1, 2007.

(4) EXPEDITED TRANSFER OF FUNDS.—

(A) IN GENERAL.—The Administrator of the Federal Emergency Management Agency shall, as soon as is practicable, transfer the amounts specified in paragraph (3) to the State of Louisiana.

(B) PROCEDURES.—The Administrator of the Federal Emergency Management Agency shall identify and implement mechanisms to be applied to all funds made available to the State of Louisiana as a result of Hurricanes Katrina and Rita under the Hazard Mitigation Grant Program under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) that will simplify the requirements of such program and ensure the expedited distribution of such funds under the program, including—

(i) creating a programmatic cost-benefit analysis to provide a means of conducting cost-benefit analysis by similar project type, similar geographic factors, or other similarities making group cost-benefit analysis more feasible and constructive rather than on a structure-by-structure basis; and

(ii) developing a streamlined environmental review process to significantly speed the approval of project applications.

(b) REPORTING REQUIREMENT.—The Administrator of the Federal Emergency Management Agency shall provide quarterly reports to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on—

(1) specific mechanisms that are being utilized to expedite funding distribution under this section; and

(2) how such mechanisms are performing.

SA 2390. Ms. CLINTON submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, after line 24, insert after:

SEC. 536. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that provide award fees link such fees to successful acquisition outcomes (which outcomes shall be specified in terms of cost, schedule, and performance).

SA 2391. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, after line 24, add the following:

SEC. 536. RISK MANAGEMENT AND ANALYSIS SPECIAL EVENT; 2010 VANCOUVER OLYMPIC AND PARALYMPIC GAMES.

As soon as practicable, but not later than 3 months after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Appropriations the Committee on Homeland Security and Governmental Affairs, and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Appropriations, the committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives a report regarding the plans of the Secretary of Homeland Security relating to—

(1) implementing the recommendations regarding the 2010 Vancouver Olympic and Paralympic Games in the Joint Explanatory statement of the Committee of Conference on H.R. 5441 (109th Congress), the Department of Homeland Security Appropriations Act, 2007, with specific funding strategies for—

(A) the Multiagency Coordination Center; and

(B) communications exercises to validate communications pathways, test equipment, and support the training and familiarization of personnel on the operations of the difference technologies used to support the 2010 Vancouver Olympic and Paralympic Games; and

(2) the feasibility of implementing a program to prescreen individuals traveling by rail between Vancouver, Canada and Seattle, Washington during the 2010 Vancouver Olympic and Paralympic Games, while those individuals are located in Vancouver, Canada, similar to the preclearance arrangements in effect in Vancouver, Canada for certain flights between the United States and Canada.

SA 2392. Mr. ISAKSON (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF SENATE ON IMMIGRATION.

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

(1) On June 28th, 2007, the Senate, by a vote of 46 to 53, rejected a motion to invoke cloture on a bill to provide for comprehensive immigration reform.

(2) Illegal immigration remains the top domestic issue in the United States.

(3) The people of the United States continue to feel the effects of a failed immigration system on a daily basis, and they have not forgotten that Congress and the President have a duty to address the issue of illegal immigration and the security of the international borders of the United States.

(4) People from across the United States have shared with members of the Senate their wide ranging and passionate opinions on how best to reform the immigration system.

(5) There is no consensus on an approach to comprehensive immigration reform that does not first secure the international borders of the United States.

(6) There is unanimity that the Federal Government has a responsibility to, and immediately should, secure the international borders of the United States.

(7) Border security is an integral part of national security.

(8) The greatest obstacle the Federal Government faces with respect to the people of the United States is a lack of trust that the Federal Government will secure the international borders of the United States.

(9) This lack of trust is rooted in the past failures of the Federal Government to uphold and enforce immigration laws and the failure of the Federal Government to secure the international borders of the United States.

(10) Failure to uphold and enforce immigration laws has eroded respect for those laws and eliminated the faith of the people of the United States in the ability of their elected officials to responsibly administer immigration programs.

(11) It is necessary to regain the trust of the people of the United States in the competency of the Federal Government to enforce immigration laws and manage the immigration system.

(12) Securing the borders of the United States would serve as a starting point to begin to address other issues surrounding immigration reform on which there is not consensus.

(13) Congress has not fully funded some interior and border security activities that it has authorized.

(14) The President of the United States can initiate emergency spending by designating

certain spending as ''emergency spending'' in a request to the Congress.

(15) The lack of security on the international borders of the United States rises to the level of an emergency.

(16) The Border Patrol are apprehending some, but not all, individuals from countries that the Secretary of State has determined have repeatedly provided support for acts of international terrorism who cross or attempt to cross illegally into the United States.

(17) The Federal Bureau of Investigation is investigating a human smuggling ring that has been bringing Iraqis and other Middle Eastern individuals across the international borders of the United States.

(b) SENSE OF SENATE.—It is the sense of Senate that—

(1) the Federal Government should work to regain the trust of the people of the United States in its ability of the Federal Government to secure the international borders of the United States;

(2) in order to restore the credibility of the Federal Government on this critical issue, the Federal Government should prove its ability to enforce immigration laws by taking actions such as securing the border, stopping the flow of illegal immigrants and drugs into the United States, and creating a tamper-proof biometric identification card for foreign workers; and

(3) the President should request emergency spending that fully funds—

(A) existing interior and border security authorizations that have not been funded by Congress; and

(B) the border and interior security initiatives contained in the bill to provide for comprehensive immigration reform and for other purposes (S. 1639) introduced in the Senate on June 18, 2007.

SA 2393. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 40, line 10, after ''as needed:'' insert the following: ''*Provided further*, That in allocating grants funded under this heading, the Secretary of Homeland Security shall consider the risk to a State of a natural disaster and the risk to a State of a natural disaster that may substantially affect farming, ranching, or aquaculture operations: *Provided further*, That not later than 30 days before the date that applications for grants to States funded under this heading are to be submitted to the Secretary of Homeland Security, the Secretary shall make available to States the risk methodology and other factors that will be used to allocate such grants:''.

SA 2394. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, after line 24, insert the following:

SEC. 536. PRIORITIZATION OF FLOODPLAIN MAPS.

(a) REVIEWING, UPDATING, AND MAINTAINING MAPS.—The Administrator of the Federal Emergency Management Agency shall establish an ongoing program under which the Administrator shall review, update, and maintain floodplain maps in accordance with this section.

(b) MAPPING.—

(1) IN GENERAL.—In carrying out the program established under subsection (a), the Administrator shall establish a system of priority to identify, review, update, maintain, and publish floodplain maps with respect to all areas located within the 100-year floodplain.

(2) HIGHEST PRIORITY.—The priority system required under paragraph (1) shall set as its highest priority the mapping of any floodplain located in an area that was, in the 5 years prior to the date of enactment of this Act, subject to a declaration by the President of a major disaster (as that term is defined under section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) due to a natural disaster.

SA 2395. Mr. HAGEL submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 536. (a) LIGHTWEIGHT DECONTAMINATION SYSTEMS FOR THE NATIONAL GUARD.—

(1) ADDITIONAL AMOUNT FOR OFFICE OF HEALTH AFFAIRS.—The amount appropriated by title III under the heading ''OFFICE OF HEALTH AFFAIRS'' is hereby increased by $20,000,000.

(2) AVAILABILITY.—Of the amount appropriated by title III under the heading ''OFFICE OF HEALTH AFFAIRS'', as increased by paragraph (1), the amount available for biosurveillance, biowatch, chemical response, and related activities for the Department of Homeland Security is hereby increased by $20,000,000, with the amount of the increase to be available for the procurement of lightweight decontamination systems for the National Guard.

(b) OFFSETS.—

(1) OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT.—The amount appropriated by title I under the heading ''OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT'' is hereby decreased by $10,000,000.

(2) OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT.—The amount appropriated by title I under the heading ''OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT'' is hereby decreased by $10,000,000.

SA 2396. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. 2__. LIMITATION ON COST OF PASSPORT ALTERNATIVE.

Notwithstanding any cost recovery requirement established by the Director of the Office of Management and Budget or other provision of law, the Secretary of Homeland Security and the Secretary of State may not charge a fee in an amount greater than $20 for any passport card or similar travel document issued pursuant to section 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1185 note).

SA 2397. Mr. FEINGOLD submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, between after line 24, add the following:

SEC. 536. (a) STUDY ON IMPLEMENTATION OF VOLUNTARY PROVISION OF EMERGENCY SERVICES PROGRAM.—(1) Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall conduct a study on the implementation of the voluntary provision of emergency services program established pursuant to section 44944(a) of title 49, United States Code (referred to in this section as the ''program'').

(2) As part of the study required by paragraph (1), the Administrator shall assess the following:

(A) Whether training protocols established by air carriers and foreign air carriers include training pertinent to the program and whether such training is effective for purposes of the program.

(B) Whether employees of air carriers and foreign air carriers responsible for implementing the program are familiar with the provisions of the program.

(C) The degree to which the program has been implemented in airports.

(D) Whether a helpline or other similar mechanism of assistance provided by an air carrier, foreign air carrier, or the Transportation Security Administration should be established to provide assistance to employees of air carriers and foreign air carriers who are uncertain of the procedures of the program.

(3) In making the assessment required by paragraph (2)(C), the Administrator shall make use of unannounced interviews or other reasonable and effective methods to test employees of air carriers and foreign air carriers responsible for registering law enforcement officers, firefighters, and emergency medical technicians as part of the program.

(4)(A) Not later than 60 days after the completion of the study required by paragraph (1), the Administrator shall submit to Congress a report on the findings of such study.

(B) The Administrator shall make such report available to the public by Internet web site or other appropriate method.

(b) PUBLICATION OF REPORT PREVIOUSLY SUBMITTED.—The Administrator shall make available to the public on the Internet web site of the Transportation Security Administration or the Department of Homeland Security the report required by section 544(b) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295).

(c) MECHANISM FOR REPORTING PROBLEMS.—The Administrator shall develop a mechanism on the Internet web site of the Transportation Security Administration or the Department of Homeland Security by which first responders may report problems with or barriers to volunteering in the program. Such mechanism shall also provide information on how to submit comments related to volunteering in the program.

(d) AIR CARRIER AND FOREIGN AIR CARRIER DEFINED.—In this section, the terms ''air carrier'' and ''foreign air carrier'' have the meaning given such terms in section 40102 of title 49, United States Code.

SA 2398. Mrs. CLINTON (for herself, Mr. KENNEDY, Mr. SCHUMER, Mr. LAUTENBERG, Mr. AKAKA, and Mr. LIEBERMAN) submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, line 6, before the period, insert the following: '': *Provided further*, That notwithstanding any other provision of law, the Secretary of Homeland Security shall ensure that the workforce of the Federal Protective Service includes not fewer than 1,200 Commanders, Police Officers, Inspectors, and Special Agents engaged on a daily basis in protecting Federal buildings (under this heading referred to as 'in-service'): *Provided further*, That the Secretary of Homeland Security and the Director of the Office of Management and Budget shall adjust fees as necessary to ensure full funding of not fewer than 1,200 in-service Commanders, Police Officers, Inspectors, and Special Agents at the Federal Protective Service''.

SA 2399. Mr. KERRY submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. DOCUMENT VERIFICATION TECHNOLOGY.

(a) PILOT PROGRAM.—No later than 180 days after enactment of this Act, the Secretary of Homeland Security, using funds appropriated by this Act, shall implement a pilot program to test automated document authentication technology at United States ports-of-entry to determine the effectiveness of the technology in detecting fraudulent travel documents and reducing the ability of terrorists to enter the United States.

(b) REPORT.—Within 90 days after the date on which the pilot program under subsection (a) is completed, the Secretary of Homeland Security shall submit a report to the appropriate congressional committees (as defined in section 2(2) of the Homeland Security Act of 2002 (6 U.S.C. 101(2))) on the results of the pilot program.

SA 2400. Mr. VITTER (for himself, Mr. NELSON of Florida, and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, after line 24, add the following:

SEC. 536. None of the funds made available in this Act for U.S. Customs and Border Protection may be used to prevent an individual from importing a prescription drug from Canada if—

(1) such individual—

(A) is not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(g)));

(B) imports such drug by transporting it on their person; and

(C) while importing such drug, only transports a personal-use quantity of such drug that does not exceed a 90-day supply; and

(2) such drug—

(A) complies with sections 501, 502, and 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351, 352, and 355); and

(B) is not—

(i) a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802); or

(ii) a biological product, as defined in section 351 of the Public Health Service Act (42 U.S.C. 262).

SA 2401. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2383 proposed by Mr. BYRD (for himself and Mr. COCHRAN) to the bill H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 22, beginning in line 15, strike ''and of which $770,079,000 shall be available until September 30, 2012, for the Integrated Deepwater Systems program: *Provided,*'' and insert ''of which $767,079,000 shall be available until September 30, 2012 for the Integrated Deepwater Systems program, and of which $3,000,000 shall be available until September 30, 2009, for an Analysis of Alternatives of the Integrated Deepwater Systems program: *Provided,* That no funds shall be available for procurement of additional major assets as part of the Integrated Deepwater Systems program not already under contract until the Analysis of Alternatives has been completed: *Provided further,* That no funds shall be available for procurement of the third National Security Cutter until an Analysis of Alternatives has been completed by an independent qualified third party: *Provided further,*''.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on Energy of the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, July 31, 2007, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on renewable fuels infrastructure.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to britni_rillera@energy.senate.gov.

For further information, please contact Tara Billingsley or Britni Rillera.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, August 1, 2007, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on recent advances in clean coal technology, including the prospects for deploying these technologies at a commercial scale in the near future.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to rachel_pasternack@energy.senate.gov.

For further information, please contact Michael Carr or Rachel Pasternack.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, August 7, 2007, from 9 to 11 a.m., in the Galisteo Room of the Albuquerque Convention Center, 401 2nd Street, Albuquerque, New Mexico.

The purpose of this hearing is to receive testimony on Reducing Barriers to Growth of Emerging Energy Technologies—Relationships Between Federal, State and Local Governments.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to rachel_pasternack@energy.senate.gov.

For further information, please contact Jonathan Epstein or Rachel Pasternack.

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, July 26, 2007, at 9:30 a.m. in room 485 of the Russell Senate Office Building to conduct a hearing on the nomination of Charles W. Grim to be Director of the Indian Health Service.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Tuesday, July 24, 2007, at 10 a.m., in room 253 of the Russell Senate Office Building. The purpose of this hearing is to explore efforts to protect children from online predators.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, July 24, 2007 at 10 a.m., in room 215 of the Dirksen Senate Office Building, to hear testimony on oversight of Government tax policy in farm country.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 24, 2007, at 10 a.m. to hold a nomination hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 24, 2007, at 2:15 p.m. to hold a nomination hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 24, 2007, at 4 p.m. to hold a briefing on the Gulf Security Dialogue.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Tuesday, July 24, 2007, at 10 a.m. to consider the nomination of the Honorable James A. Nussle to be Director of the Office of Management and Budget.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet in order to conduct a hearing entitled ''Oversight of the U.S. Department of Justice'' on Tuesday, July 24, 2007, at 9:30 a.m. in the Hart Senate Office Building room 216.

Witness List: The Honorable Alberto Gonzales, Attorney General of the United States, Department of Justice, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. BROWN. Mr. President, I ask unanimous consent that Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Tuesday, July 24, to conduct a vote on the nomination of Charles L. Hopkins to be an Assistant Secretary of Veterans Affairs (Operations, Preparedness, Security and Law Enforcement). The Committee will meet in the Reception Room, off the Senate Floor, immediately after the first roll call vote that occurs after 2 p.m. of the Senate on Tuesday, July 17.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BROWN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 24, 2007, at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PRIVATE SECTOR AND CONSUMER SOLUTIONS TO GLOBAL WARMING AND WILDLIFE PROTECTION

Mr. BROWN. Mr. President, I ask unanimous consent that the Subcommittee on Private Sector and Consumer Solutions to Global Warming and Wildlife Protection be authorized to meet during the session of the Senate on Tuesday, July 24, 2007, at 2:30 p.m. in room 406 of the Dirksen Senate Office Building in order to conduct a hearing entitled ''Economic and International Issues in Global Warming Policy.''

The PRESIDING OFFICER, Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. COCHRAN. I ask unanimous consent that the following Appropriations Committee staff members and interns be granted the privilege of the floor during consideration of the Homeland Security appropriations bill and any votes that may occur in relation to the bill: Carol Cribbs, Mark Van de Water, Braxton Coombs, Lori Holland, Chase Thompson, and Mary Agnes Ray.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that Adam Morrison, a detainee from the Coast Guard to the Homeland Security Subcommittee, be given the privilege of the floor throughout floor consideration of H.R. 2638.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDING TITLE XVIII OF THE SOCIAL SECURITY ACT

Mr. REID. I ask unanimous consent the Finance Committee be discharged from further consideration of H.R. 2429 and the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2429) to amend title XVIII of the Social Security Act to provide an exception to the 60-day limit on Medicare reciprocal billing arrangements between two physicians during the period in which one of the physicians is ordered to active duty as a member of a reserve component of the Armed Forces.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent the bill be read a third time, passed, and the motion to reconsider be laid on the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2429) was ordered to a third reading, was read the third time, and passed.

HONORING DAME LOIS BROWNE EVANS

EXPRESSING APPRECIATION FOR THE PROFOUND PUBLIC SERVICE AND EDUCATIONAL CONTRIBUTIONS OF DONALD JEFFRY HERBERT, FONDLY KNOWN AS ''MR. WIZARD''

Mr. REID. I ask unanimous consent it be in order for the Senate to proceed en bloc to consideration of the following calendar items: Calendar No. 277, S. Res. 248; Calendar No. 278, S. Res. 261.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolutions by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 248) honoring the life and achievements of Dame Lois Browne Evans, Bermuda's first female barrister and Attorney General, and the first female Opposition Leader in the British Commonwealth.

A resolution (S. Res. 261) expressing appreciation for the profound public service and educational contributions of Donald Jeffry Herbert, fondly known as ''Mr. Wizard.''

There being no objection, the Senate proceeded to consider the resolutions.

Mr. REID. I ask unanimous consent that the resolutions be agreed to, en bloc, the preambles be agreed to, en bloc, the motions to reconsider be laid upon the table, en bloc, and the consideration of these items appear separately in the RECORD, and any statements be printed in the RECORD, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions (S. Res. 248 and S. Res. 261) were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 248

Whereas Dame Lois Browne Evans was born in 1927 in Bermuda, and attended the Central School and Middle Temple at London's Inns of Court in the United Kingdom;

Whereas, in June 1952, at the age of 26, Dame Lois Browne Evans was called to the London Bar, and the following December called to the Bermuda Bar and opened her own practice;

Whereas Dame Lois Browne Evans became Bermuda's first female barrister and went on to a distinguished career as a leading counsel;

Whereas Dame Lois Browne Evans was a lifelong advocate for the rights of workers and black Bermudians and a prominent member of the Progressive Labour Party (PLP);

Whereas Dame Lois Browne Evans was elected to Parliament in 1963 and became the first black female to serve in Parliament;

Whereas, in 1968, in Bermuda's first general election in which all adults were entitled to vote, Dame Lois Browne Evans was elected the PLP's Parliamentary Leader and became the first female Opposition Leader in the British Commonwealth;

Whereas Dame Lois Browne Evans held the position of Opposition Leader until 1972 and, in 1973, became Jamaica's Honorary Counsel in Bermuda, the first Bermudian to serve in this capacity;

Whereas in 1976 Dame Lois Browne Evans was again elected to Parliament and served as the Opposition Leader until 1985;

Whereas the PLP won its first election in 1998 and Dame Lois Browne Evans was appointed Minister of Legislative Affairs;

Whereas in 1999 Dame Lois Browne Evans became Bermuda's first elected Attorney General and first female Attorney General;

Whereas Dame Lois Browne Evans was Bermuda's longest serving Member of Parliament;

Whereas Dame Lois Browne Evans debated at the historic London and Bermuda Constitutional Conferences and served as a delegate to numerous international conferences in Africa, New Zealand, the United States, and the Caribbean;

Whereas Dame Lois Browne Evans was a member of the International Federation of Women Lawyers and a founding member of the Bermuda Business and Professional Women's Club;

Whereas Dame Lois Browne Evans led an exceptional life in which she played a major role in the racial integration of Bermuda and advanced the cause of civil, human, and minority rights in Bermuda and throughout the world; and

Whereas Dame Lois Browne Evans passed away on May 29, 2007, at the age of 79: Now, therefore, be it

Resolved, That the Senate—

(1) expresses its profound sympathy to the family of Dame Lois Browne Evans and the citizens of Bermuda on the passing of Dame Lois Browne Evans; and

(2) commends the exemplary lifetime achievements of Dame Lois Browne Evans, her commitment to public service, and the singular role she played as a true pioneer who forged the way ahead for women and minorities.

S. RES. 261

Whereas many citizens of the United States remember Donald Jeffry Herbert as ''Mr. Wizard'' and mourn his passing;

Whereas Don Herbert was born in Waconia, Minnesota and graduated from the La Crosse State Teacher's College in Wisconsin in 1940 where he trained to be a science teacher;

Whereas Don Herbert volunteered for the United States Army Air Corps and served our country in the Atlantic theater and earned the Distinguished Flying Cross and the Air Medal with 3 oak leaf clusters;

Whereas Don Herbert developed the idea for science programming culminating in ''Watch Mr. Wizard'', a live television show produced from 1951 to 1964 and honored by a Peabody Award in 1954;

Whereas the National Science Foundation and the American Chemical Society lauded Don Herbert and his show for promoting interest in science and his contributions to science education;

Whereas ''Watch Mr. Wizard'' has been recognized by numerous awards;

Whereas an additional educational program, ''Mr. Wizard's World'', inspired children from 1983 to 1990 on cable television;

Whereas ''Mr. Wizard'' continued to serve as an ambassador for science education by authoring multiple books and programs, and by traveling to schools and providing classroom demonstrations;

Whereas educational research indicates that young children make decisions about future careers at a very early age and are influenced greatly by positive contacts with science and technology;

Whereas a strong education in science and technology is one of the building blocks of a productive, competitive, and healthy society;

Whereas ''Mr. Wizard'' encouraged children to duplicate his experiments at home, driving independent inquiry into science with simple household equipment;

Whereas ''Mr. Wizard's'' dynamic and energetic science experiments attracted unprecedented numbers of children to educational programming, even those who were disinterested or unmotivated in science;

Whereas Mr. Wizard Science Clubs were started across the United States and had more than 100,000 children enrolled in 5,000 clubs by the mid-1950s; and

Whereas Don Herbert will be remembered as a pioneer of commercial educational programming and instrumental in making science education exciting and approachable for millions of children across the United States: Now, therefore, be it

Resolved, That the Senate—

(1) expresses appreciation for the profound public service and educational contributions of Donald Jeffry Herbert;

(2) recognizes the profound impact of higher educational institutions that train teachers;

(3) encourages students to honor the heritage of Don Herbert by exploring our world through science, technology, engineering, and mathematics fields; and

(4) tenders condolences to the family of Don Herbert and thanks them for their strong familial support of him.

NATIONAL IDIOPATHIC PULMONARY FIBROSIS AWARENESS WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of S. Con. Res. 42.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 42) recognizing the need to pursue research into the causes, treatment, and eventual cure for idiopathic pulmonary fibrosis, supporting the designation of a National Idiopathic Pulmonary Fibrosis Awareness Week, and for other purposes.

There being no objection, the Senate proceeded to consideration of the concurrent resolution.

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 42) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 42

Whereas idiopathic pulmonary fibrosis is a serious lung disorder that causes progressive, incurable lung scarring;

Whereas idiopathic pulmonary fibrosis is 1 of about 200 disorders that are called ''interstitial lung diseases'';

Whereas idiopathic pulmonary fibrosis is the most common form of interstitial lung disease;

Whereas idiopathic pulmonary fibrosis is a debilitating and generally fatal disease marked by progressive scarring of the lungs that causes an irreversible loss of the ability of the lung tissue to transport oxygen;

Whereas idiopathic pulmonary fibrosis progresses quickly, often causing disability or death within a few years;

Whereas there is no proven cause of idiopathic pulmonary fibrosis;

Whereas more than 128,000 people in the United States have idiopathic pulmonary fibrosis, and more than 48,000 new cases are diagnosed each year;

Whereas there has been a 156-percent increase in mortality from idiopathic pulmonary fibrosis since 2001;

Whereas idiopathic pulmonary fibrosis is often misdiagnosed or under-diagnosed;

Whereas the median survival rate for patients with idiopathic pulmonary fibrosis is 2 to 3 years, about ⅔ of patients with idiopathic pulmonary fibrosis die within 5 years, and approximately 40,000 patients with idiopathic pulmonary fibrosis die each year; and

Whereas there is a pressing need to increase awareness and detection of this misdiagnosed and under-diagnosed disorder, and of all interstitial lung diseases: Now, therefore, be it

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

(1) recognizes the need to pursue research into the causes, treatment, and eventual cure for idiopathic pulmonary fibrosis;

(2) supports the work of advocates and organizations in educating, supporting, and providing hope for individuals who suffer from idiopathic pulmonary fibrosis, including efforts to organize a National Idiopathic Pulmonary Fibrosis Awareness Week;

(3) congratulates advocates and organizations for their efforts to educate the public about idiopathic pulmonary fibrosis while funding research to help find a cure for this disorder;

(4) supports the designation of an appropriate week as National Idiopathic Pulmonary Fibrosis Awareness Week;

(5) welcomes the issuance of a proclamation designating an appropriate week as National Idiopathic Pulmonary Fibrosis Awareness Week; and

(6) supports the goals and ideals of a National Idiopathic Pulmonary Fibrosis Awareness Week.

CONGRATULATING THE ANAHEIM DUCKS FOR WINNING THE 2007 STANLEY CUP CHAMPIONSHIP

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 280.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 280) commending the Anaheim Ducks for winning the 2007 Stanley Cup Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FEINSTEIN. Mr. President, I rise today with my friend and colleague from California, Senator BOXER, to commend and congratulate the Anaheim Ducks for winning the 2007 Stanley Cup Finals last month.

The Ducks are champions of the National Hockey League for the first time in their 14-year history. After defeating the Minnesota Wild and Vancouver Canucks in the first two rounds of the playoffs, the Ducks won a hard-fought battle with the Detroit Red Wings to reach the Stanley Cup finals for the second time in franchise history. The Ducks reached the pinnacle of the hockey world by displaying the qualities of selflessness, teamwork, and resilience.

This championship team was ably led by head coach Randy Carlyle and star players Teemu Selanne, Jean-Sebastian Giguere, Scott and Rob Niedermayer, and Chris Pronger. This talented crew battled their opponents throughout a 2-month marathon playoff and proudly wear the title of ''champions.''

The Ducks' championship represents the first time that the storied Stanley Cup has been able to call my State, California, its home. We Californians are proud to host this trophy, and we look forward to having it return many more times to our state in the future.

The Ducks have begun a new era of hockey in Southern California and I am sure they will attempt to defend their title with the same heart, sacrifice and passion that brought the Stanley Cup to Anaheim this year.

The Ducks have proven that hockey is alive and well in California.

I also look forward to seeing the other hockey franchises in California, the Los Angeles Kings and San Jose Sharks, compete with the Anaheim Ducks for hockey's greatest prize in the coming years.

The Anaheim Ducks players, coaches, management, and owners have made their community and their fans proud. The entire organization is to be commended and congratulated for their magnificent achievement.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 280) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 280

Whereas, on June 6, 2007, the Anaheim Ducks (referred to in this preamble as the ''Ducks'') won their first National Hockey League Stanley Cup Championship by defeating the Ottawa Senators by a score of 6 to 2 in the fifth game of the Stanley Cup finals;

Whereas the Ducks are the first National Hockey League franchise to bring the Stanley Cup to the State of California;

Whereas the Ducks won the first Pacific Division Championship and the second Western Conference title in franchise history before winning the Stanley Cup;

Whereas the Ottawa Senators displayed the qualities of worthy opponents and played a hard-fought series against the Ducks;

Whereas the Ducks finished the regular season with the best record in the 13 year history of the franchise, with 48 wins, 20 losses, and 14 overtime losses, for a total of 110 points;

Whereas the Ducks players Francois Beauchemin, Ilya Bryzgalov, Sebastien Caron, Ryan Carter, Joe DiPenta, Ryan Getzlaf, Jean-Sebastien Giquere, Mark Hartigan, Kent Huskins, Chris Kunitz, Ric Jackman, Todd Marchant, Brad May, Andy McDonald, Drew Miller, Travis Moen, Joe Motzko, Scott Niedermayer, Rob Niedermayer, Sean O'Donnell, Samuel Pahlsson, George Parros, Dustin Penner, Corey Perry, Chris Pronger, Aaron Rome, Teemu Selanne, Ryan Shannon, and Shawn Thorton exemplify the team motto, ''Heart, Sacrifice, and Passion'';

Whereas team captain Scott Niedermayer earned the Conn Smythe Trophy as the most valuable player in the 2007 Stanley Cup Playoffs;

Whereas team and community leader Teemu Selanne won his first Stanley Cup in an illustrious 15 year career that has brought pride and excitement to Orange County, California;

Whereas, under the direction of head coach Randy Carlyle and Assistant Coaches Newell Brown and Dave Farrish, the Ducks have reached the Western Conference Finals in 2 consecutive seasons and have earned a reputation as 1 of the best teams in the league;

Whereas General Manager Brian Burke has exercised impeccable vision in building a strong, competitive, and exciting team in Anaheim;

Whereas team owners Henry and Susan Samueli have infused the Ducks with a winning spirit and have demonstrated an unparalleled commitment to hockey fans and the community;

Whereas Ducks fans are enthusiastic and passionate about the team and the sport of hockey and are integral to the success of the Ducks, and the National Hockey League, in the State of California;

Whereas the Ducks have established a winning tradition in Orange County;

Whereas the Ducks exemplify the championship spirit of the State of California; and

Whereas the Ducks won the 2007 Stanley Cup Championship in a convincing fashion: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Anaheim Ducks for winning their first Stanley Cup Championship;

(2) congratulates the Anaheim Ducks for winning the first Stanley Cup Championship in the history of the State of California; and

(3) commends the players, coaches, managers, and owners of the Anaheim Ducks for their heart, sacrifice, and passion.

ORDERS FOR WEDNESDAY, JULY 25, 2007

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m., Wednesday, July 25; that on Wednesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired and the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half; that at the close of morning business, the Senate resume consideration of H.R. 2638.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I turn to my distinguished colleague, the Republican leader, and ask if he has any statements.

Mr. MCCONNELL. Mr. President, I have nothing to add. I look forward to making progress on the bill tomorrow.

Mr. REID. I say that the Republican leader wasn't on the floor, but I will repeat for his benefit what I said a little while ago. I spoke to Josh Bolton earlier today about the appropriations bills. Of course, it would be great if we could have an overall scheme as to how we can complete them. In the meantime, if we can get them done, we should proceed through these bills one at a time and recognize that the power of the White House, whether it is a Democratic President, a Republican President in the appropriations process, comes during the conferences, anyway. The House can move things very quickly. So all these are ready to go to conference. I hope we can move through these individual appropriations bills and hopefully have some recognition of what we are going to try to accomplish in conference before we go to conference and work some of these out.

The first test will be this bill we are working on now. There has been some moving on it today. Senator COCHRAN is the one who suggested to me if there is no progress tomorrow, that we should move to third reading. When I say ''no progress,'' people just waiting around, not offering any amendments. So that is where we are. I hope we can finish this soon, do what we need to do on SCHIP, and do the 9/11 conference report, which I understand is almost

finished. When I say almost, 100 percent of it needs to be done, and 99 percent of that has been done.

We have taken out the language the Republicans did not want, especially the President, dealing with the union situation. Even though it was hard for us to swallow, we took that out to make it more palatable to my friends on the other side. We will come back in September rested and invigorated and ready to do some other things for the country.

Mr. MCCONNELL. Mr. President, I would add with regard to the appropriations bills, as the majority leader knows, I have said both publicly and to him privately, it is my preference to pass each of the bills. We are running considerably behind the House. We have got a long way to go, but I think there will be a lot of cooperation on our side in trying to get the appropriations bills signed and get them down to the President. We have a recent history of malfunction on both sides. Last year when the majority was in my party, we failed to pass 11 out of 13 appropriations bills. In 2002, when the Democrats were in the majority, they did the same thing. So there is ample opportunity to point fingers at both sides for not completing the appropriations process as we should. But I would predict to the majority leader there will be a great deal of cooperation on our side in getting through that, moving as rapidly as possible so we can function as we should.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:45 p.m., adjourned until Wednesday, July 25, 2007, at 9:30 a.m.

EXTENSIONS OF REMARKS

PAYING TRIBUTE TO HENRIETTA FORE

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. PORTER. Madam Speaker, I rise today to honor my fellow Nevadan and dear friend, Henrietta Fore, for her professional success and service to our country.

Henrietta H. Fore was designated by President George W. Bush as Acting Administrator of USAID and designated by Secretary Condoleezza Rice as Acting Director of U.S. Foreign Assistance on May 7, 2007. While serving in these capacities, she remains Under Secretary of State for Management, a position she has held since 2005. Prior to her roll as Acting Director of U.S. Foreign Assistance and Acting Administrator of USAID, Henrietta served as the 37th Director of the United States Mint in the Department of Treasury from 2001–2005. In this capacity, she managed the world's largest manufacturer of coins, medals, and coin products. Henrietta has also served in the State Department as the Assistant Administrator for Private Enterprise in the U.S. Agency for International Development and then Assistant Administrator for Asia between 1989–1993.

Prior to her career in government, Henrietta was an extremely successful businesswoman and served on numerous public boards and held leadership position in a number of nonprofit organizations. Henrietta has also enjoyed a variety of academic successes. She earned a Bachelor of Arts in History from Wellesley College and a Master of Science in Public Administration from the University of Northern Colorado. She has also studied International Politics at Oxford University and studied at Stanford University Graduate School of Business.

In addition, over the course of her long and distinguished career, Henrietta has earned a number of accolades. In 1997, the State of the World Forum recognized Henrietta with the Women Redefining Leadership Award. In 2004 she was honored with the Alumnae Award from the University of Northern Colorado and in 2006 she received the Alumnae Award from the Baldwin School.

Madam Speaker, I am proud to honor my good friend Henrietta Fore. She has truly made the great state of Nevada proud. I congratulate her for her personal and professional success and wish her the best with her new appointment as Director of the United States Agency for International Development.

IN HONOR OF PASTOR CALVIN C. BROWN

HON. JASON ALTMIRE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. ALTMIRE. Madam Speaker, I rise today to honor Pastor Calvin C. Brown. Pastor Brown has served as the pastor for the Tabernacle Baptist Church in Beaver Falls for the past 46 years. During his years of service to the community, he has become a well known and beloved church leader for the residents of Beaver Falls and families throughout the region.

Throughout his illustrious career, Pastor Brown brought hope to many by starting ministries and preaching across the country. He has been an exceptional citizen within his home community where he worked tirelessly to help others who are less fortunate. His accomplishments include working with the Housing Authority of Beaver County to locate homes for those in need, serving as chaplain for the local sheriff's department in Beaver Falls, and performing marriage ceremonies for countless couples. Local residents often speak with Pastor Brown on his regular walks around town, where he warmly greets others and always lifts their spirits.

I want to commend Pastor Brown for his commitment to the community of Beaver Falls as a pastor, brother, friend, and confidant. I congratulate him on his career and wish him all the best in his retirement.

THE CAMPAIGN EXPENDITURE TRANSPARENCY ACT

SPEECH OF

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2007

Mr. CASTLE. Mr. Speaker, I am pleased to join my colleague Representative ADAM SCHIFF in supporting H.R. 2630, the Campaign Expenditure Transparency Act.

By ending the practice of making campaign payments to a candidate or Federal officeholder's spouse and by requiring the disclosure of any payments made to other family members, we can eliminate the perception that campaign payments are a means for converting campaign funds to the family's personal use. While I support going one step further to prohibit the same payments to immediate family members, and have introduced legislation to do so, I am pleased to lend my support to H.R. 2630, which takes us in the right direction.

Specifically, H.R. 2630 would prohibit the campaign from compensating the spouse of the candidate. The prohibition would create an exception for reimbursements on travel, and an exception for nominal reimbursements up to $500 in a calendar year. The bill also requires disclosure to the Federal Election Commission, FEC, of all reimbursements.

H.R. 2630 would also require disclosure to the FEC of payments to immediate family members of the candidate or Federal officeholder. The prohibition and disclosure requirements would also apply to businesses where the spouse or family member is an officer or director of the business. Penalty for violation of these provisions would be imposed on the candidate or officeholder.

Numerous Members of Congress employ their spouses and family members for campaign activity without abusing the system. However, the practice of paying spouses and family members creates the potential for campaign finance and ethics abuses. If a payment to a spouse becomes part of the Member's family income, the Member, for all practical purposes, is receiving a direct personal financial benefit of campaign funds.

I believe it is our responsibility to close the gaps in our laws and in our rules that have been exposed and to restore the confidence of the American people in their elected officials.

H.R. 2630 moves us in the direction of increased transparency and I urge my colleagues on both sides of the aisle to join me in supporting the legislation.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately yesterday, July 23, 2007, I was unable to cast my votes on H.R. 404, H. Res. 553, H. Res. 519, and the Previous Question on H. Res. 558 and wish the record to reflect my intentions had I been able to vote.

Had I been present for rollcall No. 687 on suspending the rules and passing H.R. 404, the Federal Customer Service Enhancement Act, I would have voted "yea."

Had I been present for rollcall No. 688 on suspending the rules and passing H. Res. 553, Mourning the passing of Lady Bird Johnson, I would have voted "yea."

Had I been present for rollcall No. 689 on suspending the rules and passing H. Res. 519, Honoring the life and accomplishments of Tom Lea on the 100th anniversary of his birth, I would have voted "yea."

Had I been present for rollcall No. 690 on Ordering the Previous Question on H. Res. 558, providing for consideration of H.R. 3074, the Departments of Transportation, and Housing and Urban Development, and related agencies, FY 2008, I would have voted "nay."

● 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.

TRIBUTE TO LARY BURGETT

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. CRAMER. Madam Speaker, I rise today to congratulate Lary Burgett for receiving the 2006 Isaac M. Cline Award from the National Weather Service. The Cline Award is the highest honor the National Weather Service can bestow upon its employees. Mr. Burgett is the third local recipient of this award since the Huntsville Weather Forecasting Office was established in 2003.

The Isaac M. Cline Award is presented each year to individuals and teams that have made significant contributions in support of the National Weather Service's strategic and operational plans. Mr. Burgett was awarded the Cline Award for maintaining a high level of performance in North Alabama throughout the year.

Madam Speaker, the Tennessee Valley has a weather pattern much different from the rest of the nation. In 2002, the National Weather Service established a Weather Forecasting Office in Huntsville in order to track and predict this region's volatile weather systems. Mr. Burgett is one of the original employees of Huntsville's WFO who also worked at the previous Huntsville Weather Service Office. His knowledge and experience was critical during the transition and start-up of our WFO. He has continued his level of professionalism for over twenty-nine years.

Madam Speaker, the employees of the Huntsville Weather Forecasting Office are gathering today to recognize and celebrate Mr. Burgett for receiving the 2006 Isaac M. Cline Award. I rise today to join in their celebration and to congratulate Lary Burgett on this honor.

TRIBUTE TO THE 150TH ANNIVERSARY OF MURRAY COUNTY

HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. WALZ of Minnesota. Madam Speaker, I rise today to congratulate Murray County, Minnesota on its sesquicentennial anniversary and to commemorate the celebration that will be taking place July 27–29, 2007 to recognize the 150th anniversary of the founding of Murray County.

Murray County was founded in 1857 and named after William Pitt Murray, a political leader in Minnesota at the time. However, the roots of Murray County go back to 1833, when the American Fur Company built a trading post on the edge of Bear Lake.

This trading post was the first settlement in what would become Murray County. It was soon joined by the county's first bank, hotel, store, and post office. And even more impressive is that everyone of these buildings were constructed on the plains of western Minnesota before one single building was built on the future sites of Minneapolis and St. Paul.

Throughout its 150-year history, Murray County has been an outstanding example of the innovation and sense of community that its founders brought to the Minnesota prairie. I congratulate the residents of Murray County on 150 years of success and wish them a bright future.

TRIBUTE TO THE CROATIAN SONS LODGE NUMBER 170

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. VISCLOSKY. Madam Speaker, it is my distinct honor to congratulate the Croatian Sons Lodge Number 170 of the Croatian Fraternal Union for reaching a momentous milestone, its 100th Anniversary. As is their annual tradition, the lodge will take this opportunity to celebrate with a Golden Member banquet, which will take place on Sunday, August 12, 2007.

This year, the Croatian Fraternal Union will hold this gala event at the Croatian Center in Merrillville, Indiana. Traditionally, the anniversary celebration includes a ceremonial appreciation of the Union's Golden Members, those individuals who have achieved 50 years of membership. This year's Golden Members include: Judith Marie Brefeld, Geraldine Brklevich, Shirley Bronikowski, Esther M. Fadell, Antone J. Giorgi, Joseph L. Haralovich, Madelin Kazmier, Juliana H. King, George Kirincic, Michael Kuchaes, Jr., Judith Kathleen Lavery, Frank Joseph Mosca, Sr., William Pulford, Elizabeth J. Sedey, Stevan J. Trtan, Phyllis M. Vician, Dean J. Wantland, Joseph Winkler, and Angela A. Yelusich.

These faithful and devoted individuals share this esteemed tribute with over 400 other Golden Members who have previously attained this prestigious designation.

This memorable day will begin with a morning mass at the Croatian Center's gazebo with the Reverend Father Stephen Loncar officiating. The Saint George Tamburitzans from Cokeburg, Pennsylvania will perform at the mass, which will be followed by a gala event and formal dinner featuring the DUNAV Orchestra.

Madam Speaker, I urge you and my other distinguished colleagues to join me in commending Lodge President Betty Morgavan and all the other members of the Croatian Fraternal Union Lodge Number 170 for their loyalty and radiant display of passion for their ethnicity. The Cmatian community has played a key role in elevating the quality of life and culture of Northwest Indiana. It is my hope that this year will bring happiness, good health, and success for all members of the Croatian community and their families.

PERSONAL EXPLANATION

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. EVERETT. Madam Speaker, during consideration of the Labor/HHS/Education Appropriations Bill (H.R. 3043), I incorrectly voted no on the Pence Amendment. During the rapidity of voting on the series of 13 amendments to this bill, I mistakenly voted against Congressman PENCE's amendment that would have prohibited funds in the bill from funding the Planned Parenthood Federation of America or any of its affiliates. It was my full intention to vote for this amendment, as I have been and continue to be a strong advocate of pro-life issues and legislation. My voting record makes it apparently clear that I have never wavered in my support of pro-life legislation. In closing, I fully support Congressman PENCE's amendment to H.R. 3043, and I will continue to vote in favor of pro-life legislation as I have done throughout my 14 years in Congress.

IN HONOR OF MR. MACEO SNIPES

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. BISHOP of Georgia. Madam Speaker, I rise today to honor a forgotten soldier whose achievements mandate acknowledgement from this deliberative body. The Second Congressional District of Georgia is proud to call the late Maceo Snipes—a man of distinction—one of our own. In recognition of his service and tragic death, a memorial service was held in his honor on Saturday, July 21, 2007.

On March 28, 1909 Maceo Snipes was born to the late John and Lula Snipes in Taylor County, Georgia. At the age of 34, he enlisted into the U.S. Army, where he honorably fought in World War II.

Following his honorable discharge, he returned to Rupert, Georgia, where his courage continued to exemplify. Maceo Snipes made history in Taylor County, when he made a statement by voting in the 1946 primary election. In this process, he became the first African-American to vote in Taylor County since the Reconstruction.

Unfortunately the novelty actions of Mr. Snipes led others to bigotry. The next day Maceo Snipes was shot at his family home in Taylor County, Georgia. Three days following the brutal shooting, Maceo Snipes died in Atlanta, GA. The day was July 17, 1946. Although he died, his diligent spirit will continue to live in the memories of Georgians. For years to come, proponents of civil rights will look to his example for inspiration.

So on this 24th day of July, 2007, I with great honor commend Maceo Snipes for his service and bravery. Snipes is a credit to the ideal American, who devoted his life to his community and our country.

STOP THE BLAME GAME WITH REGARD TO CYPRUS

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. BURTON of Indiana. Madam Speaker, over the last week or so I have listened to a number of my colleagues come to the floor of this Chamber to lament the 1974 ''invasion'' of Cyprus. For many years the United States, the European Union and other members of the international community have worked together for a just and lasting solution to the vexing problem of Cyprus. That is why I am deeply

concerned when I hear some of my colleagues throwing barbs at the Turkish Cypriots and Turkey in an attempt to lay all the blame for this complicated issue at their doorstep. Because by distorting the facts, we are potentially undermining our good-faith, efforts to see this conflict resolved and to see peace and prosperity come to all the people of Cyprus.

The fact is that when the Island of Cyprus gained its independence from Great Britain in 1960, the Republic's constitution specifically defined a power-sharing arrangement which required a Greek Cypriot president and a Turkish Cypriot vice-president, each elected by their constituency.

The fact is that in 1963 Greek Cypriot President Makarios proposed sweeping constitutional modifications which heavily favored the Greek Cypriot community. The changes removed most of the checks and balances which had been built into the constitution to ensure the safety and equal status of the Turkish Cypriots. The inevitable result was a serious deterioration of relations between the two parties, which came to a head in December 1963, when armed Greek Cypriots attacked and killed many Turkish Cypriots who were unable to escape. The armed conflict spread quickly, with the Turkish Cypriots eventually being forced to withdraw into enclaves to defend themselves.

For the next 10 years, the campaign of the Greek Cypriots cost the Turkish Cypriots many lives and untold suffering, as well as their equal partnership status in the Cyprus government.

Former United States Undersecretary of State, George Ball, who, among others, was actively dealing with the crisis at the time, remarked in his memoirs entitled The Past Has Another Pattern, that Makarios has turned ''this beautiful little island into his private abattoir'' (p. 341). Ball went on to say that ''Makarios' central interest was to block off Turkish intervention so that he and his Greek Cypriots could go on happily massacring the Turkish Cypriots'' (p. 345).

The fact is that during the presidential elections of 1974, Archbishop of Cyprus Makarios—the Greek Cypriot leader at the time—escalated the crisis by embracing Enosis, or Union with Greece, as his election platform. Although Makarios won reelection he also created a power struggle between the military junta in control of mainland Greece and himself for the control over the Island. That power struggle culminated in a coup which forced Makarios to flee Cyprus and renewed ethnic cleansing of Turkish Cypriots.

In his address to the UN Security Council on July 19, 1974, Makarios himself described the coup as ''a clear attack from the outside and a flagrant violation of the independence and sovereignty of the Republic of Cyprus''.

The fact is that in the face of a bloody coup that not only threatened the independence of Cyprus but also resulted in renewed massacres of Turkish Cypriots, Turkey, which was treaty-bound to act as a Guarantor State, was compelled to undertake action on July 20, 1974. And the fact is that as a result of this legitimate and timely action, Turkish Cypriots were saved from imminent destruction, bloodshed among the Greek Cypriots was ended and the independence of Cyprus was protected.

The fact is that the Turkish intervention was legitimate and was internationally confirmed by, among others, the Consultative Assembly of the Council of Europe (CACE). CACE resolution 573, dated July 29, 1974, clearly states, ''Turkey exercised its right of intervention in accordance with Article IV of the Guarantee Treaty of 1960.''

Unfortunately, since 1974, and in defiance of the rule of law and the established principle that federations can only be built on a foundation of equal partnership, the Greek Cypriot side continues to claim exclusive sovereignty over the entire Island. In 1983, this prompted the Turkish Cypriot side to assert its rights by proclaiming the Turkish Republic of Northern Cyprus (TRNC).

After many unsuccessful attempts at reconciliation, U.N.-led direct talks between the two sides began in early 2002. The talks sketched out a settlement—the Annan Plan—which was voted on in simultaneous referenda held on each side on April 24, 2004.

The fact is that Turkish Cypriots approved the Annan Plan by a clear and overwhelming majority of 65 percent but Greek Cypriots—under heavy pressure from the Greek Cypriot government—rejected it by an even larger majority of 76 percent. The Turkish Cypriots were internationally and rightly praised for their ''courageous vote in favor of the proposals''.

The Greek Cypriot side has since been trying to justify its rejection by claiming, among other things, that the plan ''did not meet the interests of the country'' and that ''it did not provide for guarantees to ensure the complete implementation of commitments under the plan''. However, impartial European Union diplomats, closely associated with the reconciliation effort, have gone so far as to say very undiplomatically, that the Greek Cypriot people had been ''lied to'' by the Greek Cypriot government as to the details of the Annan plan.

As public servants I think the members of this House understand that no compromise worth its salt ever fully meets all of the demands of either side, nor could it do so or it wouldn't be much of a compromise. The fact is that the Annan Plan was a carefully balanced compromise that certainly from the Turkish Cypriot perspective represented immense sacrifices on the part of the Turkish Cypriots, on such key issues as land, resettlement, property and security.

The Greek government and several former Greek government leaders fully supported the plan and the Turkish government was also pivotal in encouraging the Turkish Cypriots to approve the plan. In the end, the only people who were not willing to make the sacrifices necessary to bring peace to this troubled island where the Greek Cypriots—yet they were inexplicably rewarded membership to the EU; although some EU leaders have subsequently stated that doing so was a mistake.

The fact is that despite the Greek Cypriots' failure to embrace peace and the international community's failure to end the economic isolation of the Turkish Cypriots; Turkish Cypriots continue to seek a just and peaceful settlement to this crisis.

Most recently, Turkey and Turkish Cypriots have supported implementation of the July 8, 2006, United Nations-brokered agreement between Greek Cypriot leader Tassos Papadopoulos and Turkish Cypriot leader Mehmet Ali Talat relating to the reunification of Cyprus through a process of bi-communal discussions.

Some of my colleagues, particularly those who support House Resolution 405 (H. Res. 405), would have this House believe that Turkish Cypriots are unwilling to proceed with the July 8 agreement. But I would ask my colleagues this simple question; when offered the chance to vote for peace which side rejected peace, Turkish or Greek? The answer is Greek.

Under the circumstances it should make one wonder if Greek Cypriots, having already forestalled UN efforts to resolve the Cyprus issue—and been rewarded for it through EU membership—whether they truly feel under pressure to seek a just solution. The fact is that the status quo benefits Greek Cypriots significantly more than Turkish Cypriots and it seems to me that if either side has an incentive to delay implementation of the July 8 agreement; it would be the Greek Cypriots.

Madam Speaker, facts are stubborn things; and as the facts in this case clearly show, the crisis on Cyprus is significantly more complex than the ''blame Turkey'' special interest groups would like people to believe. It's time for these groups and their friends in Congress to end the ''blame game'' and get down to the real work of reshaping Cyprus into a Cyprus that respects human rights and the fundamental freedoms for all Cypriots.

TRIBUTE TO MRS. BARBARA SCRUGGS

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. WESTMORELAND. Madam Speaker, in June, my hometown of Grantville, GA, lost one of its treasures upon the death of Mrs. Barbara Scruggs, who was an activist, a public servant, a devoted wife and mother, a patron of the arts and an American patriot. She was 75.

Born in Pennsylvania, Barbara wasn't a Georgia native. She chose Georgia as her home and loved the state and Coweta County with the zeal of a convert.

After graduating from nursing school in 1954, Barbara eventually served her Nation as a nurse in the U.S. Air Force in 1957 and 1958. It was during that time that she fell in love with a fighter pilot named William Gordon Scruggs, whom she married in 1957. They eventually moved to Coweta County and raised three children together there.

Growing up in Pennsylvania, Barbara's parents had raised her as a Republican, but when she moved South, Georgia was conservative but it was a one-party state controlled at every level by Democrats. Barbara became a politically active Republican in Coweta County at a time when no one in Georgia had ever heard of such a thing. To paraphrase a country song, Barbara Scruggs was a Republican when being a Republican wasn't cool.

She always followed politics closely and got involved. She took leadership positions in the Coweta County Republican Party and the Coweta County Republican Women's Club, handling the latter's newsletter duties for many years. Prominent in the Georgia GOP—described as a volunteer always willing to do more than her share—she was selected as a delegate to the 2000 Republican National Convention, where she proudly donned patriotic attire and donated to future first lady Laura Bush's book drive for local libraries.

In 1984, she moved from activist to public servant. She ran for and won a seat on the Coweta County school board. As a board member for 12 years, Barbara saw the ''big picture,'' said former Superintendent Bobby Welch, adding that she had a passion for improving opportunities for students, faculty and staff.

In Barbara's heart, politics had to share space with her love of art. She indulged this interest later in life, her husband said, as she found she had more free time. She became a big supporter of the Newnan-Coweta Art Association. In fact, she was attending a reception for an exhibition opening at the Centre for the Performing and Visual Arts on the night that she died. ''She died, if you have to go, under perfect circumstances, doing the thing she loved so much,'' her husband told the Newnan Times-Herald.

Barbara Scruggs gave her all for her community. She'll be missed in Grantville and throughout Coweta County, but I consider this a personal loss as well. Throughout my career in elected office, I could always count on Barbara's support. My wife Joan and I have kept the Scruggs family in our thoughts and prayers this summer.

HUMAN RIGHTS VIOLATIONS

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Ms. WOOLSEY. Madam Speaker, I rise today to express my concerns over the continuing human rights violations perpetrated by the International Law Enforcement Academy (ILEA) stationed in San Salvador, El Salvador. We cannot expect to promote stable democratic institutions in El Salvador by funneling military aid through ILEA to support local police forces engaging in repressive tactics.

Since President Clinton called for the establishment of the ILEA in 1995, the United States and participating nations have founded ILEAs in Hungary, Thailand, Botswana, El Salvador, and the United States. Through ILEA, the U.S. has continued to provide military aid, training, and arms sales to participating countries, which threatens to aggravate regional conflicts and sideline programs designed to halt human rights abuses.

The use of excessive force by police and security forces in El Salvador when targeting activists and their failure to protect workers rights to organize and bargain collectively has been at worse exacerbated and at best unchecked by ILEA's presence in the country. Furthermore, the government's failure to investigate human rights abuses calls into question the need for ILEA to provide security forces with more tools that can be used to repress those working toward a truly representative democracy in El Salvador.

Madam Speaker, the Congress must take a hard and serious look at whether we should continue funding ILEA. We should not support programs that claim to fight public corruption and provide opportunities for the global law enforcement community to share their expertise and training when, in fact, they further the oppression of social and labor activists and do nothing to end a country's human rights violations.

A TRIBUTE TO DOROTHY WASHINGTON

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. McINTYRE. Madam Speaker, Mary McLeod Bethune once said, ''We have a powerful potential in our youth, and we must have the courage to change old ideas and practices so that we may direct their power toward good ends.'' As one of the most influential African-American educators of our time, Mary McLeod Bethune knew this better than most, dedicating her life to the principle that learning is a lifelong process and as a result, knows no bounds in the difference it can make.

Another woman who dedicated her life to this principal was Dorothy Washington of Lumberton, North Carolina, who recently passed away.

Ms. Washington entered graduate school in 1947, a time when many African-American women were prohibited from attending universities and segregation in public schools was widespread. Despite these intimidating barriers, Ms. Washington remained steadfastly determined to pursue her dream of a higher education and became a role model for those in her community. She instilled this very same determination in every life she touched.

My wife recently attended Ms. Washington's funeral and was impressed by the number of people who expressed how Ms. Washington had touched their lives. Ms. Washington had touched my family's life during her retirement years, when she was kind enough to care for our two sons (who were toddlers at the time) so that we could participate in a weekly Bible study luncheon. She was always gracious, kind, patient, and understanding—ever ready to help. We were blessed by her kindness.

During her four decades teaching in Robeson County, Ms. Washington cared deeply for her students, sharing with them her passion for Greek and Roman mythological literature, often buying textbooks with money out of her own pocket. She had a genuine appreciation for the arts and humanities, serving as choir director and school librarian. Ms. Washington was determined to educate her students on the adventures that could be found outside the municipal lines of a small, rural town, while simultaneously cultivating an appreciation for the treasures that could be found in their own backyards.

She received her undergraduate degree from Saint Augustine College in Raleigh, North Carolina, and went on to earn her master's at the University of Michigan.

Madam Speaker, what an amazing place the world would be if we all had the influence of a Dorothy Washington in our lives! This small-town educator has left behind a deep legacy that spans generations and will surely continue for many years to come.

May God bless to our memories the work of Dorothy Washington and the lives she touched.

COMMENDING DAVID RAY RITCHESON AND RECOGNIZING HIS EFFORTS IN PROMOTING FEDERAL LEGISLATION TO COMBAT HATE CRIMES

SPEECH OF

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2007

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in support of H. Res. 535, Commending David Ray Ritcheson and his efforts in promoting legislation to combat hate crime.

David Ray Ritcheson was the victim of a horrific hate crime in Houston by white supremacists in April of 2006 because of his Mexican heritage.

He was brutally attacked with a metal pipe, burnt with cigarettes, had bleach poured on him, and was kicked with steel toed boots. His injuries from the attack were so severe that he underwent 30 surgeries and was scheduled for even more surgeries.

Miraculously, David was recovering from his injuries and eventually returned to school.

David wanted to move past his horrific experience, but he bravely came to Washington in April to testify before the House Judiciary Committee in support of H.R. 1592, the Local Law Enforcement Hate Crimes Prevention Act of 2007.

David's case was never tried as a hate crime. Due to Federal statutes and under Texas criminal law, first-degree felonies are exempt from hate crimes provisions.

In his testimony, David called upon the Congress to give local authorities the ability to federally prosecute hate crimes. He said ''if these crimes cannot be prevented, the federal government must have the authority to support state and local bias crime prosecutions.''

I strongly agree with David and his testimony helped the House pass H.R. 1592, the Local Law Enforcement Hate Crimes Prevention Act of 2007.

Unfortunately, earlier this month, David took his own life.

David deserves to be remembered for the hero that he was and honored for his hard work to combat hate crimes.

I support this bill which will honor David Ray Ritcheson and urge my colleagues to do the same.

PERSONAL EXPLANATION

HON. DAVID DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. DAVID DAVIS of Tennessee. Madam Speaker, due to my return from a trip on official business yesterday, July 23, 2007, I was not present to cast my votes on rollcall votes 687, 688, 689, and 690. Had I been present, I would have voted ''yea'' on rollcall 687, yea on rollcall 688, ''yea'' on rollcall 689, and ''no'' on rollcall 690.

TRIBUTE TO GRACE JAMES

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. ELLISON. Madam Speaker, I rise today to pay tribute to the life of Grace James of Minnesota, a tireless activist whose contribution to the North Side of Minneapolis cannot be overstated. Though it saddens me to report that Mrs. James passed away recently at the age of 93, I am humbled and inspired by the example she has set through her advocacy for the North Side, a neighborhood she endlessly fought to support, a community she tirelessly worked to build.

It is hard to think of a facet of community that Mrs. James didn't work to improve. During her career she served on numerous housing boards where she strived to ensure that everyone could find a place to live and that the North Side had open arms to those needing a home. Through organizations such as Minnesota Cooperative Housing and the North Side Residents Redevelopment Council, the work she began in the 1950s to this day helps to maintain and benefit the community she loved.

Mrs. James was also an activist in local education, working as a teacher's aide in the 1960s and as an organizer for the teachers union in the 1970s. Her work for North Side youth didn't stop at the schoolhouse doors, however; she once worked as a member of the board of the YWCA, supported the Campfire Girls, and served as the president of the Jack and Jill Club, introducing black children to cultural sites and events—and raising scholarship money along the way.

Part of what makes Mrs. James so remarkable, her example so admirable, is how she fought on a personal level. Her daughter Noel remembers that, outside of the councils and non-profits, the schools and unions, Mrs. James made the time to make sure neighborhood kids kept out of trouble. She defines what it is to fight at the grassroots level, leaving former Minneapolis City Councilwoman Jackie Cherryhomes to remark how ''she believed in the power of community long before anyone talked about it.''

In closing, Madam Speaker, I wish to express my condolences to those surviving Mrs. James: her daughters, her grandchildren, her great-grandchild, and the community she worked for, the community she loved. It is an honor to stand in recognition of the memory and life of such an illustrious woman as she. Mrs. James, thank you.

HONORING STEPHANIE HUNT, MRS. UNITED STATES 2007

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. DINGELL. Madam Speaker, I rise today to honor and celebrate Stephanie Hunt of Pittsfield Township, Michigan. Mrs. Hunt was recently crowned Mrs. United States 2007.

Though winning the title of Mrs. United States is an intrinsically praiseworthy event, Mrs. Hunt's coronation is especially significant for two reasons. Not only is she the first woman from Michigan to win in the pageant's 2l-year history, but she is also the first African American to ever win the title. It is for these reasons that I want to call attention to this woman's remarkable accomplishments.

As a spokesperson for and executive committee member of the National Organization for Rare Diseases, Mrs. Hunt has been a tireless advocate for patients suffering from rare diseases. She is especially interested in raising awareness of Rubenstein-Taybi syndrome, a rare developmental disorder that afflicts her four-year-old son, Donnie. Winning the title of Mrs. United States has given Mrs. Hunt the opportunity to bring this and other diseases to national prominence.

Madam Speaker, I ask that all of my colleagues join me in commending Mrs. Hunt not only for winning Mrs. United States, but also for her advocacy on behalf of the 25 million Americans suffering from rare disorders. She serves as a role model for married women across the nation, ''encouraging them to strive for their dreams throughout each season of life.''

PERSONAL EXPLANATION

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. GENE GREEN of Texas. Madam Speaker, on rollcall Nos. 687, 688, 689 and 690, had I been present, I would have voted, ''yea.''

MINIMUM WAGE INCREASE

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. UDALL of New Mexico. Madam Speaker, the last time Congress raised the minimum wage, gas prices hovered around $1.33 a gallon, Enron wasn't even in business and America had never heard of the iPod, much less the iPhone. Since then, the cost of living has risen 26 percent, while the real value of the minimum wage has been eroded by inflation to its lowest level since 1955.

Thirteen million American workers will get a pay raise thanks to the minimum wage increase that begins today. That means an estimated six million children will see their parents' incomes rise, an increase of $2.10 an hour that will give families an additional $4,400 a year to meet critical needs. That's 15 months of groceries, over two years of health care, 19 months of utilities, or 20 months of child care.

I wish I could say it took great political courage to back this wage increase. However, it did not. More than 85 percent of Americans support raising the minimum wage. The American people have been ready; what was missing was the Congressional leadership. For more than nine years, the Republican-controlled Congress refused to raise the minimum wage. The new Democratic leadership raised it in just seven months. For four years, the old Congressional leadership let Pell Grant values stagnate. Last week, Congress passed the biggest investment in college aid since the GI Bill. And for almost four years, Republicans in Congress gave President Bush a blank check to fight a misguided war in Iraq. Since January, Congress has told the President again and again that it's time for a change.

The new Congressional leadership has shown that it will do what the old Congressional leadership would not; it will fight for America's working families. Today's wage increase is just one sign of changed priorities in Washington. Congress has begun to deliver real support to those who need it most.

With all of the talk in Washington, we can lose track of what politics means in the everyday lives of Americans. Anybody who claims that it does not matter who controls Congress should go talk to a worker who just took home a larger paycheck. That larger paycheck was only possible because of a new Congressional leadership and a new Congress. I am proud to serve in that Congress.

TRIBUTE TO TOMMY ''T.K.'' MARTIN

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. JOHNSON of Illinois. Madam Speaker, today I stand before you to honor a fallen hero, Tommy ''T.K.'' Martin. Tommy, who served as the Douglas County Sheriff Department's chief deputy, was shot in the line of duty last month while pursuing two men wanted for armed robbery. After a valiant month-long struggle, Tommy passed away early last week at the age of 59.

Our entire Nation is indebted to T.K. for his life-long dedication to his community and his country. He proudly served as a member of the Navy during the Vietnam War. After a committed tenure as a naval officer, he began his career with the Illinois State Police in 1978 and remained an important member of the crime scene investigation unit until his retirement in 2002. However, when he was offered the position of chief deputy in 2004, T.K. came out of retirement, as he could not resist the opportunity to continue his life of public service.

Last Tuesday, we lost an exceptional and venerable civil servant who was a role model for all law-enforcement officers with whom he interacted during his decades on the police force. T.K. put his life on the line each and every day to ensure the safety of the citizens of the 15th District of Illinois, and for that we will be forever grateful.

While T.K. was tragically taken from us all too early, his mark on our community and our Nation will continue for years to come. His colleagues and fellow citizens will never forget his work ethic, loyalty, devotion to God, and infectious sense of humor. Whether it was working in the CSI unit or participating in events at his beloved Tuscola United Church of Christ, T.K. touched all of those he came in contact with. He died doing what he loved most: protecting his community.

T.K., a grateful Nation thanks you for a lifetime of noble service. You are a hero and role model for all Americans. You will be sorely missed but your spirit will always remain with us.

NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM AMENDMENTS ACT OF 2007

SPEECH OF

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2007

Mr. CASTLE. Mr. Speaker, I rise today in strong support of H.R. 1239, the National Underground Railroad Network to Freedom Reauthorization Act of 2007.

Established in 1998, the Network to Freedom encompasses over 250 programs, sites, and partners in over 27 states and the District of Columbia, and is the only national program dedicated to the preservation, interpretation, and dissemination of Underground Railroad history.

Recent National Park Service financial projections, however, show the Network to Freedom budget reducing by 72 percent by the year 2011. Without continued and adequate funding, efforts to disseminate this critical history and build on the program's successes will be greatly diminished. H.R. 1239 will reauthorize the National Underground Railroad Network to Freedom Act by increasing funding to cover needed operations costs for the National Parks Service to carry out the provisions of the program, and by increasing the availability of grant funding to support Underground Railroad preservation and interpretative projects throughout the United States.

With nine Network to Freedom sites throughout Delaware and reports that more passengers came through Wilmington on the Underground Railroad than any other place, this program has a real local significance. Underground Railroad stations were operated by a few very effective people throughout Delaware in Blackbird, Camden, Middletown, New Castle, Hockessin and Wilmington. Thomas Garrett, for example, is known as Delaware's greatest station master. Spending the greater part of his lifetime working in the Underground Railroad, Thomas Garrett is credited with helping 2,700 slaves reach freedom.

By playing a critical role in helping local communities to effectively share the stories of the men and women who resisted slavery through escape and flight in the Underground Railroad, this program highlights the rich history of Delaware and many other states and is an asset to our National Parks System. I believe strongly in promoting programs and partnerships to commemorate this time in history and educating the public about the historical significance of the Underground Railroad.

I encourage my colleagues on both sides of the aisle to join me in supporting passage of H.R. 1239.

PERSONAL EXPLANATION

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Ms. CLARKE. Madam Speaker, on rollcall No. 687, I was on a leave of absence. Had I been present, I would have voted "yea".

On rollcall No. 688, I was on a leave of absence. Had I been present, I would have voted "yea".

On rollcall No. 689, I was on a leave of absence. Had I been present, I would have voted "yea".

On rollcall No. 690, I was on a leave of absence. Had I been present, I would have voted "yea".

PERSONAL EXPLANATION

HON. GEOFF DAVIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. DAVIS of Kentucky. Madam Speaker, on Monday, July 23, 2007, I was absent from the House to attend the State of Northern Kentucky address.

Had I been present I would have voted:

On Rollcall No. 687—"yes"—H.R. 404, Federal Customer Service Enhancement Act.

On Rollcall No. 688—"yes"—H. Res. 553, Mourning the passing of former First Lady Lady Bird Johnson, and celebrating her life and contributions to the people of the United States.

On Rollcall No. 689—"yes"—H. Res. 519—Honoring the life and accomplishments of renowned artist Tom Lea on the 100th anniversary of his birth.

On Rollcall No. 690—"no"—Previous Question on H. Res. 558 (Rule for H.R. 3074).

MOURNING THE PASSING OF FORMER FIRST LADY, LADY BIRD JOHNSON

SPEECH OF

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2007

Mr. ORTIZ. Mr. Speaker, I rise to pay tribute to one of America's truly great First Ladies, Lady Bird Johnson, who taught all of us to appreciate the everyday beauty in nature . . . and who made it her life's work to spread that beauty to all comers of our Nation.

Lady Bird Johnson was very much the essence of a lady, so much so that it was literally her name. She brought grace and light to the State of Texas and to Washington, DC. She was a partner to President Lyndon Johnson in their home on the campaign trail, and in the White House.

She softened the sometimes harsh edges of President Johnson, who came to office in the midst of great turmoil in our Nation. It was the age of escalation in Vietnam, deep fears about the Soviet aggression around the world, great angst over civil rights in this Nation, and both peaceful and violent demonstrations around the Nation.

In the midst of that agonizing dynamic, Lady Bird made things around her prettier. . . and she brought light and beauty to Washington, DC, to politics, and to our Nation.

Recently, she was so proud that the Department of Education now bears the name of her beloved LBJ to illustrate their mutual dedication to education.

She was our Nation's first environmentalist, understanding that the aesthetic look of our Nation mean much to our citizens—and the survival of the human race would depend on our care for this planet.

Today, global warming has moved the environmental cause to a higher priority for governments and activists, but the matriarch of the movement was no less than President Johnson's and the Nation's First Lady, Lady Bird Johnson. She loved nature and understood the relationship of Mother Earth to the long term health of humanity.

Mr. Speaker, Lady Bird Johnson very much appreciated that you lead this House of Congress and occupy the seat that is third in line for the presidency. She deeply understood the importance of this government reflecting all our people.

Her legacy will live on in their beautiful family . . . in the flowers and beauty of the many parks that were inspired by her all over the Nation . . . and in the environmental movement that inspires us all to be better stewards of Mother Earth.

HONORING SCOTT C. STEVENS

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to the commitment and patriotism of Mr. Scott Craig Stevens of Larkspur, Colorado, who will become an officer in the United States Marine Corps following his graduation from Officer Candidate School in August.

Since 1891, officer training at Quantico, Virginia has successfully developed and molded America's young men and women into individuals of character; providing them with the physical, mental, and leadership qualities necessary to uphold and defend the virtue of liberty here in America and around the world. After thorough preparation, Mr. Stevens is now qualified and ready to command his fellow brothers and sisters at arms.

Madam Speaker, I am honored to represent Mr. Stevens who has committed himself to our freedom. I urge you and my fellow colleagues to join me in congratulating Mr. Stevens and wishing him the best in the years to come.

HONORING AMY ZIGLER

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Ms. WOOLSEY. Madam Speaker, I rise today to honor Amy Zigler, of Santa Rosa, CA, who exemplifies the dedication of many teachers in our Nation, teachers who put in countless hours to secure the best educational opportunities for their students.

Amy Zigler led the effort at Windsor High School to obtain a competitive grant—one of only 130 awarded nationwide—to utilize technology in mathematics classrooms. With a team of five teachers, Amy helped secure $35,000 from Hewlett-Packard to train teachers in integration of new technology and to purchase equipment that will enable them to record class lessons and create Power Points for students' home use. Students will also be able to review lessons in detail on-line, which will be particularly helpful to those who have missed class.

Windsor High School will receive almost $300,000 in additional school funding due to efforts of teachers and officials dedicated to securing resources for their students. Other grants will assist the school in developing a pre-med core health program, digital design classes, and a vineyard academy as well as work on sustainable energy.

Madam Speaker, we are fortunate to have teachers like Amy in our schools. She understands that our children are our most important resource for the future, and we must do all we can to provide them with the best opportunities. I am proud to honor Amy Zigler and all the teachers who make our country a better place.

PERSONAL EXPLANATION

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. HIGGINS. Madam Speaker, I missed several rollcall votes on Monday, July 23, 2007 and Tuesday, July 24, 2007. I would like to enter into the record how I intended to vote on these rollcall votes:

On Roll No. 687, On the Motion to Suspend the Rules and Pass H.R. 404; the Federal Customer Service Enhancement Act, I would have voted ''yea.''

On Roll No. 688, On the Motion to Suspend the Rules and Agree to H. Res. 553, I would have voted ''yea.''

On Roll No. 689, On the Motion to Suspend the Rules and Agree to H. Res. 519, I would have voted ''yea.''

On Roll No. 690, On Ordering the Previous Question on H. Res. 558, I would have voted ''yea.''

On Roll No. 691, On agreeing to the Mica amendment, I would have voted ''no.''

On Roll No. 692, On agreeing to the Bachmann amendment, I would have voted ''no.''

On Roll No. 693, On agreeing to the Flake amendment, I would have voted ''no.''

On Roll No. 694, On agreeing to the Flake amendment, I would have voted ''no.''

On Roll No. 695, On agreeing to the Chabot amendment, I would have voted ''no.''

On Roll No. 696, On agreeing to the Westmoreland amendment, I would have voted ''no.''

On Roll No. 697, On agreeing to the Sessions amendment, I would have voted ''no.''

On Roll No. 698, On agreeing to the Flake amendment, I would have voted ''no.''

On Roll No. 699, On agreeing to the Flake amendment, I would have voted ''no.''

On Roll No. 700, On agreeing to the Flake amendment, I would have voted ''no.''

On Roll No. 701, On agreeing to the Flake amendment, I would have voted ''no.''

On Roll No. 702, On agreeing to the Flake amendment, I would have voted ''no.''

On Roll No. 703, On agreeing to the Hastings amendment, I would have voted ''aye.''

On Roll No. 704, On agreeing to the Frelinghuysen amendment, I would have voted ''no.''

PERSONAL EXPLANATION

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. GUTIERREZ. Madam Speaker, I was unavoidably absent from this chamber yesterday. I would like the record to show that, had I been present, I would have voted ''yea'' on rollcall votes 687, 688, 689 and 690.

COMMIT TO FULLY FUND RESEARCH

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Ms. LEE. Mr. Speaker, I want to clarify a statement from my earlier remarks regarding life expectancy in the United States versus other nations. Cuba does not rank ahead of the United States in life expectancy. A person born in the U.S. can expect to live 78 years and those born in Cuba 77.08 years. Cuba's life expectancy rates are comparable to rates for the United States despite the fact that their spending on healthcare, per capita, is less than $50 and the United States' spending per capita is almost $7000.

We also have a comparable ranking on World Health Organization's list for over all health, with the U.S. ranked 37th and Cuba ranked 39th.

We spend more money on healthcare than any other nation in the world and yet the United States ranks 23rd in infant mortality among industrialized nations, behind nations like Germany, Canada and Cuba.

We used to be first in life expectancy in 1945, now, according to the Central Intelligence Agencies World Fact Book, we rank 45th. We must act to reverse this downward slide in the health of our Nation and the most vital step is to revitalize our commitment to universal access to healthcare, primary care and a healthcare home for every single person in America.

RECOGNITION OF ACTING DEPUTY DIRECTOR OF THE US–VISIT PROGRAM, P.T. WRIGHT

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. SMITH of Texas. Madam Speaker, I rise today to recognize a talented leader and individual, Mr. P.T. Wright. P.T., who currently serves as Acting Deputy Director of the United States Visitor and Immigrant Status Indicator Technology (US–VISIT) program, is retiring from the Federal government after 34 years of distinguished service.

Since P.T. began his career with the former U.S. Customs Service in 1973, he has served with distinction in a number of key positions at the Departments of the Treasury and Homeland Security. In his management roles with U.S. Customs and Border Protection in Dallas/Fort Worth, Texas; El Paso, Texas; Nogales, Arizona; and Washington, DC, P.T. was intricately involved in the development of customs policies for cargo examination and processing, drug interdiction and traveler processing.

Most recently, P.T. brought his track record of outstanding leadership to the Department of Homeland Security's US–VISIT program. The program benefited from his oversight and management of day-to-day operations.

P.T.'s familiarity with the communities surrounding our land borders has been a tremendous asset to US–VISIT. P.T. understood that active engagement with border stakeholders was critical in creating a foundation of trust and support upon which to build positive long-term relationships. He tirelessly traveled Southwest border communities to inform and educate border constituents about border management developments and initiatives. As a result of his in-depth knowledge of the land border environment and his ability to speak with clarity and conviction, P.T. earned the affection of border community leaders and gained instant credibility. And when P.T. returned to Washington, he took what he heard from border constituents and helped make real, on-the-ground improvements to US–VISIT.

While not yet completed, US–VISIT is now the world's most innovative and integrated biometrics program. This is in no small part due to leaders like P.T. Wherever he went, P.T. spread the message that biometrics are a powerful tool to improve the integrity of our immigration and border management system, to make us safer, and to facilitate legitimate travel and trade. I have no doubt that US–VISIT is on a path to continue to drive the innovative use of biometrics for identity management. P.T. deserves a great deal of credit for that success.

Mr. Wright's accomplishments and leadership were recognized last year with the prestigious Presidential Rank Award for Meritorious Executive for his extraordinary contributions to our Nation's welfare and security over the course of a U.S. border management career spanning 34 years.

P.T. Wright is beloved within the US–VISIT program and around the many federal agencies that have worked with him. All who have had the opportunity to work with P.T. are better off for the experience. His candor and infectious sense of humor will be missed, but we are grateful for his long service and many contributions.

Madam Speaker, I urge that my colleagues join me in honoring P.T. Wright for his exceptional achievements and his commitment to excellence. P.T. has been an outstanding ambassador for US–VISIT. I commend P.T. for his service to the United States and I offer him best wishes in all of his future endeavors.

RECOGNITION OF GENEROUS CITIZENS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. LATHAM. Madam Speaker, today I rise in acknowledgment of the extreme generosity of some of my constituents. I wish to recognize the kindness of Marble Rock Unit 387 of the American Legion Auxiliary, from Marble Rock, Iowa.

Recently, Gabrielle Wedeking of Marble Rock was born with a rare disorder of the immune system and required a bone marrow transplant. Marble Rock Unit 287 held a benefit that included a meal, bake sale, raffles, as well as silent and live auctions. Over $44,000 was raised to help fund Gabrielle's transplant.

This generous and selfless act deserves honoring, and thus I stand today and recognize Marble Rock Unit 387.

HONORING LIEUTENANT SARA PLATT MOSER'S SERVICE TO THE UNITED STATES COAST GUARD

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. COBLE. Madam Speaker, I rise today to honor Lieutenant Sara Platt Moser for her service to the United States House of Representatives and the United States Coast Guard.

As some of you may know, Lieutenant Moser was detailed to the House Coast Guard Liaison office July of 2004, and I am proud to have had the opportunity to work closely with her over the past three years. My colleagues, staff, and I have valued her knowledge and understanding of the Coast Guard operational missions, day to day challenges, and roles and responsibilities.

During her career in the Coast Guard, Lieutenant Moser has served aboard the CG Cutter RELIANCE and as the Assistant Operations Officer at Coast Guard Group Saint Petersburg.

Next week, Lieutenant Moser will leave her post as the Coast Guard's Assistant House Liaison in pursuit of a new assignment within the Coast Guard Reserve.

It has been my pleasure to work with Lieutenant Moser. On behalf of the Representatives and staff who have also been fortunate enough to work with Sara, I wish her, her husband Marty and their daughter Anna, clear skies and smooth sailing.

CELEBRATING 50 YEARS OF SERVICE AT MELEAR'S BARBECUE

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. WESTMORELAND. Mr. Speaker, the Representatives in these hallowed halls of Congress come from every corner of the United States, and our pallets and diets are as varied as our accents.

When I say ''barbecue'' here in Washington that means something totally different to people from different parts of this country. In Texas, barbecue is beef. To others, barbecue is pretty much anything cooked on a grill. But in my home State of Georgia and in surrounding southern States, barbecue means only one thing: pit-cooked pork.

Americans concerned about the ''McDonald's-ization'' of this Nation need only come down South for some fine barbecue cuisine. While pork is always at the base of southern barbecue, the secret is in the sauce and in the sides. Drive a hundred-mile radius from any barbecue joint in the South and the meal and preparation will probably be totally different. In parts of the Carolinas, you're more likely to get mustard-based sauce while pretty much throughout Georgia the sauce of choice is vinegar-based. In east Georgia, your side might be hash and rice; in west Georgia where I live, you'll probably get a side of Brunswick stew.

One thing that's always the same: No matter where you go in the South, the locals think their brand of barbecue beats out the rest.

Residents of Fayette County in Georgia's Third Congressional District have dined on pork barbecue and Brunswick stew and sweet tea at Melear's Barbecue for 50 years this month. Restaurants make their profits pennies on the plate and they have to sell a lot of plates to stay in business. The majority of eateries go out of business within 2 years of opening. To survive for 25 times that long testifies to the Melear family's good business sense, yes, but also to their good barbecue.

The fine Southern cuisine isn't Melear's only draw; it's also a neighborhood gathering spot for the people of Fayetteville. It's where local city council members, county commissioners and sheriff's deputies meet up to plot plans, and it's where aspiring politicians running statewide in Georgia head to shake hands with the community's leaders.

Melear's is a special barbecue restaurant in that it's open for breakfast, lunch and dinner. I confess that as a longtime homebuilder in Fayette County, there was a time when I started every day off right with a heaping breakfast served up by Kenny Melear.

The people of Fayette County and I personally am thankful for 50 years of fine meals and good company at Melear's. I congratulate Kenny and his family for a half-century of success and send best wishes for a half-century more. And with those best wishes, I'd like a barbecue plate with Brunswick stew and a big glass of sweet tea.

HONORING THE LIFE OF DOROTHEA TOWLES CHURCH, FASHION MODEL AND DESIGNER

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. RANGEL. Madam Speaker, I would like to recognize, honor, and pay tribute to the significant, groundbreaking achievements of the talented Dorothea Towles Church, who overcame the many obstacles placed in her way to become the first successful black fashion model. She was the seventh of eight children, born on July 26, 1922 in Texarkana, Texas. She began her college education at Wiley College in Marshall, Texas, majoring in biology. However, after moving to Los Angeles to live with her wealthy uncle after the death of her mother, she transferred to the University of Southern California and received a master's degree in education. While present in Los Angeles, she began to generate an interest in acting but was discouraged by the lack of black actors in the entertainment industry. Instead, she became a model for black magazines and fashion shows in the area.

Dorothea Church's unprecedented success came at the young age of twenty-seven when she was vacationing in Paris to listen to her sister, Lois Towles, sing with Fisk University. Church's great beauty and striking presence were extraordinary. Her beauty and talent were indisputable and she made a breakthrough in the most famous and prestigious fashion market in the world when she was signed by Christian Dior as a high-fashion model. For the first time in her life, Church was not impacted by racial intolerance. Church once stated, ''If you're beautiful, [the French] don't care what color you are.''

Even though many racial barriers were overcome, Church still had to deal with the innate prejudices that many people had towards African-Americans. Church had been forbidden to model and display high fashioned pictures in predominantly black magazines. The industry's excuse was that it was meaningless to display such photographs because the black community was not interested in the clothing. Or perhaps they didn't believe the black community could afford such clothing. Either way, Church used her power and prestige and was able to open the door for other aspiring black models by extending her appearances in the white fashion magazines to appear in a newly founded black owned Ebony magazine.

Dorothea Towles Church, the gorgeous and influential fashion model, couture designer, and black activist, bridged a divide between the races in high-fashion that appeared to be insurmountable. Church was an inspiration to all African-Americans who ever had an impossible dream. After her death from heart and kidney disease on July 7, 2006, there has been a renewed appreciation of Church's triumphs and accomplishments. She was, and continues to be a perpetual role model who brought pride to her people and community and who continues to serve as an important role model to young women with dreams today.

[From the New York Times, July 23, 2007]

OBITUARIES: DOROTHEA TOWLES CHURCH, BLACK MODEL IN 1950'S PARIS

(By Eric Wilson)

NEW YORK.—Dorothea Towles Church, the first successful black model in Paris, who discovered personal liberation on the runways of Christian Dior and Elsa Schiaparelli in the 1950s, died July 7 in Manhattan. She was 83.

Her death was confirmed by Michael Henry Adams, a curator at the Museum of the City of New York, where she is among those to be featured in an exhibition called ''Black Style Now,'' which will open Sept. 7.

Church's success was historic in an industry that had resisted using any but white models to represent beauty on magazine covers, in advertisements and on runways. Church was responsible for breaking down some of those barriers and was revered in France during the five years she modeled there.

''If you're beautiful, they don't care what color you are,'' she said of the French in postwar Paris.

''I got invited out all the time,'' she said in Barbara Summers's 1998 book ''Black and Beautiful.'' ''I was the only black model in Europe and I just thought I was an international person.''

Her easy acceptance in Paris was reported at home in black publications, in articles about the designers she knew and about how she once dyed her hair platinum at Dior's request.

But her growing fame did not eliminate prejudice on the part of some designers. At

Schiaparelli, she once overheard someone describe her as Tahitian. While she worked for Pierre Balmain, she recalled, he would not allow her to borrow dresses for a photograph for Ebony magazine, fearing that would offend his white clientele. She took the clothes later on the pretext that she would wear them to a party, and the magazine then photographed them.

HONORING REV. DR. JAMES ADAMS SPAHR

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Ms. WOOLSEY. Madam Speaker, I rise today to honor Rev. Dr. Jane Adams Spahr, a Presbyterian minister committed to justice for the lesbian, gay, bisexual and trans gender community.

A self-described lesbian and feminist, Janie is retiring after 33 years.

Born in Pittsburgh, Pennsylvania, with her twin sister Joanie to Chet and Susanna Adams, Janie was ordained a Presbyterian Minister in December 1974, to the Hazelwood Presbyterian Church in Pittsburgh. From 1975–1979 she served as Assistant Pastor of First Presbyterian in San Rafael, California, and in 1979–1980 was the Executive Director of Oakland Council of Presbyterian Churches where she was encouraged to resign after coming out as a lesbian.

Janie began her ''out'' liberation work with and for LGBT people as the Minister of Pastoral Care in the Castro area of Metropolitan Community Church in San Francisco from 1980–1982. In 1982, this ''lesbyterian'' founded the Ministry of Light, which later became the Spectrum Center for Lesbian, Gay, Bisexual and Transgender Concerns. She served for 10 years as the Executive Director of Spectrum.

In 1991, Rev. Spahr was called to serve as a co-pastor at the Downtown United Presbyterian Church in Rochester, New York, marking the first time a Presbyterian Church had chosen an ''out'' pastor. The call, however, was challenged, and the Judicial Commission of the Presbyterian Church refused to allow Rev. Spahr to assume the coposition. In response to the ruling Janie was hired by The Downtown United Presbyterian Church and the Westminster Presbyterian Church in Tiburon, California, who formed the ''That All May Freely Serve'' project. She was employed to work within the denomination to end discrimination and increase inclusiveness for all people.

In 2006, Rev. Spahr made national headlines when the Commission of the Presbytery of the Redwoods ruled she acted within her ''right of conscience'' as a Christian when she performed commitment ceremonies for two lesbian couples. The Presbyterian Church's highest court ruled in 2000 that ministers could ''bless'' same-sex unions but not preside over them or call them marriages. Janie challenged the church's constitution and won a victory for justice and inclusion, but the battle is not yet over as the Prosecuting Committee has filed an appeal.

During her undergraduate years at Penn State, Jane met Jim Spahr whom she later married and had two sons, Jim and Chet. Jim now fondly refers to Janie as his ''wife emerita'' and the ''sister-in-love'' of Jackie Spahr (Jim's partner) and Bill Fenton (her sister Joanie's partner).

Madam Speaker, it is my pleasure to honor Rev. Dr. Jane Adams Spahr whose courageous passion for justice and inclusion for LGBT people has left a legacy that is paving the way to a better future. Rev. Spahr has touched so many lives as a minister, and though she is retiring she will remain a mentor and role model to all.

LIFT UNREASONABLE RESTRICTIONS ON TAIWAN'S ELECTED LEADERS

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. WU. Madam Speaker, in November of 2008, citizens of the United States will exercise their constitutional and democratic right to vote in a national election and choose their president. Just eight months prior to our presidential election, our friend across the Pacific, Taiwan, will hold its fourth national direct election for its highest office.

Once a single-party state under martial law, Taiwan made a peaceful transition during the late 1980s and early 1990s to a full-fledged democracy and a multi-party political system that respects human rights and the rule of law.

For over fifty years, our two nations have fostered a close relationship, which has been of mutual political, economic, cultural, and strategic advantage. However, one vital inequity exists that prevents the exchange of views at the highest political levels: the United States government continues to adhere to guidelines from the 1970s that bar the President, Vice President, Premier, Foreign Minister, and Defense Minister of Taiwan from coming to Washington, DC.

Why, when Taiwan is a key player in the Asia-Pacific region, do we prevent their highest-level decision makers from traveling to our nation's capital? This outdated policy severely limits our direct dialogue with world leaders.

Almost any person born and raised in Taiwan has the freedom to travel to the United States. But when a person is chosen through democratic elections to become the leader of the Taiwanese people, this freedom is inappropriately rescinded by the U.S. government. While the United States attempts to promote democracy around the world, we lock the doors of our capital city to the leaders of fellow democracy.

Rather than symbolically shunning Taiwan's democratically elected leaders, we should welcome them. I meet with Taiwan's leaders—both before and after their election. Other American Leaders in Washington, D.C. should have the same opportunity. Unreasonable restrictions on visits to the United States by high-level elected and appointed officials of Taiwan should be lifted. Taiwan deserves this long overdue respect.

PERSONAL EXPLANATION

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. JORDAN of Ohio. Madam Speaker, I was returning from an official delegation trip to Iraq yesterday, and was therefore absent from the Floor during the four rollcall votes that took place on Monday night.

Had I been present, I would have voted in favor of H.R. 404 (the Federal Customer Service Enhancement Act), H. Res. 553 (Mourning the Passing of Lady Bird Johnson), and H. Res. 519 (Honoring the Life and Accomplishments of Tom Lea). I would have voted against ordering the previous question on H. Res. 558 (the rule providing for consideration of H.R. 3074).

STAR-SPANGLED BANNER NATIONAL HISTORIC TRAIL ACT

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 23, 2007

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 1388, the Star-Spangled Banner National Historic Trail Act. This bill aims to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia, as well as through the District of Columbia.

I would first like to begin by commending my distinguished colleague and the representative of Maryland's 3rd Congressional District, Congressman JOHN P. SARBANES on his work with this very important piece of legislation. As with most national historic trails, its purpose and significance must be examined for its unique characteristics. I applaud the gentleman for his work in aiming to protect and preserve our Nation's trails.

A national historic trail is an extended trail that follows routes of travel that are typically of historic and national significance. The Star-Spangled Banner National Historic Trail consists of water and overland routes totaling appropriately 290 miles extending from southern Maryland through the District of Columbia and Virginia, and north of Baltimore, Maryland, commemorating the Chesapeake Campaign of the War of 1812, as generally depicted on the maps.

A national historic trail ought to be significant with respect to several facets of American history, ranging from trade and commerce, exploration, migration and settlement, or military campaigns and must have significant potential for public recreational or historic use. The trail ought to be continuous and might include land, water or marked highway segments. The Star-Spangled Banner National Historic Trail land routes would follow existing public roads, along which British and American troops traveled.

Mr. Speaker, this bill would mandate the administration of this trail by the Secretary of the Interior. The Secretary ought to encourage public participation by communities, owners of land along the trail, and volunteer trail groups

with the administering, planning, development and maintenance of the trail. Any land or interest in land outside the exterior boundaries of any federally administered area would be prohibited, unless with prior consent from the owner of the land or interest in land. It would be the responsibility of the Secretary to authorize and provide interpretive programs and services, and technical assistance to State and local government and non-profit organizations.

Mr. Speaker, the primary focus of this initiative has been providing conservation and enjoyment of, public access to, and interpretation of the historic route and its resources. Historians and regional trail groups have recognized the importance of the untold stories and legacy of the events of the Chesapeake Campaign and the need for protection and interpretation of related historical resources.

H.R. 1388 commemorates the events leading up to the writing of ''The Star-Spangled Banner'' during the Chesapeake Campaign of the War of 1812. Along these trails are the bedrock of many events of historical significance—British invasion of Maryland, the Battle of Bladensburg, the burning of the White House, the Capitol and Washington Navy Yard, as well as the Battle for Baltimore (1814). The route of the invasion is known and documented, and the proposed trail would follow it as closely as possible.

Mr. Speaker, I rise today in strong support, as well as to encourage my colleagues to join Representative SARBANES in amending the National Trails Systems Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail. Visitors to this region ought to enjoy the opportunity to envision and experience this great piece of American history- the heritage and struggles that ensued during the War of 1812. The Star-Spangled Banner National Historic Trail Act would give recognition to the patriots whose determination to stand firm against enemy invasion and bombardment preserved this liberty for future generations of Americans.

INTRODUCTION OF THE PATH TO SUCCESS: GANG PREVENTION THROUGH COMMUNITY PARTNERSHIPS ACT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce the Path to Success Act.

This important piece of legislation addresses a pressing social dilemma that has permeated American society, successfully wreaking havoc, fear, and violence indiscriminately in urban and rural communities alike. Gang-related offenses have peaked to astronomical numbers, making youth gangs an endemic feature of American life. Most of these gang members are engulfed in a cyclical culture of poverty, illiteracy, and homelessness which contribute to excessive recidivism rates. Youths who are particularly vulnerable for recruitment are quickly indoctrinated into lawlessness.

The bill I am introducing today authorizes the Secretary of Education to award $20 million in grants to community colleges that agree to enter into and maintain partnerships with juvenile detention centers by providing juvenile ex-offenders with a supportive learning environment where they can attain marketable skills and credentials needed for their constructive re-entry into society. Under the bill, each community college will be encouraged to grant academic merit to eligible participants based on their distinctive academic backgrounds, learning curves, and concentration interests.

Under this bill, community colleges who apply for these grants will be responsible for facilitating the academic, psychological, and social adjustment of juvenile ex-offenders who were detained for gang related offenses. These community colleges will serve as hubs for networks among local organizations that are committed to assisting youthful offenders' successful reintegration into society.

With these grants, community colleges can work with different partners to employ intervention strategies to divert at-risk youth from crime by providing counseling, academic or vocational training, and professional development to eligible participants enrolled in the program. In fact, this legislation requires that community colleges partner with both public and private entities to facilitate internships, apprenticeships, and permanent employment opportunities for eligible participants. This feature of the outreach effort is especially relevant to ensure recidivism prevention.

At this juncture, we must set precedence on determining pragmatic measures that will mitigate gang violence. Gang violence presents an intricate challenge to communities around the United States, especially in areas where there is significant socio-economic duress. Ultimately, no one can cite the one definitive cause of community violence, poverty, neighborhood deterioration, or why Johnny cannot read. These types of contemporary problems have increasingly become more qualitatively complex.

This is exactly why we cannot afford to adopt parochial methods to mitigate juvenile delinquency. Since it is virtually impossible for one agency to unilaterally solve intractable problems, every worthwhile effort requires collaboration and partnering among organizations to resolve the issue we see before us in this day and age.

Education gives people hope and self-respect; it shows them that they can succeed by lawful means. The academic and vocational training is a critical component of this program especially since research has shown that the typical habitual offender is a person of little or no education.

Madam Speaker, approximately 100,000 juveniles (ages 17 years and under) leave juvenile correctional facilities, State prison, or Federal prison each year. Juveniles released from secure confinement have a recidivism rate ranging from 55 to 75 percent. Even more, research has shown that the likelihood that young people will successfully transition into society increases with effective reentry and aftercare programs.

Taking a comprehensive approach is the only pragmatic solution to stopping the spread of gang violence. By promoting communal networks, this legislation provides opportunities for the community to be instrumental in administering programs designed to reduce recidivism among ex-gang offenders, and deter gang violence and membership among other at risk youths.

Juvenile delinquency is a complex phenomenon that has riveting effects. I firmly believe that this legislation will make significant progress in our battle against gang violence because it fully incorporates the community in the implementation process.

Madam Speaker, it takes a network to fight a network. In order to provide a realistic, individualized, and creative response to public problems, we must design the right network. This legislation offers guidelines to determine and develop appropriate activation tools to respond to gang violence. I hope this bill would receive the bipartisan support that it deserves. I ask for my colleagues' support and urge the swift consideration of this bill.

PERSONAL EXPLANATION

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 24, 2007

Mr. BURGESS. Madam Speaker, because of traveling back to the States from Iraq, I missed the following votes:

(1) H.R. 404—Federal Customer Service Enhancement Act (15 minutes)—''no.''

(2) H. Res. 553—Mourning the passing of former First Lady, Lady Bird Johnson, and celebrating her life and contributions to the people of the United States (5 minutes)—''yes.''

(3) H. Res. 519—Honoring the life and accomplishments of renowned artist Tom Lea on the 100th anniversary of his birth (5 minutes)—''yes.''

(4) Previous Question—Rule for H.R. 3074—Transportation-HUD Approps (5 minutes)—''no.''

(5) Adoption of the Rule for H.R. 3074—Transportation-HUD Approps (5 minutes)—''no.''

Tuesday, July 24, 2007

Daily Digest

HIGHLIGHTS

Senate passed S. 1642, Higher Education Amendments Act.

Senate passed H.J. Res. 44, Burmese Freedom and Democracy Act Renewal Approval.

The House passed H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008.

Senate

Chamber Action

Routine Proceedings, pages S9795–S9855

Measures Introduced: Ten bills and four resolutions were introduced, as follows: S. 1859–1868, S. Res. 278–280, and S. Con. Res. 42. **Pages S9831–32**

Measures Reported:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2008". (S. Rept. No. 110–133)

S. 1859, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008. (S. Rept. No. 110–134)

S. 423, to increase, effective as of December 1, 2007, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans. (S. Rept. No. 110–135)

S. 1500, to support democracy and human rights in Zimbabwe. (S. Rept. No. 110–136)

S.J. Res. 16, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003. **Page S9831**

Measures Passed:

Higher Education Amendments Act: By a unanimous vote of 95 yeas (Vote No. 275), Senate passed S. 1642, to extend the authorization of programs under the Higher Education Act of 1965, agreeing to the committee amendment in the nature of a substitute, and after taking action on the following amendments proposed thereto: **Pages S9797–S9811**

Adopted:

By a unanimous vote of 93 yeas (Vote No. 274), Kennedy/Coburn Modified Amendment No. 2381 (to Amendment No 2369), to provide for a demonstration and certification regarding the use of certain Federal funds. **Pages S9797–S9811**

Coburn Amendment No. 2369, to certify that taxpayers' dollars and students' tuition support educational rather than lobbying activities. **Pages S9797–S9811**

During consideration of this measure today, Senate also took the following action:

A unanimous-consent request was granted permitting Senator Landrieu to change her yea vote to a nay vote on Vote No. 273 changing the outcome of the vote to 37 yeas to 54 nays relative to Brown Amendment No. 2376, rejected on July 23, 2007. **Page S9811**

Burmese Freedom and Democracy Act Renewal Approval: By a vote of 93 yeas to 1 nay (Vote No. 276), Senate passed H.J. Res. 44, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, clearing the measure for the President. **Pages S9819–22**

Second Higher Education Extension Act: Senate passed S. 1868, to temporarily extend the programs under the Higher Education Act of 1965. **Page S9824**

Social Security Act Amendment: Committee on Finance was discharged from further consideration of H.R. 2429, to amend title XVIII of the Social Security Act to provide an exception to the 60-day limit on Medicare reciprocal billing arrangements between two physicians during the period in which one of the physicians is ordered to active duty as a member of a reserve component of the Armed Forces, and the

bill was then passed, clearing the measure for the President. Page S9852

Honoring the Life of Dame Lois Browne Evans: Senate agreed to S. Res. 248, honoring the life and achievements of Dame Lois Browne Evans, Bermuda's first female barrister and Attorney General, and the first female Opposition Leader in the British Commonwealth. Pages S9852–53

Expressing Appreciation for Donald Jeffry Herbert: Senate agreed to S. Res. 261, expressing appreciation for the profound public service and educational contributions of Donald Jeffry Herbert, fondly known as "Mr. Wizard". Pages S9852–53

National Idiopathic Pulmonary Fibrosis Awareness Week: Senate agreed to S. Con. Res. 42, recognizing the need to pursue research into the causes, treatment, and eventual cure for idiopathic pulmonary fibrosis, supporting the designation of a National Idiopathic Pulmonary Fibrosis Awareness Week. Pages S9853–54

Congratulating Anaheim Ducks: Senate agreed to S. Res. 280, congratulating the Anaheim Ducks for winning the 2007 Stanley Cup Championship. Page S9854

Measures Considered:

Department of Homeland Security Appropriations Act: Senate began consideration of H.R. 2638, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, taking action on the following amendments proposed thereto: Pages S9811–19, S9823–24

Pending:

Byrd/Cochran Amendment No. 2383, in the nature of a substitute. Pages S9812–17

Bingaman Amendment No. 2388 (to Amendment No. 2383), to provide financial aid to local law enforcement officials along the Nation's borders. Pages S9823–24

During consideration of this measure, Senate also took the following action:

Senate sustained a point of order against Vitter Amendment No. 2384 (to Amendment No. 2383), to allow for expanded uses of funding allocated to Louisiana under the hazard mitigation program while preserving the goals of the program to reduce future damage from disasters through mitigation, as being in violation of Rule XVI of the Standing Rules of the Senate which prohibits legislation on appropriations matters, and the amendment thus fell. Page S9817

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Wednesday, July 25, 2007. Page S9854

Nominations Reported: The following nominations were reported and placed on the Executive Calendar:

Roslynn Renee Mauskopf, of New York, to be United States District Judge for the Eastern District of New York, which was sent to the Senate on January 9, 2007, from the Committee on the Judiciary.

William Lindsay Osteen, Jr., of North Carolina, to be United States District Judge for the Middle District of North Carolina, which was sent to the Senate on January 9, 2007, from the Committee on the Judiciary.

Martin Karl Reidinger, of North Carolina, to be United States District Judge for the Western District of North Carolina, which was sent to the Senate on January 9, 2007, from the Committee on the Judiciary.

Timothy D. DeGiusti, of Oklahoma, to be United States District Judge for the Western District of Oklahoma, which was sent to the Senate on February 15, 2007, from the Committee on the Judiciary.

Janis Lynn Sammartino, of California, to be United States District Judge for the Southern District of California, which was sent to the Senate on March 19, 2007, from the Committee on the Judiciary.

Joe W. Stecher, of Nebraska, to be United States Attorney for the District of Nebraska for the term of four years, which was sent to the Senate on April 30, 2007, from the Committee on the Judiciary.

Charles L. Hopkins, of Massachusetts, to be an Assistant Secretary of Veterans Affairs (Operations, Preparedness, Security and Law Enforcement), which was sent to the Senate on April 11, 2007, from the Committee on Veterans' Affairs. Page S9831

Messages from the House: Page S9826

Measures Referred: Page S9827

Measures Placed on the Calendar: Page S9827

Enrolled Bills Presented: Page S9827

Executive Communications: Pages S9827–29

Petitions and Memorials: Pages S9829–31

Executive Reports of Committees: Page S9831

Additional Cosponsors: Pages S9832–34

Statements on Introduced Bills/Resolutions: Pages S9834–39

Additional Statements: Pages S9825–26

Amendments Submitted: Pages S9839–51

Notices of Hearings/Meetings: Pages S9851–52

Authorities for Committees to Meet: Page S9852

Privileges of the Floor: Page S9852

Record Votes: Three record votes were taken today. (Total—276) Pages S9811, S9822

Adjournment: Senate convened at 10 a.m. and adjourned at 6:45 p.m., until 9:30 a.m. on Wednesday, July 25, 2007. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S9854–55.)

Committee Meetings

(Committees not listed did not meet)

CHILD PROTECTION ON THE INTERNET

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the protection of children on the internet, after receiving testimony from Lan W. Neugent, Virginia Department of Education, Richmond; David Finkelhor, University of New Hampshire Horton Social Sciences Center Crimes Against Children Research Center, Durham; Ernie Allen, National Center for Missing and Exploited Children, Alexandria, Virginia; Christine N. Jones, Go Daddy Group, Inc., Scottsdale, Arizona; and Lauren Nelson, Linwood, New Jersey.

GLOBAL WARMING POLICY

Committee on Environment and Public Works: Subcommittee on Private Sector and Consumer Solutions to Global Warming and Wildlife Protection concluded a hearing to examine economic and international issues, focusing on global warming policy, including S. 280, to provide for a program to accelerate the reduction of greenhouse gas emissions in the United States by establishing a market-driven system of greenhouse gas tradeable allowances, to support the deployment of new climate change-related technologies, and to ensure benefits to consumers from the trading in such allowances, after receiving testimony from Timothy H. Profeta, Duke University Nicholas Institute for Environmental Policy Solutions, Durham, North Carolina; Blythe Masters, JP Morgan Chase, New York, New York; Garth Edward, Shell International Trading and Shipping Company, Ltd., London, United Kingdom; and Robert C. Baugh, AFL–CIO Industrial Union Council and Energy Task Force, and Margo Thorning, American Council for Capital Formation, both of Washington, D.C.

FARM COUNTRY TAX POLICY

Committee on Finance: Committee concluded an oversight hearing to examine the government tax policy in farm country, focusing on the extent to which the United States Department of Agriculture follows its regulations that are intended to provide assurance that farm program payments go only to eligible estates and prevents improper payments to deceased individuals, after receiving testimony from Alison Siskin, Specialist in Immigration Policy, Domestic Social Policy Division, Congressional Research Service, Library of Congress; Lisa Shames, Director, Natural Resources and Environment, Government Accountability Office; Glen Keppy, Associate Administrator, and John Johnson, Deputy Administrator, both for Farm Programs, Farm Services Agency, Department of Agriculture; Tom Buis, National Farmers Union, Washington, D.C.; and Terrance R. Fankhauser, Colorado Cattlemen's Association, Arvada, on behalf of the National Cattlemen's Beef Association.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing on the nominations of Michael W. Michalak, of Michigan, to be Ambassador to the Socialist Republic of Vietnam, and Eric G. John, of Indiana, to be Ambassador to the Kingdom of Thailand, after the nominees testified and answered questions in their own behalf.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Henrietta Holsman Fore, of Nevada, to be Administrator of the United States Agency for International Development, after the nominee, who was introduced by Senator Hutchison, testified and answered questions in her own behalf.

GULF SECURITY

Committee on Foreign Relations: Committee met in closed session to receive a briefing regarding Gulf Security dialogue from R. Nicholas Burns, Under Secretary of State for Political Affairs; and Lieutenant General Jeffrey B. Kohler (USAF), Director, Defense Security Cooperation Agency, and Major General Philip M. Breedlove, USAF, Vice Director, Strategic Plans and Policy (J–5), The Joint Staff, both of the Department of Defense.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Jim Nussle, of Iowa, to be Director of the Office of Management and Budget, after the nominee, who was introduced by Senators Grassley and Harkin, testified and answered questions in his own behalf.

UNITED STATES DEPARTMENT OF JUSTICE

Committee on the Judiciary: Committee continued oversight hearings to examine the Department of Justice, receiving testimony from Attorney General Alberto R. Gonzales, Department of Justice.

Hearings recessed subject to the call.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the nomination of Charles L. Hopkins, of Massachusetts, to be Assistant Secretary of Veterans Affairs for Operations, Preparedness, Security and Law Enforcement.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 32 public bills, H.R. 3138–3160, 3162–3170; and 3 resolutions, H. Con. Res. 190–191; and H.Res. 565 were introduced. **Pages H8395–97**

Additional Cosponsors: **Pages H8397–98**

Report Filed: A report was filed today as follows:

H.R. 3161, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2008 (H. Rept. 110–258). **Page H8390**

Speaker: Read a letter from the Speaker wherein she appointed Representative Cohen to act as Speaker Pro Tempore for today. **Page H8297**

Recess: The House recessed at 9:03 a.m. and reconvened at 10 a.m. **Page H8297**

Chaplain: The prayer was offered by the guest Chaplain, Rev. Galen E. Hahn, Evangelical United Church of Christ, Portsmouth, Ohio. **Page H8297**

Authorizing printing of the brochure entitled "How Our Laws Are Made": Agreed by unanimous consent to H. Con. Res. 190, authorizing printing of the brochure entitled "How Our Laws Are Made", the document-sized, annotated version of the United States Constitution, and the pocket version of the United States Constitution. **Page H8301**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed until Wednesday, July 25th:

Expressing the sense of Congress regarding the dumping of industrial waste into the Great Lakes: H. Con. Res. 187, to express the sense of Congress regarding the dumping of industrial waste into the Great Lakes. **Pages H8301–07**

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008: The House passed H.R. 3074, to make appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, by a yea-and-nay vote of 268 yeas to 153 nays, Roll No. 715. Consideration of the measure began on Monday, July 23rd. **Pages H8307–90**

Rejected the Lewis (CA) motion to recommit the bill to the Committee on Appropriations with instructions to report the same back to the House promptly with an amendment, by a recorded vote of 201 ayes to 220 noes, Roll No. 714. **Pages H8388–90**

Agreed by unanimous consent that during further consideration of H.R. 3074 in the Committee of the Whole pursuant to the provisions of H. Res. 558, no further amendment to the bill will be in order except those provided on a list at the desk. **Page H8318**

Agreed to:

Hastings (FL) amendment (No. 26 printed in the Congressional Record of July 23, 2007) that redirects $20 million in funding within the Public Housing Operating Fund; **Pages H8308–09**

Turner (OH) amendment (No. 2 printed in the Congressional Record of July 23, 2007) that increases funding, by offset, for the Home Investment Partnerships Program by $6,760,000; **Pages H8314–17**

DeFazio amendment that prohibits funds from being used to establish or implement a cross-border motor carrier demonstration or pilot project or program to allow Mexico-domiciled motor carriers to operate beyond the commercial zones on the United States-Mexico border; **Pages H8347–48**

Gary G. Miller (CA) amendment (No. 16 printed in the Congressional Record of July 23, 2007) that prohibits funds from being used to take any action to issue a final rule or notice based on, or otherwise implement, all or any part of the proposed rule of the Department of Housing and Urban Development published on Friday, May 11, 2007, relating to standards for mortgagor's investment in mortgaged property; **Pages H8348–49**

Hastings (FL) amendment (No. 25 printed in the Congressional Record of July 23, 2007) that prohibits funds from being used by the Federal Aviation Administration to eliminate, consolidate, de-consolidate, co-locate, execute inter-facility reorganization, or plan for the consolidation/deconsolidation, inter-facility reorganization, or co-location of any FAA air traffic control facility or service, with exception of the reversal of the transfer of the radar functions from the Palm Springs Terminal Radar Approach Control (TRACON) to the Southern California TRACON (by a recorded vote of 268 ayes to 158 noes, Roll No. 703); **Pages H8341–44, H8357–58**

Harman amendment that prohibits funds from being used to purchase light bulbs unless the light bulbs have the ''ENERGY STAR'' designation; **Page H8359**

Peterson (PA) amendment that prohibits funds from being used to establish or collect tolls on Interstate 80 in the Commonwealth of Pennsylvania; **Page H8359**

Walberg amendment that prohibits funds from being used by the Department of Transportation to promulgate regulations based on race, ethnicity, or sex; **Pages H8373–75**

King (IA) amendment that prohibits funds from being used to provide homeownership assistance for applicants described in section 274A(h)(3) of the Immigration and Nationality Act; **Page H8375**

King (IA) amendment that prohibits funds from being used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act; **Page H8375**

Jackson-Lee (TX) amendment that redirects $10 million in funding for ''Grants-in-Aid for Airports'' administered by the Federal Aviation Administration of the Department of Transportation; **Pages H8377–78**

Jackson-Lee (TX) amendment that prohibits funds from being used in violation of section 8 of the National Labor Relations Act of 1935, with respect to workers on federally-funded transportation projects; and **Pages H8378–79**

Hunter amendment that prohibits funds from being used to participate in a working group pursuant to the Security and Prosperity Partnership (by a recorded vote of 362 ayes to 63 noes, Roll No. 707). **Pages H8359–60, H8381–82**

Rejected:

Shays amendment that sought to increase funding, by offset, for Brownfields Redevelopment by $1 million; **Pages H8313–14**

Mica amendment (that was debated on July 23rd) that sought to strike language relating to the rescission of funds under the Highway Trust Fund (by a recorded vote of 201 ayes to 217 noes, Roll No. 691); **Page H8321**

Bachmann amendment (that was debated on July 23rd) that sought to increase funding, by offset, for Homeless Assistance Grants by $106 million (by a recorded vote of 110 ayes to 308 noes, Roll No. 692); **Pages H8321–22**

Flake amendment (that was debated on July 23rd) that sought to strike language relating to Operating Grants to the National Railroad Passenger Corporation (by a recorded vote of 94 ayes to 328 noes, Roll No. 693); **Page H8322**

Flake amendment (that was debated on July 23rd) that sought to reduce funding for Capital and Debt Service Grants to the National Railroad Passenger Corporation by $425 million (by a recorded vote of 104 ayes to 312 noes, Roll No. 694); **Page H8323**

Chabot amendment (that was debated on July 23rd) that sought to reduce funding for Public and Indian Housing by $330 million (by a recorded vote of 121 ayes to 300 noes, Roll No. 695); **Pages H8323–27**

Flake amendment that sought to prohibit funds from being used for the Walter Clore Wine and Culinary Center in Prosser, Washington; **Pages H8331–32**

Flake amendment that sought to prohibit funds from being used for the Huntsville Museum of Art in Huntsville, Alabama; **Pages H8336–37**

Flake amendment that sought to prohibit funds from being used for the Hunting and Fishing Museum of Pennsylvania in Tionesta, Pennsylvania; **Pages H8337–39**

Westmoreland amendment (No. 14 printed in the Congressional Record of July 23, 2007) that sought to strike the Native Hawaiian Housing Block Grant program (by a recorded vote of 116 ayes to 307 noes, Roll No. 696); **Pages H8309–12, H8353**

Sessions amendment (No. 15 printed in the Congressional Record of July 23, 2007) that sought to prohibit the use of funds to support Amtrak's route with the highest loss, measured by passenger per mile cost as based on the National Railroad Passenger Corporation's September 2006 Financial Performance of Routes Report (by a recorded vote of 139 ayes to 283 noes, Roll No. 697); **Pages H8328–30, H8353–54**

Flake amendment that sought to prohibit the use of funds for the Belmont Complex in Armstrong County, Pennsylvania (by a recorded vote of 87 ayes to 335 noes, Roll No. 698); **Pages H8330–31, H8354–55**

Flake amendment that sought to prohibit the use of funds for the North Central Wisconsin Regional Planning Commission in Wausau, Wisconsin (by a recorded vote of 68 ayes to 356 noes, Roll No. 699); **Pages H8332–34, H8355**

Flake amendment that sought to prohibit the use of funds for the National Forest Recreation Association in Woodlake, California (by a recorded vote of 69 ayes to 352 noes, Roll No. 700); **Pages H8334–36, H8355–56**

Flake amendment that sought to prohibit funds from being used for the Friends of the Cheat Rails to Trails Program (by a recorded vote of 81 ayes to 342 noes, Roll No. 701); **Pages H8339–40, H8356–57**

Flake amendment that sought to prohibit funds from being used for the Houston Zoo in Houston, Texas (by a recorded vote of 77 ayes to 347 noes, Roll No. 702); **Pages H8340–41, H8257**

Frelinghuysen amendment that sought to prohibit funds from being used by the Federal Aviation Administration to implement its preferred alternative of the New York/New Jersey/Philadelphia Airspace Redesign project (by a recorded vote of 65 ayes to 360 noes, Roll No. 704); **Pages H8344–47, H8358–59**

Hensarling amendment (No. 22 printed in the Congressional Record of July 23, 2007) that sought to prohibit funds from being used for the Edmunds Center for the Arts, City of Edmunds, Washington (by a recorded vote of 97 ayes to 327 noes, Roll No. 705); **Pages H8349–51, H8380–81**

Hensarling amendment (No. 21 printed in the Congressional Record of July 23, 2007) that sought to prohibit funds from being used for parking facilities (by a recorded vote of 86 ayes to 338 noes, Roll No. 706); **Pages H8351–52, H8381**

Jordan amendment that sought to reduce the total amount appropriated in this Act by $3.2 billion (by a recorded vote of 133 ayes to 292 noes, Roll No. 708); **Pages H8360–64, H8383–83**

Price (GA) amendment (No. 20 printed in the Congressional Record of July 23, 2007) that sought to reduce the total amount appropriated in this Act by $507,767,000 (by a recorded vote of 177 ayes to 250 noes, Roll No. 709); **Pages H8364–68, H8383**

Musgrave amendment that sought to reduce the total amount appropriated in this Act by $253,690,000 (by a recorded vote of 198 ayes to 229 noes, Roll No. 710); **Pages H8368–72, H8383–84**

Price (GA) amendment that sought to prohibit funds made available for the mortgage insurance programs under title II of the National Housing Act from being used for any housing trust fund established under title II of the Cranston-Gonzalez National Affordable Housing Act (by a recorded vote of 142 ayes to 283 noes, Roll No. 711); **Pages H8372–73, H8384–85**

King (IA) amendment that sought to prohibit funds from being used to implement the provisions of subchapter IV of chapter 31 of title 40, United States Code (relating to wage rate requirements; commonly known as the Davis-Bacon Act) (by a recorded vote of 148 ayes to 278 noes, Roll No. 712); and **Pages H8375–76, H8385**

Frank (MA) amendment that sought to prohibit funds from being used to implement or enforce the requirement under section 12(c) of the United States Housing Act of 1937 (by a recorded vote of 207 ayes to 220 noes, Roll No. 713, after agreeing by unanimous consent to vacate the voice vote taken earlier in the day). **Pages H8337, H8385–86**

Withdrawn:

Corrine Brown (FL) amendment (No. 5 printed in the Congressional Record of July 23, 2007) that was offered and subsequently withdrawn that would have amended the referenced statement of managers with respect to the item relating to the City of Maitland, Florida; **Pages H8312–13**

Al Green (TX) amendment (No. 6 printed in the Congressional Record of July 23, 2007) that was offered and subsequently withdrawn that would have increased funding, by offset, for Fair Housing and Equal Opportunity by $5,820,000; **Pages H8319–20**

Slaughter amendment that was offered and subsequently withdrawn that would have increased funding, by offset, for the Office of Lead Hazard Control by $10 million; **Page H8320**

Gary G. Miller (CA) amendment that was offered and subsequently withdrawn that would have added a new section at the end of title II relating to Moving to Work Demonstration Agreements; **Pages H8327–28**

Conaway amendment that was offered and subsequently withdrawn that would have stated the sense of the House that any reduction in the amount appropriated by this Act achieved as a result of amendments adopted by the House should be dedicated to deficit reduction; and **Pages H8376–77**

Jackson-Lee (TX) en bloc amendments that were offered and subsequently withdrawn relating to technology for temporary disaster housing and relating to funding for necessary communication equipment for transportation workers. **Pages H8379–80**

Moment of Silence: The House observed a moment of silence in honor of Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police who were killed in the line of duty defending the Capitol against an intruder armed with a gun on July 24, 1998. **Page H8341**

Senate Messages: Messages received from the Senate today appear on page H8297, H8359.

Senate Referrals: S. 1856 was referred to the Committee on the Judiciary and S. 1868 was held at the desk. **Page H8394**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H8398–99.

Quorum Calls—Votes: One yea-and-nay vote and twenty-four recorded votes developed during the proceedings of today and appear on pages H8321, H8321–22, H8322–23, H8323, H8323–24, H8353, H8353–54, H8354–55, H8355, H8355–56, H8356–57, H8357, H8357–58, H8358–59, H8380–81, H8381, H8381–82, H8382–83, H8383, H8383–84, H8384–85, H8385, H8385, H8389–90, H8390. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 11:48 p.m.

Committee Meetings

SURFACE COMBATANT CONSTRUCTION UPDATE

Committee on Armed Services: Subcommittee on Seapower and Expeditionary Forces held a hearing on the surface combatant construction update. Testimony was heard from the following officials of the Department of the Navy: VADM Paul Sullivan, USN, Commander, Naval Sea Systems Command; Allison Stiller, Deputy Assistant Secretary, Ship Programs; RADM Barry McCullough, USN, Director, Warfare Integration; and RADM Charles Goddard, USN, Program Executive Officer, Ships; the following officials of the CBO: Eric Labs, and J. Michael Gilmore; Ronald O'Rourke, CRS, Library of Congress; and Paul Francis, Director, Acquisition and Sourcing Management, GAO.

WORKER MISCLASSIFICATION

Committee on Education and Labor: Subcommittee on Health, Employment, Labor and Pensions and the Subcommittee on Workforce Protections held a joint hearing on the Misclassification of Workers as Independent Contractors: What Policies and Practices Best Protect Workers? Testimony was heard from Paul DeCamp, Wage and Hour Administrator, Department of Labor; David Socolow, Commissioner of Labor, State of New Jersey; and public witnesses.

HELPING VULNERABLE YOUTH

Committee on Education and Labor: Subcommittee on Healthy Families and Communities held a hearing on Runaway, Homeless, and Missing Children: Perspectives on Helping the Nation's Vulnerable Youth. Testimony was heard from public witnesses.

FCC OVERSIGHT

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet continued hearings entitled "Oversight of the Federal Communications Commission—Part 2." Testimony was heard from the following officials of the FCC: Kevin J. Martin, Chairman; Michael J. Copps, Jonathan S. Adelstein, Deborah Taylor Tate; and Robert McDowell, all Commissioners.

TERRORISM RISK INSURANCE REVISION AND EXTENSION ACT OF 2007

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises approved for full Committee action, as amended, H.R. 2761, Terrorism Risk Insurance Revision and Extension Act of 2007.

LATIN AMERICAN/CARIBBEAN DEPORTEES

Committee on Foreign Affairs: Subcommittee on the Western Hemisphere held a hearing on Deportees in Latin America and the Caribbean. Testimony was heard from Gary Mead, Assistant Director, Management, Office of Detention and Removal Operations, Bureau of U.S. Immigration and Customs Management, Department of Homeland Security; Charles Shapiro, Principal Deputy Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; and public witnesses.

The Subcommittee also held a briefing this subject. The Subcommittee was briefed by public witnesses.

FOOD SUPPLY CHAIN VULNERABILITIES

Committee on Homeland Security: Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology held a hearing entitled "Federal Efforts to Mitigate Vulnerabilities in the Food Supply Chain." Testimony was heard from the following officials of the USDA: David Acheson, Assistant Commissioner, Food Protection, FDA; and Carol Maczka, Assistant Administrator, Office of Food Defense and Emergency Response, Food Safety Inspection Service; and the following officials of the Department of Homeland Security: Tom McGinn, D.V.M., Chief Veterinarian and Director, Food and Agriculture Security, Office of Health Affairs; and Dan Baldwin, Assistant Commissioner, Office of International Trade, U.S. Customs and Border Patrol; Lee M. Myers, D.V.M., Assistant Commissioner, Animal Industry, Department of Agriculture, State of Georgia; and public witnesses.

CHEMICAL SECURITY

Committee on Homeland Security: Subcommittee on Transportation Security and Infrastructure Protection held a hearing entitled "Chemical Security-A Rising Concern for America: Examination of the Department's Chemical Security Regulation and its Effect on the Public and Private Sector." Testimony was heard from Bob Stephan, Assistant Secretary, Infrastructure Protection, Department of Homeland Security; and public witnesses.

OVERSIGHT—PRIVACY/CIVIL LIBERTIES PROTECTION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held an oversight hearing on Privacy in the Hands of the Government: the Privacy and Civil Liberties Oversight Board and the Privacy Officer for the U.S. Department of Homeland Security. Testimony was heard from Alan Charles Raul, Privacy and Civil Liberties Oversight Board, The White House; Linda Koontz, Director, GAO; Hugo Teufel, Chief Privacy Officer, Department of Homeland Security; and a public witness.

MISCELLANEOUS MEASURES; DEATHS IN CUSTODY REPORTING ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism and Homeland Security approved for full Committee action the following bills: H.R. 1943, Stop AIDS in Prison Act of 2007; H.R. 1199, Drug Endangered Children Act of 2007; H.R. 400, War Profiteering Prevention Act of 2007; H.R. 2740, MEJA Expansion and Enforcement Act of 2007; and H.R. 3013, Attorney-Client Privilege Protection Act of 2007.

The Subcommittee also held a hearing on H.R. 2908, Deaths in Custody Reporting Act of 2007. Testimony was heard from Jeffrey Sedgwick, Office of Legislative Affairs, Department of Justice; and public witnesses.

OVERSIGHT—U.S. MARSHALL ISLANDS FREE ASSOCIATION

Committee on Natural Resources: Subcommittee on Insular Affairs held an oversight hearing on the Implementation of the Compact of Free Association between the United States and the Republic of the Marshall Islands. Testimony was heard from David B. Cohen, Deputy Assistant Secretary, Insular Affairs, Department of the Interior; Gerald M. Zackios, Minister of Foreign Affairs, Republic of the Marshall Islands; and David B. Gootnick, M.D., Director, International Affairs and Trade, GAO.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Subcommittee on Water and Power held a hearing on H.R. 1970, Northwestern New Mexico Rural Water Projects Act; and H.R. 2515, Lower Colorado River Multi-Species Conservation Program Act. Testimony was heard from Robert Johnson, Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

INADVERTENT PEER-TO PEER FILE SHARING

Committee on Oversight and Government Reform: Held a hearing on Inadvertent File Sharing Over Peer-to-Peer Networks. Testimony was heard from Thomas D. Sydnor, II, Attorney-Advisor, Copyright Group, Office of International Relations, U.S. Patent and Trademark Office, Department of Commerce; Mary Koelbel Engle, Associate Director, Advertising Practices, Bureau of Consumer Protection, FTC; Daniel G. Mintz, Chief, Information Officer, Department of Transportation; GEN Wesley K. Clark, USA (ret.), former Supreme Allied Commander of NATO; and public witnesses.

SPACE SHUTTLE/INTERNATIONAL SPACE STATIONS ISSUES

Committee on Science and Technology: Subcommittee on Space and Aeronautics held a hearing on NASA's Space Shuttle and International Space Station Programs: Status and Issues. Testimony was heard from William H. Gerstenmaier, Associate Administrator, Space Operations Mission Directorate, NASA; Cristina T. Chaplain, Director, Acquisition and Sourcing Management, GAO; and public witnesses.

AIR TRAFFIC CONTROL FACILITIES

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on FAA's Aging ATC Facilities: Investigating the Need to Improve Facilities and Worker Conditions. Testimony was heard from the following officials of the FAA, Department of Transportation: David B. Johnson, Vice President, Terminal Services and Steven B. Zaidman, Vice President, Technical Operations Services, both with the Air Traffic Organization; and public witnesses.

IT INVENTORY MANAGEMENT

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing on IT Inventory Management. Testimony was heard from McCoy Williams, Director, Financial Management and Assurance, GAO; and the following officials of the Department of Veterans Affairs: Robert T. Howard, Assistant Secretary, Information and Technology; and Robert J. Henke, Assistant Secretary, Management.

OVERSIGHT—TAX-EXEMPT CHARITABLE ORGANIZATIONS

Committee on Ways and Means: Subcommittee on Oversight held an oversight hearing on Tax-Exempt Organizations, focusing on Charities and Foundations. Testimony was heard from Steven T. Miller, Commissioner, Tax Exempt and Government Entities Division, IRS, Department of the Treasury; the following officials of the GAO: Stanley J. Czerwinski, Director, Intergovernmental Relations, Strategic Issues; and Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations; and public witnesses.

BRIEFING—JULY 20TH EXECUTIVE ORDER ON DETENTION AND INTERROGATION

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on the July 20th Executive Order on Detention and Interrogation. The Committee was briefed by departmental witnesses.

WEAPONS OF MASS DESTRUCTION

Permanent Select Committee on Intelligence: Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to continue hearings on Weapons of Mass Destruction, Part II. Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 25, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: Subcommittee on Interstate Commerce, Trade, and Tourism, to hold hearings to examine United States trade relations with China, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: business meeting to consider S. 169, to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the System, S. 278, to establish a program and criteria for National Heritage Areas in the United States, S. 289, to establish the Journey Through Hallowed Ground National Heritage Area, S. 443, to establish the Sangre de Cristo National Heritage Area in the State of Colorado, S. 444, to establish the South Park National Heritage Area in the State of Colorado, S. 471, to authorize the Secretary of the Interior to convey to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as a historical interpretive site along the trail, S. 637, to direct the Secretary of the Interior to study the suitability and feasibility of establishing the Chattahoochee Trace National Heritage Corridor in Alabama and Georgia, S. 645, to amend the Energy Policy Act of 2005 to provide an alternate sulfur dioxide removal measurement for certain coal gasification project goals, S. 647, to designate certain land in the State of Oregon as wilderness, S. 722, to direct the Secretary of the Interior and the Secretary of Agriculture to jointly conduct a study of certain land adjacent to the Walnut Canyon National Monument in the State of Arizona, S. 800, to establish the Niagara Falls National Heritage Area in the State of New York, S. 817, to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide additional authorizations for certain National Heritage Areas, S. 838, to authorize funding for eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, S. 955, to establish the Abraham Lincoln National Heritage Area, S. 1089, to amend the Alaska Natural Gas Pipeline Act to allow the Federal Coordinator for Alaska Natural Gas Transportation Projects to hire employees more efficiently, S. 1148, to establish the Champlain Quadricentennial Commemoration Commission and the Hudson-Fulton 400th Commemoration Commission, S. 1182, to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to increase the authorization of appropriations and modify the date on which the authority of the Secretary of the Interior terminates under the Act, S. 1203, to enhance the management of electricity programs at the Department of Energy, S. 1281, to amend the Wild and Scenic Rivers Act to designate certain rivers and streams of the headwaters of the Snake River System as additions to the National Wild and Scenic Rivers System, S. 1728, to amend the National Parks and Recreation Act of 1978 to reauthorize the Na Hoa Pili O Kaloko-Honokohau Advisory Commission, H.R. 85, to provide for the establishment of centers to encourage demonstration and commercial application of advanced energy methods and technologies, H.R. 247, to designate a Forest Service trail at Waldo Lake in the Willamette National Forest in the State of Oregon as a national recreation trail in honor of Jim Weaver, a former Member of the House of Representatives, H.R. 356, to remove certain restrictions on the Mammoth Community Water District's ability to use certain property acquired by that District from the United States, H.R. 407, to direct the Secretary of the Interior to conduct a study to determine the feasibility of establishing the Columbia-Pacific National Heritage Area in the States of Washington and Oregon, and H.R. 995, to amend Public Law 106–348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States, and other pending calendar business, 11:30 a.m., SD–366.

Committee on Environment and Public Works: Subcommittee on Superfund and Environmental Health, to hold an oversight hearing to examine the Environmental Protection Agency's Environmental Justice programs, 2 p.m., SD–406.

Committee on Finance: to hold hearings to examine the nominations of Peter B. McCarthy, of Wisconsin, to be an Assistant Secretary of the Treasury, David H. McCormick, of Pennsylvania, to be an Under Secretary of the Treasury, Kerry N. Weems, of New Mexico, to be Administrator of the Centers for Medicare and Medicaid Services, Tevi David Troy, of New York, to be Deputy Secretary of Health and Human Services, and Charles E. F. Millard, of New York, to be Director of the Pension Benefit Guaranty Corporation, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine S. 732, to empower Peace Corps volunteers, 9:30 a.m., SD–419.

Full Committee, to hold hearings to examine Pakistan's future, focusing on the challenges of building a democracy, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: business meeting to consider S. 625, to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, S. 1183, to enhance and further research into paralysis and to improve rehabilitation and the quality of life for persons living with paralysis and other physical disabilities, S. 579, to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer, S. 898, to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention, a bill entitled, ''Newborn Screening Saves Lives Act of 2007'', and the nominations of Diane Auer Jones, of Maryland, to be Assistant Secretary for Postsecondary Education, Department of Education, David C. Geary, of Missouri, to be a Member of the Board of Directors of the National Board for Education Sciences, and Miguel Campaneria, of Puerto Rico, to be a Member of the National Council on the Arts, and other pending calendar business, 10 a.m., SD–106.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nomination of Dennis R. Schrader, of Maryland, to be Deputy Administrator for National Preparedness, Federal Emergency Management Agency, Department of Homeland Security, 10 a.m., SD–342.

Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine the implementation of the Postal Accountability and Enhancement Act. (Public Law 109–435), 3 p.m., SD–342.

Committee on Small Business and Entrepreneurship: to hold an oversight hearing to examine Gulf Coast disaster loans, focusing on the future of the disaster assistance program, 10 a.m., SR–428A.

Committee on Veterans' Affairs: to hold an oversight hearing to examine Department of Veterans Affairs health care funding, 9:30 a.m., SD–562.

House

Committee on Appropriations, to consider Defense Appropriations for Fiscal Year 2008, 9 a.m., 2359 Rayburn.

Committee on Armed Services, and the Permanent Select Committee on Intelligence, joint hearing on Implications of the National Intelligence Estimate regarding Al-Qaeda, 1 p.m., 2118 Rayburn.

Subcommittee on Oversight and Investigations, to continue hearings on A Third Way: Alternatives for Iraq's Future, Part 3, 10 a.m., 2212 Rayburn.

Committee on the Budget, hearing on Perspectives on Renewing Statutory PAYGO, 10 a.m., 210 Cannon.

Committee on Energy and Commerce, to mark up the following measures: H.R. 20, Melanie Blocker-Stokes Postpartum Depression Research and Care Act; H.R. 2295, ALS Registry Act; H.R. 507, Vision Car for Kids Act of 2007; and the Children's Health and Medicare Protection (CHAMP) Act of 2007, 4 p.m., 2123 Rayburn.

Committee on Financial Services, hearing on Improving Federal Consumer Protection in Financial Services-Consumer and Industry Perspectives, 10 a.m., 2128 Rayburn.

Subcommittee on Oversight and Investigations, hearing on Rooting Out Discrimination in Mortgage Lending: Using HMDA as a Tool for Fair Lending Enforcement, 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on Central and Eastern Europe: Assessing the Democratic Transition, 10 a.m., 2172 Rayburn.

Subcommittee on Asia, the Pacific, and the Global Environment, hearing on an Overview of the Compact of Free Association between the United States and the Republic of the Marshall Islands: Are Changes Needed? 2 p.m., 2255 Rayburn.

Committee on Homeland Security, July 25, full Committee, hearing entitled ''An Overview of Department of Homeland Security Federal Advisory Committees,'' 10 a.m., 311 Cannon.

Committee on the Judiciary, to consider a resolution and report recommending to the House of Representatives that former White House Counsel Harriet Miers and White House Chief of Staff Joshua Bolten be coted for contempt of Congress; and to mark up the following bills: H.R. 1943, Stop AIDS In Prison Act of 2007; H.R. 1199, Drug Endangered Children Act of 2007; H.R. 400, War Profiteering Prevention Act of 2007; and H.R. 2740, MEJA Expansion and Enforcement Act of 2007, 10:15 a.m., 2141 Rayburn.

Committee on Natural Resources, oversight hearing on the Surfacing Reclamation Act of 1977: A 30th Anniversary Review, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Domestic Policy, hearing on ExxonMobil and Shell Answer Questions about Hot Fuels Double Standards, 10 a.m., 2154 Rayburn.

Committee on Rules, to consider H.R. 2419, Farm Bill Extension Act of 2007, 3 p.m., H–313 Capitol.

Committee on Small Business, hearing entitled ''Competitive Bidding for Clinical Lab Services: Where's it Heading and What Small Businesses Can Expect,'' 10 a.m., 2360 Rayburn.

Committee on Veterans' Affairs, hearing on PTSD and Personality Disorders: Challenges for the VA, 10 a.m., 334 Cannon.

Permanent Select Committee on Intelligence, executive, briefing on Hot Spots, 8:45 a.m., H–405 Capitol.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the national foreclosure crisis, focusing on subprime mortgage fallout, 10 a.m., SH–216.

Next Meeting of the **SENATE**

9:30 a.m., Wednesday, July 25

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of H.R. 2638, Department of Homeland Security Appropriations Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Wednesday, July 25

House Chamber

Program for Wednesday: Consideration of H.R. 3093—Commerce, Justice, Science, and Related Agencies Appropriations Act, 2008.

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