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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 17, 2007.

I hereby appoint the Honorable C.A. DUTCH RUPPERSBERGER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

RECESS

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

Accordingly (at 12 o'clock and 31 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

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

PRAYER

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

Lord God, dynamic in power, never absent or diminished, inspire the Members of the House of Representatives with transcending vision and far-reaching goals. While focused on the honest issues facing Your people and searching for response in solid national policies, keep them as practical as most of America's people.

With Your help, enlighten them to assess accurately our Nation's resources, and yet be honest enough to admit our limitations. Prevent them from enabling dysfunctional endeavors or from being distracted by unreal anxieties.

Shape this assembly, Lord, into a body of diverse ideas, which can solve any problem with a variety of approaches, until a fitting solution can be brought to bear lasting goodness for Your people.

This we ask, calling upon Your almighty name. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. PETRI 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.

ON THE RETIREMENT OF WHITE HOUSE PRESS SECRETARY TONY SNOW

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

Mr. WILSON of South Carolina. Mr. Speaker, last week Tony Snow stepped down as White House press secretary. Mr. Snow, a graduate of Davidson College in North Carolina, has served the President and his Nation with distinction, and I wish to thank him for his hard work and dedication.

As a speech writer in the first Bush administration and as a television and radio personality, Tony established a reputation for common sense and measured thinking. As White House press secretary, he has led a professional team of communications personnel during a time when our country faces many difficult challenges. President Bush could not have asked for a stronger spokesperson. His forthright and genuine approach to his job has earned Tony Snow the respect and admiration of his peers in the political arena as well as the media. We wish him and his family much health and happiness as they embark upon the next chapter of their lives.

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

RECOGNIZING THE HEROIC ACTIONS OF MERLIN AND TERESA HARN

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

Mr. PETRI. Mr. Speaker, it was a close call on September 1 in the town of Menasha, Wisconsin. Merlin Harn and his wife Teresa were in their car when they noticed two boys, one apparently age 5 and the other under 2, walking on some railroad tracks.

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Mrs. Harn said it ''didn't look right'' to have two small children so far away from any homes, so she called 911. As she was talking to the 911 operator, she realized a train was coming. Mr. Harn immediately jumped out of the car. The older child got off the tracks, but Mr. Harn saved the life of the younger child by pulling him to safety.

Mr. Speaker, a lot of people would have seen those two boys and would have said, ''That doesn't look right, but it's none of my business.''

But, no. The Harns acted like concerned neighbors, like responsible members of a community rather than self-obsessed individuals. And they saved a young life.

Their concern, and their heroic actions, deserve our recognition and thanks.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 14, 2007.

Hon. NANCY PELOSI,
The Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on September 14, 2007, at 12:16 p.m. and said to contain a message from the President whereby he transmits a report providing progress on 18 Iraqi benchmarks.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

BENCHMARK ASSESSMENT REPORT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–58)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and the Committee on Armed Services and ordered to be printed:

To the Congress of the United States:

Consistent with section 1314 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28) (the ''Act''), attached is a report that assesses the status of each of the 18 Iraqi benchmarks contained in the Act and declares whether satisfactory progress toward meeting these benchmarks is, or is not, being achieved.

The second of two reports submitted consistent with the Act, it has been prepared in consultation with the Secretaries of State and Defense; the Commander, Multi-National Force-Iraq; the United States Ambassador to Iraq; and the Commander, United States Central Command.

GEORGE W. BUSH.
THE WHITE HOUSE, *September 14, 2007.*

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

CONGRATULATING SCIENTISTS F. SHERWOOD ROWLAND, MARIO MOLINA, AND PAUL CRUTZEN FOR THEIR WORK IN ATMOSPHERIC CHEMISTRY

Mr. HILL. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 593) congratulating scientists F. Sherwood Rowland, Mario Molina, and Paul Crutzen for their work in atmospheric chemistry, particularly concerning the formation and decomposition of ozone, that led to the development of the Montreal Protocol on Substances That Deplete the Ozone Layer.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 593

Whereas in 1973, on the University of California, Irvine campus, chemists F. Sherwood Rowland and Mario Molina began researching the depletion of stratospheric ozone by the chlorofluorocarbon gases then used worldwide as refrigerants and aerosol propellants;

Whereas on June 28, 1974, F. Sherwood Rowland and Mario Molina published in the scientific journal Nature, their path-breaking article, ''Stratospheric Sink for Chlorofluoromethanes: Chlorine Atom-Catalysed Destruction of Ozone'';

Whereas in 1976, the work of F. Sherwood Rowland and Mario Molina connecting chlorofluorocarbons and atmospheric ozone depletion was confirmed by the National Academy of Sciences;

Whereas in 1978, the United States banned chlorofluorocarbons as propellants in aerosol cans;

Whereas in 1987, because of the research of F. Sherwood Rowland, Mario Molina, Paul Crutzen, and many other scientists, the international community acted through the adoption of the Montreal Protocol on Substances that Deplete the Ozone Layer (''Montreal Protocol'');

Whereas the Montreal Protocol created the Multilateral Fund for the Implementation of the Montreal Protocol which provides funds to help developing countries to phase out the use of ozone-depleting substances;

Whereas the Multilateral Fund for Implementation of the Montreal Protocol was the first financial mechanism to be created under an international treaty;

Whereas the Montreal Protocol recognized that world-wide emissions of certain substances can significantly deplete and otherwise modify the ozone layer in a manner that is likely to result in adverse effects on human health and the environment;

Whereas because of the adoption of the Montreal Protocol the levels of chlorofluorocarbon gases in the Earth's atmosphere have decreased;

Whereas on September 17, 1987, the Montreal Protocol was open for signatures;

Whereas to date, 191 nations have signed the Montreal Protocol;

Whereas F. Sherwood Rowland, Mario Molina, and Paul Crutzen were awarded the Nobel Prize for Chemistry in 1995 for their work in atmospheric chemistry, particularly concerning the formation and decomposition of ozone; and

Whereas September 17, 2007, marks the twentieth anniversary of the signing of the Montreal Protocol: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates scientists F. Sherwood Rowland, Mario Molina, and Paul Crutzen for their work in atmospheric chemistry, particularly concerning the formation and decomposition of ozone, that led to the development of the Montreal Protocol on Substances that Deplete the Ozone Layer; and

(2) encourages the continued research of the interaction of humans and their actions with the Earth's ecosystem.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. HILL) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. HILL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H. Res. 593, the resolution now under consideration.

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

There was no objection.

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

I rise today in support of House Resolution 593, legislation that congratulates scientists Frank Sherwood Rowland, Mario Molina, and Paul Crutzen for their work in atmospheric chemistry concerning the formation and decomposition of ozone.

In 1973, Frank Sherwood Rowland and Mario Molina began studying the impacts of CFCs in the Earth's atmosphere at the University of California, Irvine. The chemists discovered that CFC molecules were stable enough to remain in the atmosphere until they reached the middle of the stratosphere. There the molecules would finally be broken down by ultraviolet radiation, releasing a chlorine atom.

Rowland and Molina proposed that these chlorine atoms might be expected to cause the breakdown of large amounts of ozone (O3) in the stratosphere. Their argument was based upon an analogy to contemporary work by Paul J. Crutzen, which had shown that nitric oxide could catalyze the destruction of ozone.

Drs. Crutzen, Molina and Rowland were awarded the 1995 Nobel prize for

chemistry for their work on this problem. The Montreal Protocol was a landmark international agreement designed to protect the stratospheric ozone layer. The treaty was originally signed in 1987 and subsequently amended in 1990 and 1992. The protocol stipulated that the production of compounds that deplete ozone in the stratosphere, including chlorofluorocarbons, were to be phased out by the year 2000.

The work of Dr. Rowland, Dr. Molina, and Dr. Crutzen was vital to the development of the Montreal Protocol, the reduction of ozone depleting compounds, and the restoration of our atmosphere. I applaud their work and ask that my colleagues support this resolution which thanks them for their important contributions to science.

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

Mr. HALL of Texas. Mr. Speaker, I rise today in support of House Resolution 593, congratulating scientists F. Sherwood Rowland, Mario Molina and Paul Crutzen for their contribution to atmospheric chemistry, particularly the formation and decomposition of ozone. Their pioneering research on the effects of CFCs on the ozone layer in the early 1970s was the start of a nearly 15-year campaign that would include an overwhelming consumer reaction to products containing CFCs, a national ban on aerosols and unparalleled international cooperation.

Twenty years later, the Montreal Protocol has been described as one of the most successful international agreements to date. It is the ideal illustration of what can be accomplished when scientists, policymakers and industry work together toward a common goal. Uncertainty did not stop us from looking for alternative solutions. However, action was not taken until those uncertainties were addressed through further scientific research and until viable substitutes were available. Cooperation on environmental problems requires that the outcome be beneficial for all parties. This was achieved through the Montreal Protocol.

I offer my thanks to these three scientists. The environmental consequences and economic impacts in terms of greater health costs and loss of crops and damage to vital species due to the use of CFCs could have been far worse if not for the work of F. Sherwood Rowland, Mario Molina, and Paul Crutzen.

Mr. Speaker, I urge my colleagues to support House Resolution 593.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I am the proud sponsor of H. Res. 593, a resolution congratulating the scientists whose work led to the Montreal Protocol on Substances that Deplete the Ozone Layer.

The Montreal Protocol is an international treaty that has been a critical part of the global commitment to improving the environment for ourselves and future generations. The treaty was a science driven effort to address a specific human action that has real consequences on the ozone layer.

Yesterday, September 16th was the 20th anniversary of when the Montreal Protocol was first made available for signature. Although the benefits of the Montreal Protocol are being realized worldwide, the science that led to its implementation is entirely homegrown.

In 1973, scientists Sherwood Rowland and Mario Molina began their work at the fantastic University of California, Irvine, in Orange County, California. Rowland and Molina researched the depletion of stratospheric ozone by chlorofluorocarbon gases. These CFC gases were used worldwide in many products as refrigerants and aerosol propellants. Like all scientific endeavors, Rowland and Molina started with a hypothesis. They realized that CFCs are very stable compounds in the lower atmosphere. Because of that, the compounds could travel to the upper atmosphere and interact with other compounds that are critical to the upper atmosphere.

By June of 1974 the hypothesis of Rowland and Molina was confirmed by their own research; CFCs are broken down by ultra-violet radiation in the upper atmosphere and then interact with and deplete ozone molecules. Their work was published in the scientific journal Nature to a mixed reaction because CFCs were considered by many to be a wonder product that had many benefits and no negative consequences. However, a mixed reaction to a published article is not necessarily a bad thing since it is necessary for published scientific work to hold up under intense peer review and scrutiny.

The National Academy of Sciences began testing the work of Rowland and Molina and by 1976, the Academy released a report that confirmed the scientific credibility of the ozone depletion hypothesis. To the credit of this institution, Congress acted quickly in response to the confirmed work of Rowland and Molina.

In 1978 the use of CFCs in aerosol propellants was banned in the United States. With the United States leading the way and significant studies being conducted by the Dutch scientist Paul Crutzen, the Montreal Protocol came into full force on September 17, 1987. To date, 191 nations have signed on to the Montreal Protocol.

In 1995, Rowland, Molina, and Crutzen were awarded the Nobel Prize for chemistry in recognition of their work—this was quite an achievement for UC Irvine as well. On the twentieth anniversary of the Montreal Protocol, let's once again recognize the homegrown science of Sherwood Rowland, Mario Molina, and Paul Crutzen that has had an ongoing and significant positive impact on the Earth's ecosystem.

I urge my colleagues to join me in supporting H. Res. 593.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. HILL) that the House suspend the rules and agree to the resolution, H. Res. 593.

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

A motion to reconsider was laid on the table.

ESTABLISHING A SCIENCE AND TECHNOLOGY SCHOLARSHIP PROGRAM

Mr. HILL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1657) to establish a Science and Technology Scholarship Program to award scholarships to recruit and prepare students for careers in the National Weather Service and in National Oceanic and Atmospheric Administration marine research, atmospheric research, and satellite programs.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1657

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

SECTION 1. SCIENCE AND TECHNOLOGY SCHOLARSHIP PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—The Administrator is authorized to establish a Science and Technology Scholarship Program to award scholarships to individuals that is designed to recruit and prepare students for careers in the National Weather Service and in Administration marine research, atmospheric research, and satellite programs.

(2) COMPETITIVE PROCESS.—Individuals shall be selected to receive scholarships under this section through a competitive process primarily on the basis of academic merit, with consideration given to financial need and the goal of promoting the participation of individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b).

(3) SERVICE AGREEMENTS.—To carry out the scholarship program, the Administrator shall enter into contractual agreements with individuals selected under paragraph (2) under which the individuals agree to serve as full-time employees of the Administration, for the period described in subsection (f)(1), in positions needed by the Administration in fields described in paragraph (1) and for which the individuals are qualified, in exchange for receiving a scholarship.

(b) SCHOLARSHIP ELIGIBILITY.—In order to be eligible to participate in the scholarship program, an individual shall—

(1) be enrolled or accepted for enrollment as a full-time student at an institution of higher education in an academic program or field of study described in the list made available under subsection (d);

(2) be a United States citizen or permanent resident; and

(3) at the time of the initial scholarship award, not be a Federal employee as defined in section 2105 of title 5 of the United States Code.

(c) APPLICATION REQUIRED.—An individual seeking a scholarship under this section shall submit an application to the Administrator at such time, in such manner, and containing such information, agreements, or assurances as the Administrator may require to carry out this section.

(d) ELIGIBLE ACADEMIC PROGRAMS.—The Administrator shall make publicly available a list of academic programs and fields of study for which scholarships may be utilized in fields described in subsection (a)(1), and shall update the list as necessary.

(e) SCHOLARSHIP REQUIREMENT.—

(1) IN GENERAL.—The Administrator may provide a scholarship under the scholarship program for an academic year if the individual applying for the scholarship has submitted to the Administrator, as part of the application required under subsection (c), a

proposed academic program leading to a degree in a program or field of study on the list made available under subsection (d).

(2) DURATION OF ELIGIBILITY.—An individual may not receive a scholarship under this section for more than 4 academic years, unless the Administrator grants a waiver.

(3) SCHOLARSHIP AMOUNT.—The dollar amount of a scholarship under this section for an academic year shall be determined under regulations issued by the Administrator, but shall in no case exceed the cost of attendance.

(4) AUTHORIZED USES.—A scholarship provided under this section may be expended for tuition, fees, and other authorized expenses as established by the Administrator by regulation.

(5) CONTRACTS REGARDING DIRECT PAYMENTS TO INSTITUTIONS.—The Administrator may enter into a contractual agreement with an institution of higher education under which the amounts provided for a scholarship under this section for tuition, fees, and other authorized expenses are paid directly to the institution with respect to which the scholarship is provided.

(f) PERIOD OF OBLIGATED SERVICE.—

(1) DURATION OF SERVICE.—Except as provided in subsection (h)(2), the period of service for which an individual shall be obligated to serve as an employee of the Administration shall be 24 months for each academic year for which a scholarship under this section is provided.

(2) SCHEDULE FOR SERVICE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), obligated service under paragraph (1) shall begin not later than 60 days after the individual obtains the educational degree for which the scholarship was provided.

(B) DEFERRAL.—The Administrator may defer the obligation of an individual to provide a period of service under paragraph (1) if the Administrator determines that such a deferral is appropriate. The Administrator shall prescribe the terms and conditions under which a service obligation may be deferred through regulation.

(g) PENALTIES FOR BREACH OF SCHOLARSHIP AGREEMENT.—

(1) FAILURE TO COMPLETE ACADEMIC TRAINING.—Scholarship recipients who fail to maintain a high level of academic standing, as defined by the Administrator by regulation, who are dismissed from their educational institutions for disciplinary reasons, or who voluntarily terminate academic training before graduation from the educational program for which the scholarship was awarded, shall be in breach of their contractual agreement and, in lieu of any service obligation arising under such agreement, shall be liable to the United States for repayment not later than 1 year after the date of default of all scholarship funds paid to them and to the institution of higher education on their behalf under the agreement, except as provided in subsection (h)(2). The repayment period may be extended by the Administrator when determined to be necessary, as established by regulation.

(2) FAILURE TO BEGIN OR COMPLETE THE SERVICE OBLIGATION OR MEET THE TERMS AND CONDITIONS OF DEFERMENT.—A scholarship recipient who, for any reason, fails to begin or complete a service obligation under this section after completion of academic training, or fails to comply with the terms and conditions of deferment established by the Administrator pursuant to subsection (f)(2)(B), shall be in breach of the contractual agreement. When a recipient breaches an agreement for the reasons stated in the preceding sentence, the recipient shall be liable to the United States for an amount equal to—

(A) the total amount of scholarships received by such individual under this section; plus

(B) the interest on the amounts of such awards which would be payable if at the time the awards were received they were loans bearing interest at the maximum legal prevailing rate, as determined by the Treasurer of the United States.

(h) WAIVER OR SUSPENSION OF OBLIGATION.—

(1) DEATH OF INDIVIDUAL.—Any obligation of an individual incurred under the scholarship program (or a contractual agreement thereunder) for service or payment shall be canceled upon the death of the individual.

(2) IMPOSSIBILITY OR EXTREME HARDSHIP.—The Administrator shall by regulation provide for the partial or total waiver or suspension of any obligation of service or payment incurred by an individual under the scholarship program (or a contractual agreement thereunder) whenever compliance by the individual is impossible or would involve extreme hardship to the individual, or if enforcement of such obligation with respect to the individual would be contrary to the best interests of the Government.

(i) DEFINITIONS.—In this Act the following definitions apply:

(1) ADMINISTRATION.—The term ''Administration'' means the National Oceanic and Atmospheric Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the National Oceanic and Atmospheric Administration.

(3) COST OF ATTENDANCE.—The term ''cost of attendance'' has the meaning given that term in section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll).

(4) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given that term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(5) SCHOLARSHIP PROGRAM.—The term ''scholarship program'' means the Science and Technology Scholarship Program established under this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. HILL) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. HILL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 1657, the bill now under consideration.

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

There was no objection.

□ 1415

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

I rise today in support of H.R. 1657, legislation that establishes a science and technology scholarship program. This program will award scholarships to recruit and prepare students for careers at the National Oceanic and Atmospheric Administration, better known as NOAA, related to weather, atmospheric, marine, and satellite research.

There is a growing concern that too few American students pursue science, math, and engineering degrees. H.R. 1657 provides incentives to study in these areas and go on to work at NOAA. The bill is based upon the Robert Noyce Scholarship program at the National Science Foundation.

I applaud the foresight of my colleague, Representative ROHRABACHER, in introducing this important legislation, and I urge my colleagues to support this bill on the floor today.

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

Mr. HALL of Texas. Mr. Speaker, I yield myself such time as I may consume.

The National Oceanic and Atmospheric Administration, or NOAA, is the Nation's lead agency charged with conserving and managing our coastal and oceanic resources. NOAA also plays a vital role in public safety through the programs of the National Weather Service to issue weather forecasts and warnings. We must ensure that NOAA has the resources it needs to meet its statutory responsibilities and to accomplish its resource management, marine and atmospheric research, and public safety missions.

H.R. 1657 establishes a science and technology scholarship program to recruit and prepare students for careers at the National Weather Service and at the National Oceanic and Atmospheric Administration. This scholarship program would provide assistance through a competitive process based on academic merit to those students who desire careers in weather forecasting, marine, or atmospheric research or satellite program.

Similar to other Federal incentive programs, this scholarship program would require participants to enter into contractual agreements working at either the National Weather Service or NOAA for 2 years for each year of scholarship money they receive. This two-for-one condition is beneficial for both the government and the students in that it guarantees that highly educated individuals will be working and gaining experience at vital national organizations, particularly at a time when our most experienced scientists and researchers begin to retire. Institutional knowledge will be passed on from one generation to the next, and young scientists will gain the experience needed should they choose to leave government service for the private sector.

Mr. Speaker, at a time when our Nation is about to be short on educated and qualified scientists, we cannot ignore the benefits that this bill will provide. I urge all of my colleagues to support H.R. 1657.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. HILL) that the House suspend the rules and pass the bill, H.R. 1657.

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

The yeas and nays were ordered.

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

REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT ACT OF 2007

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill H.R. 3246 to amend title 40, United States Code, to provide a comprehensive regional approach to economic and infrastructure development in the most severely economically distressed regions in the Nation, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3246

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 ''Regional Economic and Infrastructure Development Act of 2007''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) certain regions of the Nation, including Appalachia, the Mississippi Delta Region, the Northern Great Plains Region, the Southeast Crescent Region, the Southwest Border Region, the Northern Border Region, and rural Alaska, have suffered from chronic distress far above the national average;

(2) an economically distressed region can suffer unemployment and poverty at a rate that is 150 percent of the national average; and

(3) regional commissions are unique Federal-State partnerships that can provide targeted resources to alleviate pervasive economic distress.

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

(1) to provide a comprehensive regional approach to economic and infrastructure development in the most severely economically distressed regions in the Nation; and

(2) to ensure that the most severely economically distressed regions in the Nation have the necessary tools to develop the basic building blocks for economic development, such as transportation and basic public infrastructure, job skills training, and business development.

SEC. 3. REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT.

(a) IN GENERAL.—Title 40, United States Code, is amended—

(1) by redesignating subtitle V as subtitle VI; and

(2) by inserting after subtitle IV the following:

''Subtitle V—Regional Economic and Infrastructure Development

''Chapter Sec.
''151. GENERAL PROVISIONS 15101
''153. REGIONAL COMMISSIONS 15301
''155. FINANCIAL ASSISTANCE 15501
''157. ADMINISTRATIVE PROVISIONS 15701

''CHAPTER 151—GENERAL PROVISIONS

''Sec.
''15101. Definitions.

''§ 15101. Definitions

''In this subtitle, the following definitions apply:

''(1) COMMISSION.—The term 'Commission' means a Commission established under section 15301.

''(2) LOCAL DEVELOPMENT DISTRICT.—The term 'local development district' means an entity that—

''(A)(i) is an economic development district that is—

''(I) in existence on the date of enactment of this chapter; and

''(II) located in the region; or

''(ii) if an entity described in clause (i) does not exist—

''(I) is organized and operated in a manner that ensures broad-based community participation and an effective opportunity for local officials, community leaders, and the public to contribute to the development and implementation of programs in the region;

''(II) is governed by a policy board with at least a simple majority of members consisting of—

''(aa) elected officials; or

''(bb) designees or employees of a general purpose unit of local government that have been appointed to represent the unit of local government; and

''(III) is certified by the Governor or appropriate State officer as having a charter or authority that includes the economic development of counties, portions of counties, or other political subdivisions within the region; and

''(B) has not, as certified by the Federal Cochairperson—

''(i) inappropriately used Federal grant funds from any Federal source; or

''(ii) appointed an officer who, during the period in which another entity inappropriately used Federal grant funds from any Federal source, was an officer of the other entity.

''(3) FEDERAL GRANT PROGRAM.—The term 'Federal grant program' means a Federal grant program to provide assistance in carrying out economic and community development activities.

''(4) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

''(5) NONPROFIT ENTITY.—The term 'nonprofit entity' means any entity with tax-exempt or nonprofit status, as defined by the Internal Revenue Service, that has been formed for the purpose of economic development.

''(6) REGION.—The term 'region' means the area covered by a Commission as described in subchapter II of chapter 157.

''CHAPTER 153—REGIONAL COMMISSIONS

''Sec.
''15301. Establishment, membership, and employees.
''15302. Decisions.
''15303. Functions.
''15304. Administrative powers and expenses.
''15305. Meetings.
''15306. Personal financial interests.
''15307. Tribal representation on Northern Great Plains Regional Commission.
''15308. Tribal participation.
''15309. Annual report.

''§ 15301. Establishment, membership, and employees

''(a) ESTABLISHMENT.—There are established the following regional Commissions:

''(1) The Delta Regional Commission.

''(2) The Northern Great Plains Regional Commission.

''(3) The Southeast Crescent Regional Commission.

''(4) The Southwest Border Regional Commission.

''(5) The Northern Border Regional Commission.

''(b) MEMBERSHIP.—

''(1) FEDERAL AND STATE MEMBERS.—Each Commission shall be composed of the following members:

''(A) A Federal Cochairperson, to be appointed by the President, by and with the advice and consent of the Senate.

''(B) The Governor of each participating State in the region of the Commission.

''(2) ALTERNATE MEMBERS.—

''(A) ALTERNATE FEDERAL COCHAIRPERSON.—The President shall appoint an alternate Federal Cochairperson for each Commission. The alternate Federal Cochairperson, when not actively serving as an alternate for the Federal Cochairperson, shall perform such functions and duties as are delegated by the Federal Cochairperson.

''(B) STATE ALTERNATES.—The State member of a participating State may have a single alternate, who shall be appointed by the Governor of the State from among the members of the Governor's cabinet or personal staff.

''(C) VOTING.—An alternate member shall vote in the case of the absence, death, disability, removal, or resignation of the Federal or State member for which the alternate member is an alternate.

''(3) COCHAIRPERSONS.—A Commission shall be headed by—

''(A) the Federal Cochairperson, who shall serve as a liaison between the Federal Government and the Commission; and

''(B) a State Cochairperson, who shall be a Governor of a participating State in the region and shall be elected by the State members for a term of not less than 1 year.

''(4) CONSECUTIVE TERMS.—A State member may not be elected to serve as State Cochairperson for more than 2 consecutive terms.

''(c) COMPENSATION.—

''(1) FEDERAL COCHAIRPERSONS.—Each Federal Cochairperson shall be compensated by the Federal Government at level III of the Executive Schedule as set out in section 5314 of title 5.

''(2) ALTERNATE FEDERAL COCHAIRPERSONS.—Each Federal Cochairperson's alternate shall be compensated by the Federal Government at level V of the Executive Schedule as set out in section 5316 of title 5.

''(3) STATE MEMBERS AND ALTERNATES.—Each State member and alternate shall be compensated by the State that they represent at the rate established by the laws of that State.

''(d) EXECUTIVE DIRECTOR AND STAFF.—

''(1) IN GENERAL.—A Commission shall appoint and fix the compensation of an executive director and such other personnel as are necessary to enable the Commission to carry out its duties. Compensation under this paragraph may not exceed the maximum rate of basic pay established for the Senior Executive Service under section 5382 of title 5, including any applicable locality-based comparability payment that may be authorized under section 5304(h)(2)(C) of that title.

''(2) EXECUTIVE DIRECTOR.—The executive director shall be responsible for carrying out the administrative duties of the Commission, directing the Commission staff, and such other duties as the Commission may assign.

''(e) NO FEDERAL EMPLOYEE STATUS.—No member, alternate, officer, or employee of a Commission (other than the Federal Cochairperson, the alternate Federal Cochairperson, staff of the Federal Cochairperson, and any Federal employee detailed to the Commission) shall be considered to be a Federal employee for any purpose.

"§ 15302. Decisions

''(a) REQUIREMENTS FOR APPROVAL.—Except as provided in section 15304(c)(3), decisions by the Commission shall require the affirmative vote of the Federal Cochairperson and a majority of the State members (exclusive of members representing States delinquent under section 15304(c)(3)(C)).

''(b) CONSULTATION.—In matters coming before the Commission, the Federal Cochairperson shall, to the extent practicable, consult with the Federal departments and agencies having an interest in the subject matter.

''(c) QUORUMS.—A Commission shall determine what constitutes a quorum for Commission meetings; except that—

''(1) any quorum shall include the Federal Cochairperson or the alternate Federal Cochairperson; and

''(2) a State alternate member shall not be counted toward the establishment of a quorum.

''(d) PROJECTS AND GRANT PROPOSALS.—The approval of project and grant proposals shall be a responsibility of each Commission and shall be carried out in accordance with section 15503.

"§ 15303. Functions

''A Commission shall—

''(1) assess the needs and assets of its region based on available research, demonstration projects, investigations, assessments, and evaluations of the region prepared by Federal, State, and local agencies, universities, local development districts, and other nonprofit groups;

''(2) develop, on a continuing basis, comprehensive and coordinated economic and infrastructure development strategies to establish priorities and approve grants for the economic development of its region, giving due consideration to other Federal, State, and local planning and development activities in the region;

''(3) not later than one year after the date of enactment of this section, and after taking into account State plans developed under section 15502, establish priorities in an economic and infrastructure development plan for its region, including 5-year regional outcome targets;

''(4)(A) enhance the capacity of, and provide support for, local development districts in its region; or

''(B) if no local development district exists in an area in a participating State in the region, foster the creation of a local development district;

''(5) encourage private investment in industrial, commercial, and other economic development projects in its region;

''(6) cooperate with and assist State governments with the preparation of economic and infrastructure development plans and programs for participating States;

''(7) formulate and recommend to the Governors and legislatures of States that participate in the Commission forms of interstate cooperation and, where appropriate, international cooperation; and

''(8) work with State and local agencies in developing appropriate model legislation to enhance local and regional economic development.

"§ 15304. Administrative powers and expenses

''(a) POWERS.—In carrying out its duties under this subtitle, a Commission may—

''(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute a description of the proceedings and reports on actions by the Commission as the Commission considers appropriate;

''(2) authorize, through the Federal or State Cochairperson or any other member of the Commission designated by the Commission, the administration of oaths if the Commission determines that testimony should be taken or evidence received under oath;

''(3) request from any Federal, State, or local agency such information as may be available to or procurable by the agency that may be of use to the Commission in carrying out the duties of the Commission;

''(4) adopt, amend, and repeal bylaws and rules governing the conduct of business and the performance of duties by the Commission;

''(5) request the head of any Federal agency, State agency, or local government to detail to the Commission such personnel as the Commission requires to carry out its duties, each such detail to be without loss of seniority, pay, or other employee status;

''(6) provide for coverage of Commission employees in a suitable retirement and employee benefit system by making arrangements or entering into contracts with any participating State government or otherwise providing retirement and other employee coverage;

''(7) accept, use, and dispose of gifts or donations or services or real, personal, tangible, or intangible property;

''(8) enter into and perform such contracts, cooperative agreements, or other transactions as are necessary to carry out Commission duties, including any contracts or cooperative agreements with a department, agency, or instrumentality of the United States, a State (including a political subdivision, agency, or instrumentality of the State), or a person, firm, association, or corporation; and

''(9) maintain a government relations office in the District of Columbia and establish and maintain a central office at such location in its region as the Commission may select.

''(b) FEDERAL AGENCY COOPERATION.—A Federal agency shall—

''(1) cooperate with a Commission; and

''(2) provide, to the extent practicable, on request of the Federal Cochairperson, appropriate assistance in carrying out this subtitle, in accordance with applicable Federal laws (including regulations).

''(c) ADMINISTRATIVE EXPENSES.—

''(1) IN GENERAL.—Subject to paragraph (2), the administrative expenses of a Commission shall be paid—

''(A) by the Federal Government, in an amount equal to 50 percent of the administrative expenses of the Commission; and

''(B) by the States participating in the Commission, in an amount equal to 50 percent of the administrative expenses.

''(2) EXPENSES OF THE FEDERAL COCHAIRPERSON.—All expenses of the Federal Cochairperson, including expenses of the alternate and staff of the Federal Cochairperson, shall be paid by the Federal Government.

''(3) STATE SHARE.—

''(A) IN GENERAL.—Subject to subparagraph (B), the share of administrative expenses of a Commission to be paid by each State of the Commission shall be determined by a unanimous vote of the State members of the Commission.

''(B) NO FEDERAL PARTICIPATION.—The Federal Cochairperson shall not participate or vote in any decision under subparagraph (A).

''(C) DELINQUENT STATES.—During any period in which a State is more than 1 year delinquent in payment of the State's share of administrative expenses of the Commission under this subsection—

''(i) no assistance under this subtitle shall be provided to the State (including assistance to a political subdivision or a resident of the State) for any project not approved as of the date of the commencement of the delinquency; and

''(ii) no member of the Commission from the State shall participate or vote in any action by the Commission.

''(4) EFFECT ON ASSISTANCE.—A State's share of administrative expenses of a Commission under this subsection shall not be taken into consideration when determining the amount of assistance provided to the State under this subtitle.

"§ 15305. Meetings

''(a) INITIAL MEETING.—Each Commission shall hold an initial meeting not later than 180 days after the date of enactment of this section.

''(b) ANNUAL MEETING.—Each Commission shall conduct at least 1 meeting each year with the Federal Cochairperson and at least a majority of the State members present.

''(c) ADDITIONAL MEETINGS.—Each Commission shall conduct additional meetings at such times as it determines and may conduct such meetings by electronic means.

"§ 15306. Personal financial interests

''(a) CONFLICTS OF INTEREST.—

''(1) NO ROLE ALLOWED.—Except as permitted by paragraph (2), an individual who is a State member or alternate, or an officer or employee of a Commission, shall not participate personally and substantially as a member, alternate, officer, or employee of the Commission, through decision, approval, disapproval, recommendation, request for a ruling, or other determination, contract, claim, controversy, or other matter in which, to the individual's knowledge, any of the following has a financial interest:

''(A) The individual.

''(B) The individual's spouse, minor child, or partner.

''(C) An organization (except a State or political subdivision of a State) in which the individual is serving as an officer, director, trustee, partner, or employee.

''(D) Any person or organization with whom the individual is negotiating or has any arrangement concerning prospective employment.

''(2) EXCEPTION.—Paragraph (1) shall not apply if the individual, in advance of the proceeding, application, request for a ruling or other determination, contract, claim controversy, or other particular matter presenting a potential conflict of interest—

''(A) advises the Commission of the nature and circumstances of the matter presenting the conflict of interest;

''(B) makes full disclosure of the financial interest; and

''(C) receives a written decision of the Commission that the interest is not so substantial as to be considered likely to affect the integrity of the services that the Commission may expect from the individual.

''(3) VIOLATION.—An individual violating this subsection shall be fined under title 18, imprisoned for not more than 1 year, or both.

''(b) STATE MEMBER OR ALTERNATE.—A State member or alternate member may not receive any salary, or any contribution to, or supplementation of, salary, for services on a Commission from a source other than the State of the member or alternate.

''(c) DETAILED EMPLOYEES.—

''(1) IN GENERAL.—No person detailed to serve a Commission shall receive any salary, or any contribution to, or supplementation of, salary, for services provided to the Commission from any source other than the State, local, or intergovernmental department or agency from which the person was detailed to the Commission.

''(2) VIOLATION.—Any person that violates this subsection shall be fined under title 18, imprisoned not more than 1 year, or both.

''(d) FEDERAL COCHAIRMAN, ALTERNATE TO FEDERAL COCHAIRMAN, AND FEDERAL OFFICERS AND EMPLOYEES.—The Federal Cochairman, the alternate to the Federal Cochairman, and any Federal officer or employee detailed to duty with the Commission are not subject to this section but remain subject to sections 202 through 209 of title 18.

''(e) RESCISSION.—A Commission may declare void any contract, loan, or grant of or by the Commission in relation to which the Commission determines that there has been a violation of any provision under subsection (a)(1), (b), or (c), or any of the provisions of sections 202 through 209 of title 18.

''§ 15307. Tribal representation on Northern Great Plains Regional Commission

''(a) TRIBAL COCHAIRPERSON.—

''(1) APPOINTMENT.—In addition to the members specified in section 15301(b)(1), the membership of the Northern Great Plains Regional Commission shall include a Tribal Cochairperson, to be appointed by the President, by and with the advice and consent of the Senate. The Tribal Cochairperson shall be a member of an Indian tribe in the Commission's region.

''(2) DUTIES.—In addition to the Federal Cochairperson and State Cochairperson, the Commission shall be headed by the Tribal Cochairperson, who shall serve as a liaison between the governments of Indian tribes in the region and the Commission.

''(b) ALTERNATE TRIBAL COCHAIRPERSON.—

''(1) APPOINTMENT.—The President shall appoint an alternate to the Tribal Cochairperson.

''(2) DUTIES.—The alternate Tribal Cochairperson, when not actively serving as an alternate for the Tribal Cochairperson, shall perform such functions and duties as are delegated by the Tribal Cochairperson.

''(3) VOTING.—The alternate Tribal Cochairperson shall vote in the case of the absence, death, disability, removal, or resignation of the Tribal Cochairperson.

''(c) COMPENSATION.—

''(1) TRIBAL COCHAIRPERSON.—The Tribal Cochairperson shall be compensated by the Federal Government at level III of the Executive Schedule as set out in section 5314 of title 5.

''(2) ALTERNATE TRIBAL COCHAIRPERSON.—The Tribal Cochairperson's alternate shall be compensated by the Federal Government at level V of the Executive Schedule as set out in section 5316 of title 5.

''(d) EXPENSES OF TRIBAL COCHAIRPERSON.—All expenses of the Tribal Cochairperson, including expenses of the alternate and staff of the Tribal Cochairperson, shall be paid by the Federal Government.

''(e) DUTIES AND PRIVILEGES.—Except as provided in subsections (c) and (d), the Tribal Cochairperson shall have the same duties and privileges as the State Cochairperson.

''§ 15308. Tribal participation

''Governments of Indian tribes in the region of the Northern Great Plains Regional Commission or the Southwest Border Regional Commission shall be allowed to participate in matters before that Commission in the same manner and to the same extent as State agencies and instrumentalities in the region.

''§ 15309. Annual report

''(a) IN GENERAL.—Not later than 90 days after the last day of each fiscal year, each Commission shall submit to the President and Congress a report on the activities carried out by the Commission under this subtitle in the fiscal year.

''(b) CONTENTS.—The report shall include—

''(1) a description of the criteria used by the Commission to designate counties under section 15702 and a list of the counties designated in each category;

''(2) an evaluation of the progress of the Commission in meeting the goals identified in the Commission's economic and infrastructure development plan under section 15303 and State economic and infrastructure development plans under section 15502; and

''(3) any policy recommendations approved by the Commission.

''CHAPTER 155—FINANCIAL ASSISTANCE

''Sec.
''15501. Economic and infrastructure development grants.
''15502. Comprehensive economic and infrastructure development plans.
''15503. Approval of applications for assistance.
''15504. Program development criteria.
''15505. Local development districts and organizations.
''15506. Supplements to Federal grant programs.

''§ 15501. Economic and infrastructure development grants

''(a) IN GENERAL.—A Commission may make grants to States and local governments, Indian tribes, and public and nonprofit organizations for projects, approved in accordance with section 15503—

''(1) to develop the transportation infrastructure of its region;

''(2) to develop the basic public infrastructure of its region;

''(3) to develop the telecommunications infrastructure of its region;

''(4) to assist its region in obtaining job skills training, skills development and employment-related education, entrepreneurship, technology, and business development;

''(5) to provide assistance to severely economically distressed and underdeveloped areas of its region that lack financial resources for improving basic health care and other public services;

''(6) to promote resource conservation, tourism, recreation, and preservation of open space in a manner consistent with economic development goals;

''(7) to promote the development of renewable and alternative energy sources; and

''(8) to otherwise achieve the purposes of this subtitle.

''(b) ALLOCATION OF FUNDS.—A Commission shall allocate at least 40 percent of any grant amounts provided by the Commission in a fiscal year for projects described in paragraphs (1) through (3) of subsection (a).

''(c) SOURCES OF GRANTS.—Grant amounts may be provided entirely from appropriations to carry out this subtitle, in combination with amounts available under other Federal grant programs, or from any other source.

''(d) MAXIMUM COMMISSION CONTRIBUTIONS.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Commission may contribute not more than 50 percent of a project or activity cost eligible for financial assistance under this section from amounts appropriated to carry out this subtitle.

''(2) DISTRESSED COUNTIES.—The maximum Commission contribution for a project or activity to be carried out in a county for which a distressed county designation is in effect under section 15702 may be increased to 80 percent.

''(3) SPECIAL RULE FOR REGIONAL PROJECTS.—A Commission may increase to 60 percent under paragraph (1) and 90 percent under paragraph (2) the maximum Commission contribution for a project or activity if—

''(A) the project or activity involves 3 or more counties or more than one State; and

''(B) the Commission determines in accordance with section 15302(a) that the project or activity will bring significant interstate or multicounty benefits to a region.

''(e) MAINTENANCE OF EFFORT.—Funds may be provided by a Commission for a program or project in a State under this section only if the Commission determines that the level of Federal or State financial assistance provided under a law other than this subtitle, for the same type of program or project in the same area of the State within region, will not be reduced as a result of funds made available by this subtitle.

''(f) NO RELOCATION ASSISTANCE.—Financial assistance authorized by this section may not be used to assist a person or entity in relocating from one area to another.

''§ 15502. Comprehensive economic and infrastructure development plans

''(a) STATE PLANS.—In accordance with policies established by a Commission, each State member of the Commission shall submit a comprehensive economic and infrastructure development plan for the area of the region represented by the State member.

''(b) CONTENT OF PLAN.—A State economic and infrastructure development plan shall reflect the goals, objectives, and priorities identified in any applicable economic and infrastructure development plan developed by a Commission under section 15303.

''(c) CONSULTATION WITH INTERESTED LOCAL PARTIES.—In carrying out the development planning process (including the selection of programs and projects for assistance), a State shall—

''(1) consult with local development districts, local units of government, and local colleges and universities; and

''(2) take into consideration the goals, objectives, priorities, and recommendations of the entities described in paragraph (1).

''(d) PUBLIC PARTICIPATION.—

''(1) IN GENERAL.—A Commission and applicable State and local development districts shall encourage and assist, to the maximum extent practicable, public participation in the development, revision, and implementation of all plans and programs under this subtitle.

''(2) GUIDELINES.—A Commission shall develop guidelines for providing public participation, including public hearings.

''§ 15503. Approval of applications for assistance

''(a) EVALUATION BY STATE MEMBER.—An application to a Commission for a grant or any other assistance for a project under this subtitle shall be made through, and evaluated for approval by, the State member of the Commission representing the applicant.

''(b) CERTIFICATION.—An application to a Commission for a grant or other assistance for a project under this subtitle shall be eligible for assistance only on certification by the State member of the Commission representing the applicant that the application for the project—

''(1) describes ways in which the project complies with any applicable State economic and infrastructure development plan;

''(2) meets applicable criteria under section 15504;

''(3) adequately ensures that the project will be properly administered, operated, and maintained; and

''(4) otherwise meets the requirements for assistance under this subtitle.

''(c) VOTES FOR DECISIONS.—On certification by a State member of a Commission of an application for a grant or other assistance for a specific project under this section, an affirmative vote of the Commission under section 15302 shall be required for approval of the application.

''§ 15504. Program development criteria

''(a) IN GENERAL.—In considering programs and projects to be provided assistance by a Commission under this subtitle, and in establishing a priority ranking of the requests

for assistance provided to the Commission, the Commission shall follow procedures that ensure, to the maximum extent practicable, consideration of—

''(1) the relationship of the project or class of projects to overall regional development;

''(2) the per capita income and poverty and unemployment and outmigration rates in an area;

''(3) the financial resources available to the applicants for assistance seeking to carry out the project, with emphasis on ensuring that projects are adequately financed to maximize the probability of successful economic development;

''(4) the importance of the project or class of projects in relation to the other projects or classes of projects that may be in competition for the same funds;

''(5) the prospects that the project for which assistance is sought will improve, on a continuing rather than a temporary basis, the opportunities for employment, the average level of income, or the economic development of the area to be served by the project; and

''(6) the extent to which the project design provides for detailed outcome measurements by which grant expenditures and the results of the expenditures may be evaluated.

''§ 15505. Local development districts and organizations

''(a) GRANTS TO LOCAL DEVELOPMENT DISTRICTS.—Subject to the requirements of this section, a Commission may make grants to a local development district to assist in the payment of development planning and administrative expenses.

''(b) CONDITIONS FOR GRANTS.—

''(1) MAXIMUM AMOUNT.—The amount of a grant awarded under this section may not exceed 80 percent of the administrative and planning expenses of the local development district receiving the grant.

''(2) MAXIMUM PERIOD FOR STATE AGENCIES.—In the case of a State agency certified as a local development district, a grant may not be awarded to the agency under this section for more than 3 fiscal years.

''(3) LOCAL SHARE.—The contributions of a local development district for administrative expenses may be in cash or in kind, fairly evaluated, including space, equipment, and services.

''(c) DUTIES OF LOCAL DEVELOPMENT DISTRICTS.—A local development district shall—

''(1) operate as a lead organization serving multicounty areas in the region at the local level;

''(2) assist the Commission in carrying out outreach activities for local governments, community development groups, the business community, and the public;

''(3) serve as a liaison between State and local governments, nonprofit organizations (including community-based groups and educational institutions), the business community, and citizens; and

''(4) assist the individuals and entities described in paragraph (3) in identifying, assessing, and facilitating projects and programs to promote the economic development of the region.

''§ 15506. Supplements to Federal grant programs

''(a) FINDING.—Congress finds that certain States and local communities of the region, including local development districts, may be unable to take maximum advantage of Federal grant programs for which the States and communities are eligible because—

''(1) they lack the economic resources to provide the required matching share; or

''(2) there are insufficient funds available under the applicable Federal law with respect to a project to be carried out in the region.

''(b) FEDERAL GRANT PROGRAM FUNDING.—A Commission, with the approval of the Federal Cochairperson, may use amounts made available to carry out this subtitle—

''(1) for any part of the basic Federal contribution to projects or activities under the Federal grant programs authorized by Federal laws; and

''(2) to increase the Federal contribution to projects and activities under the programs above the fixed maximum part of the cost of the projects or activities otherwise authorized by the applicable law.

''(c) CERTIFICATION REQUIRED.—For a program, project, or activity for which any part of the basic Federal contribution to the project or activity under a Federal grant program is proposed to be made under subsection (b), the Federal contribution shall not be made until the responsible Federal official administering the Federal law authorizing the Federal contribution certifies that the program, project, or activity meets the applicable requirements of the Federal law and could be approved for Federal contribution under that law if amounts were available under the law for the program, project, or activity.

''(d) LIMITATIONS IN OTHER LAWS INAPPLICABLE.—Amounts provided pursuant to this subtitle are available without regard to any limitations on areas eligible for assistance or authorizations for appropriation in any other law.

''(e) FEDERAL SHARE.—The Federal share of the cost of a project or activity receiving assistance under this section shall not exceed 80 percent.

''(f) MAXIMUM COMMISSION CONTRIBUTION.—Section 15501(d), relating to limitations on Commission contributions, shall apply to a program, project, or activity receiving assistance under this section.

''CHAPTER 157—ADMINISTRATIVE PROVISIONS

''SUBCHAPTER I—GENERAL PROVISIONS

''Sec.
''15701. Consent of States.
''15702. Distressed counties and areas.
''15703. Counties eligible for assistance in more than one region.
''15704. Inspector General; records.
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''SUBCHAPTER II—DESIGNATION OF REGIONS

''15731. Delta Regional Commission.
''15732. Northern Great Plains Regional Commission.
''15733. Southeast Crescent Regional Commission.
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''SUBCHAPTER III—AUTHORIZATION OF APPROPRIATIONS

''15751. Authorization of appropriations.

''SUBCHAPTER I—GENERAL PROVISIONS

''§ 15701. Consent of States

''This subtitle does not require a State to engage in or accept a program under this subtitle without its consent.

''§ 15702. Distressed counties and areas

''(a) DESIGNATIONS.—Not later than 90 days after the date of enactment of this section, and annually thereafter, each Commission shall make the following designations:

''(1) DISTRESSED COUNTIES.—The Commission shall designate as distressed counties those counties in its region that are the most severely and persistently economically distressed and underdeveloped and have high rates of poverty, unemployment, or outmigration.

''(2) TRANSITIONAL COUNTIES.—The Commission shall designate as transitional counties those counties in its region that are economically distressed and underdeveloped or have recently suffered high rates of poverty, unemployment, or outmigration.

''(3) ATTAINMENT COUNTIES.—The Commission shall designate as attainment counties, those counties in its region that are not designated as distressed or transitional counties under this subsection.

''(4) ISOLATED AREAS OF DISTRESS.—The Commission shall designate as isolated areas of distress, areas located in counties designated as attainment counties under paragraph (3) that have high rates of poverty, unemployment, or outmigration.

''(b) ALLOCATION.—A Commission shall allocate at least 50 percent of the appropriations made available to the Commission to carry out this subtitle for programs and projects designed to serve the needs of distressed counties and isolated areas of distress in the region.

''(c) ATTAINMENT COUNTIES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), funds may not be provided under this subtitle for a project located in a county designated as an attainment county under subsection (a).

''(2) EXCEPTIONS.—

''(A) ADMINISTRATIVE EXPENSES OF LOCAL DEVELOPMENT DISTRICTS.—The funding prohibition under paragraph (1) shall not apply to grants to fund the administrative expenses of local development districts under section 15505.

''(B) MULTICOUNTY AND OTHER PROJECTS.—A Commission may waive the application of the funding prohibition under paragraph (1) with respect to—

''(i) a multicounty project that includes participation by an attainment county; and

''(ii) any other type of project, if a Commission determines that the project could bring significant benefits to areas of the region outside an attainment county.

''(3) ISOLATED AREAS OF DISTRESS.—For a designation of an isolated area of distress to be effective, the designation shall be supported—

''(A) by the most recent Federal data available; or

''(B) if no recent Federal data are available, by the most recent data available through the government of the State in which the isolated area of distress is located.

''§ 15703. Counties eligible for assistance in more than one region

''(a) LIMITATION.—A political subdivision of a State may not receive assistance under this subtitle in a fiscal year from more than one Commission.

''(b) SELECTION OF COMMISSION.—A political subdivision included in the region of more than one Commission shall select the Commission with which it will participate by notifying, in writing, the Federal Cochairperson and the appropriate State member of that Commission.

''(c) CHANGES IN SELECTIONS.—The selection of a Commission by a political subdivision shall apply in the fiscal year in which the selection is made, and shall apply in each subsequent fiscal year unless the political subdivision, at least 90 days before the first day of the fiscal year, notifies the Cochairpersons of another Commission in writing that the political subdivision will participate in that Commission and also transmits a copy of such notification to the Cochairpersons of the Commission in which the political subdivision is currently participating.

''(d) INCLUSION OF APPALACHIAN REGIONAL COMMISSION.—In this section, the term 'Commission' includes the Appalachian Regional Commission established under chapter 143.

''§ 15704. Inspector General; records

''(a) APPOINTMENT OF INSPECTOR GENERAL.—There shall be an Inspector General for the Commissions appointed in accordance with section 3(a) of the Inspector General Act of 1978 (5 U.S.C. App.). All of the Commissions shall be subject to a single Inspector General.

''(b) RECORDS OF A COMMISSION.—

''(1) IN GENERAL.—A Commission shall maintain accurate and complete records of all its transactions and activities.

''(2) AVAILABILITY.—All records of a Commission shall be available for audit and examination by the Inspector General (including authorized representatives of the Inspector General).

''(c) RECORDS OF RECIPIENTS OF COMMISSION ASSISTANCE.—

''(1) IN GENERAL.—A recipient of funds from a Commission under this subtitle shall maintain accurate and complete records of transactions and activities financed with the funds and report to the Commission on the transactions and activities.

''(2) AVAILABILITY.—All records required under paragraph (1) shall be available for audit by the Commission and the Inspector General (including authorized representatives of the Commission and the Inspector General).

''(d) ANNUAL AUDIT.—The Inspector General shall audit the activities, transactions, and records of each Commission on an annual basis.

''§ 15705. Biannual meetings of representatives of all Commissions

''(a) IN GENERAL.—Representatives of each Commission, the Appalachian Regional Commission, and the Denali Commission shall meet biannually to discuss issues confronting regions suffering from chronic and contiguous distress and successful strategies for promoting regional development.

''(b) CHAIR OF MEETINGS.—The chair of each meeting shall rotate among the Commissions, with the Appalachian Regional Commission to host the first meeting.

''§ 15706. Relationship to other laws

''Projects receiving assistance under this subtitle shall be treated in the manner provided in section 602 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3212).

''SUBCHAPTER II—DESIGNATION OF REGIONS

''§ 15731. Delta Regional Commission

''The region of the Delta Regional Commission shall consist of the following political subdivisions:

''(1) ALABAMA.—The counties of Barbour, Bullock, Butler, Choctaw, Clarke, Conecuh, Dallas, Escambia, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Perry, Pickens, Russell, Sumter, Washington, and Wilcox in the State of Alabama.

''(2) ARKANSAS.—The counties of Arkansas, Ashley, Baxter, Bradley, Calhoun, Chicot, Clay, Cleveland, Craighead, Crittenden, Cross, Dallas, Desha, Drew, Fulton, Grant, Greene, Independence, Izard, Jackson, Jefferson, Lawrence, Lee, Lincoln, Lonoke, Marion, Mississippi, Monroe, Ouachita, Phillips, Poinsett, Prairie, Pulaski, Randolph, St. Francis, Searcy, Sharp, Stone, Union, Van Buren, White, and Woodruff in the State of Arkansas.

''(3) ILLINOIS.—The counties of Alexander, Franklin, Gallatin, Hamilton, Hardin, Jackson, Johnson, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, White, and Williamson in the State of Illinois.

''(4) KENTUCKY.—The counties of Ballard, Caldwell, Calloway, Carlisle, Christian, Crittenden, Fulton, Graves, Henderson, Hickman, Hopkins, Livingston, Lyon, Marshall, McCracken, McLean, Muhlenberg, Todd, Trigg, Union, and Webster in the State of Kentucky.

''(5) LOUISIANA.—The parishes of Acadia, Allen, Ascension, Assumption, Avoyelles, Beauregard, Bienville, Caldwell, Cameron, Catahoula, Claiborne, Concordia, E. Baton Rouge, DeSoto, E. Carroll, E. Feliciana, Evangeline, Franklin, Grant, Iberia, Iberville, Jackson, Jefferson, Jefferson Davis, Lafourche, LaSalle, Lincoln, Livingston, Madison, Morehouse, Natchitoches, Orleans, Ouachita, Plaquemines, Pointe Coupee, Rapides, Red River, Richland, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, Tangipahoa, Tensas, Union, Vermilion, W. Baton Rouge, W. Carroll, W. Feliciana, Washington, Webster, and Winn in the State of Louisiana.

''(6) MISSISSIPPI.—The counties of Adams, Amite, Attala, Benton, Bolivar, Carroll, Claiborne, Coahoma, Copiah, Covington, DeSoto, Franklin, Grenada, Hinds, Holmes, Humphreys, Issaquena, Jasper, Jefferson, Jefferson Davis, Lafayette, Lawrence, Leflore, Lincoln, Madison, Marion, Marshall, Montgomery, Panola, Pike, Quitman, Rankin, Sharkey, Simpson, Smith, Sunflower, Tallahatchie, Tate, Tippah, Tunica, Union, Walthall, Warren, Washington, Wilkinson, Yalobusha, and Yazoo in the State of Mississippi.

''(7) MISSOURI.—The counties Bollinger, Butler, Cape Girardeau, Carter, Crawford, Dent, Douglas, Dunklin, Howell, Iron, Madison, Mississippi, New Madrid, Oregon, Ozark, Pemiscott, Perry, Phelps, Reynolds, Ripley, Ste. Genevieve, St. Francois, Scott, Shannon, Stoddard, Texas, Washington, Wayne, and Wright in the State of Missouri.

''(8) TENNESSEE.—The counties of Benton, Carroll, Chester, Crockett, Decatur, Dyer, Fayette, Gibson, Hardeman, Hardin, Haywood, Henderson, Henry, Lake, Lauderdale, McNairy, Madison, Obion, Shelby, Tipton, and Weakley in the State of Tennessee.

''§ 15732. Northern Great Plains Regional Commission

''The region of the Northern Great Plains Regional Commission shall consist of the following:

''(1) All counties of the States of Iowa, Minnesota, Nebraska, North Dakota, and South Dakota.

''(2) The counties of Andrew, Atchison, Buchanan, Caldwell, Carroll, Chariton, Clay, Clinton, Cooper, Daviess, DeKalb, Gentry, Grundy, Harrison, Holt, Howard, Jackson, Linn, Livingston, Mercer, Nodaway, Platte, Putnam, Schuyler, Sullivan, and Worth in the State of Missouri.

''§ 15733. Southeast Crescent Regional Commission

''The region of the Southeast Crescent Regional Commission shall consist of all counties of the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Florida not already served by the Appalachian Regional Commission or the Delta Regional Commission.

''§ 15734. Southwest Border Regional Commission

''The region of the Southwest Border Regional Commission shall consist of the following political subdivisions:

''(1) ARIZONA.—The counties of Cochise, Gila, Graham, Greenlee, La Paz, Maricopa, Pima, Pinal, Santa Cruz, and Yuma in the State of Arizona.

''(2) CALIFORNIA.—The counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura in the State of California.

''(3) NEW MEXICO.—The counties of Catron, Chaves, Dona Ana, Eddy, Grant, Hidalgo, Lincoln, Luna, Otero, Sierra, and Socorro in the State of New Mexico.

''(4) TEXAS.—The counties of Atascosa, Bandera, Bee, Bexar, Brewster, Brooks, Cameron, Coke, Concho, Crane, Crockett, Culberson, Dimmit, Duval, Ector, Edwards, El Paso, Frio, Gillespie, Glasscock, Hidalgo, Hudspeth, Irion, Jeff Davis, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Live Oak, Loving, Mason, Maverick, McMullen, Medina, Menard, Midland, Nueces, Pecos, Presidio, Reagan, Real, Reeves, San Patricio, Shleicher, Sutton, Starr, Sterling, Terrell, Tom Green Upton, Uvalde, Val Verde, Ward, Webb, Willacy, Wilson, Winkler, Zapata, and Zavala in the State of Texas.

''§ 15735. Northern Border Regional Commission

''The region of the Northern Border Regional Commission shall include the following counties:

''(1) MAINE.—The counties of Androscoggin, Aroostook, Franklin, Hancock, Kennebec, Knox, Oxford, Penobscot, Piscataquis, Somerset, Waldo, and Washington in the State of Maine.

''(2) NEW HAMPSHIRE.—The counties of Carroll, Coos, Grafton, and Sullivan in the State of New Hampshire.

''(3) NEW YORK.—The counties of Cayuga, Clinton, Essex, Franklin, Fulton, Hamilton, Herkimer, Jefferson, Lewis, Madison, Oneida, Oswego, Seneca, and St. Lawrence in the State of New York.

''(4) VERMONT.—The counties of Caledonia, Essex, Franklin, Grand Isle, Lamoille, and Orleans in the State of Vermont.

''SUBCHAPTER III—AUTHORIZATION OF APPROPRIATIONS

''§ 15751. Authorization of appropriations

''(a) IN GENERAL.—There is authorized to be appropriated to each Commission to carry out this subtitle—

''(1) $40,000,000 for fiscal year 2008;

''(2) $45,000,000 for fiscal year 2009;

''(3) $50,000,000 for fiscal year 2010;

''(4) $55,000,000 for fiscal year 2011; and

''(5) $60,000,000 for fiscal year 2012.

''(b) ADMINISTRATIVE EXPENSES.—Not more than 10 percent of the funds made available to a Commission in a fiscal year under this section may be used for administrative expenses.''.

(b) CONFORMING AMENDMENT.—The table of subtitles for chapter 40, United States Code, is amended by striking the item relating to subtitle V and inserting the following:

''V. REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT 15101
''VI. MISCELLANEOUS ..... 17101''.

SEC. 4. CONFORMING AMENDMENTS.

(a) REPEALS.—Subtitles F and G of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–2009bb–13) are repealed.

(b) INSPECTOR GENERAL ACT.—Section 11 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (1) by striking ''or the President of the Export-Import Bank;'' and inserting ''the President of the Export-Import Bank; or the Federal Cochairpersons of the Commissions established under section 15301 of title 40, United States Code;''; and

(2) in paragraph (2) by striking ''or the Export-Import Bank,'' and inserting ''the Export-Import Bank, or the Commissions established under section 15301 of title 40, United States Code,''.

SEC. 5. TRANSFERS OF AUTHORITY AND SAVINGS PROVISIONS.

(a) TRANSFERS OF AUTHORITY.—Subject to the requirements of this Act (including the amendments made by this Act)—

(1) all of the functions of the Delta Regional Authority are transferred to the Delta Regional Commission; and

(2) all of the functions of the Northern Great Plains Regional Authority are transferred to the Northern Great Plains Regional Commission.

(b) LEGAL DOCUMENTS.—All orders, determinations, rules, regulations, grants, loans, contracts, and agreements—

(1) that have been issued, made, granted, or allowed to become effective by the Delta Regional Authority or the Northern Great Plains Regional Authority in the performance of any function that is transferred by this section, and

(2) that are in effect on the effective date of such transfer (or become effective after such date pursuant to their terms as in effect on such effective date),

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by an authorized official, a court of competent jurisdiction, or operation of law.

(c) TRANSFER OF ASSETS AND PERSONNEL.—

(1) DELTA REGIONAL COMMISSION.—There shall be transferred to the Delta Regional Commission such assets, funds, personnel, records, and other property of the Delta Regional Authority relating to the functions of the Authority as the Commission determines appropriate.

(2) NORTHERN GREAT PLAINS REGIONAL COMMISSION.—There shall be transferred to the Northern Great Plains Regional Commission such assets, funds, personnel, records, and other property of the Northern Great Plains Regional Authority as the Commission determines appropriate.

SEC. 6. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect on the first day of the first fiscal year beginning after the date of enactment of this Act.

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

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3246.

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

There was no objection.

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

H.R. 3246, as amended, in fact does amend title 40, United States Code, to provide a comprehensive regional approach to economic and infrastructure development in the most severely and economically distressed regions of the Nation.

H.R. 3246, the Regional Economic and Infrastructure Development Act of 2007, authorizes two existing commissions and three new regional economic development commissions under a common framework of administration and management, and further provides a framework for good decisionmaking and planning. These commissions are designed to address problems of systemic poverty and underdevelopment in their respective regions.

The five commissions are: the Delta Regional Commission, the Northern Great Plains Regional Commission, the Southeast Crescent Regional Commission, the Southwest Border Regional Commission, and the Northern Border Regional Commission.

The bill models the administrative and management procedures for these five commissions after the highly successful Appalachian Regional Commission. The bill provides for a voting structure, provisions regarding staffing, conflicts of interest, local development districts, and other matters designed to produce a standard administrative framework.

By providing a uniform set of procedures, this bill provides a consistent method for distributing economic development funds throughout the regions most in need of such assistance and ensures a comprehensive regional approach to economic and infrastructure development where it is most needed in our country.

The Northern Border Regional Commission, the Southeast Crescent Regional Commission, and the Southwest Border Regional Commission have been proposed in legislation introduced in this and in previous Congresses and are designed to address problems of systemic poverty and underdevelopment in those regions. In addition, the Delta Regional Commission and the Northern Great Plains Commission would be authorized through this legislation.

H.R. 3246 authorizes funds for each commission to provide vital assistance for the development of our Nation's most chronically poor and distressed regions.

I would like to say a few words about the uniqueness of each of the new commissions being authorized by this bill. The Southwest Border Region includes all counties within 150 miles of the U.S.-Mexico border. This region contains 11 counties in New Mexico, 65 counties in Texas, 10 counties in Arizona, and seven counties in California, for a combined population of approximately 29 million residents.

According to research compiled by the Interagency Task Force on the Economic Development of the Southwest Border, 20 percent of the residents of this region of the Nation live below the poverty level. Unemployment rates are often as high as five times the national unemployment rate, and a lack of adequate access to capital has created economic disparities and made it difficult for businesses to start up in the region.

The Northern Border Region, stretching from Maine to New York, while abundant in natural resources and rich in potential, lags behind much of the Nation in its economic growth, and its people have not shared properly in the Nation's prosperity. The region's historic reliance on a few basic industries and on agriculture has failed to provide a diverse enough economic base for a vigorous self-sustained growth. In the belt of counties along the northern border from Maine through New York, 12.5 percent of the population lives in poverty; median household incomes is about $6,500 below the national average; unemployment through layoffs in traditional manufacturing industries is persistent; and the population grew only by 0.6 percent between 1990 and 2000 while the U.S. population rose by 13.2 percent, showing significant outmigration and loss of young people in the northern border region.

The southeastern portion of the United States, encompassing the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Florida, is an area which has seen poverty rates well above the national average, coupled with record unemployment. The region has also experienced natural disasters at a rate two to three times greater than any other region in the United States. The Southeast Crescent Authority authorizes a local-State-Federal partnership to lift citizens in this geographic area out of poverty and create jobs.

With the Federal allocation of funding, SECA seeks to funnel monies to programs which address one or more of the following criteria for the community betterment: infrastructure, education and job training, health care, entrepreneurship, and leadership development. Those communities with the greatest need will be targeted, and grants will be made according to the degree of distress.

This bill has very broad and very bipartisan support, Mr. Speaker; and the committee has held a series of hearings that has documented the needs that these economic development commissions would address.

□ 1430

I strongly support the bill, and urge passage of H.R. 3246.

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

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

First, I want to express the regrets of the subcommittee ranking member, Mr. GRAVES from Missouri, who was unable to be here and has asked me to explain the bill.

H.R. 3246, as amended, authorizes two existing economic development commissions, the Delta Regional Commission and the Northern Great Plains Regional Commission. The bill also creates three new economic development commissions, the Southeast Crescent Regional Commission, the Southwest Border Regional Commission, and the Northern Border Regional Commission.

The Regional Economic and Infrastructure Development Act authorizes these five regional economic development commissions for 5 years, and provides a structure for economic development, decision-making and planning. The bill outlines conditions for financial assistance, authorizes grants to

local development districts. In addition, the bill establishes an Inspector General for the commission.

Additionally, H.R. 3246 provides a framework for administration and management. The framework is modeled after the Appalachian Regional Commission structure, including membership, voting structure and staffing of the commission. Through the use of this common framework, this bill provides a consistency in distribution of economic development funds.

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

Ms. NORTON. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Maine (Mr. MICHAUD).

Mr. MICHAUD. Mr. Speaker, the Regional Economic and Infrastructure Development Act of 2007 represents a vision for economic development in our Nation that will help Americans in the most distressed region of our country.

In the northern border region, we have seen a clear, persistent pattern of economic distress. If you look at the 36 counties that lie on the border right next to the border between Maine and New York, you will find poverty above the national level average, median household income that is more than $6,500 below the national average. You'll see a persistent unemployment through layoffs and traditional manufacturing industry, and most striking of all, a meager gain in only 0.6 percent of the population between 1990 and 2000, compared to a 13 percent growth nationally over the same period.

In short, Mr. Speaker, our mills are closing, our young people are leaving and too many of our workers are looking for work. Clearly, this region has a common set of challenges and a compelling need for investment and new growth.

As a mill worker for over 28 years at Great Northern Paper Company, I understand the particular challenges in the border regions of Maine, New Hampshire, Vermont and New York. Like my father and grandfather before me, I left high school and went straight to work in the paper mill in my hometown. After 28 years, and 2 days after I was sworn into Congress, the mill that I worked at went bankrupt, and my hometown was devastated. Unemployment rose to over 33 percent.

The story of my hometown and the mills where I worked has been repeated throughout the State of Maine and our region. That is why we need to support this region economic development bill. We have to support our regional industries and build on new job opportunities, and that is why we need to invest in leadership and focus in our regional economic development that the Northern Border Commission would bring.

The Northern Border Commission would help the region invest in transportation, health care, agriculture, broadband and alternative energy. It can be a partner with businesses to maintain our industries and build new industry clusters. It can help us create jobs for the long term.

We have all the ingredients that we need to face our challenges head on and make our region an economic engine. This new commission would help us make a fundamental change in our future.

In closing, Mr. Speaker, I'd like to thank all my colleagues on both sides of the aisle for working in a bipartisan manner on this bill. I'd like to thank the Chair of the full committee, Chairman OBERSTAR, and the Chair of the subcommittee, Ms. NORTON, for their efforts as well, and also the former Chair of the subcommittee, Mr. SHUSTER, for all his hard work on the regional commission bills, as well as Congressman HODES from New Hampshire who has been a true leader in this particular area as well.

This bill represents a new way forward for economic development in our Nation for the places and the people that need it most. Let's pass this bill and give our people the hope and the future that they deserve.

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

Ms. NORTON. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from New Hampshire (Mr. HODES).

Mr. HODES. Mr. Speaker, I join Congressman MICHAUD in expressing thanks to Chairman OBERSTAR and other members of the Transportation Committee.

I rise today to urge my colleagues on both sides of the aisle to support the Regional Economic and Infrastructure Development Act of 2007. This bill includes the Northern Border Regional Development Commission Act, the first bill I introduced as a Member of Congress, a bill with bipartisan support, and for which I extend a special thanks to Congressman MICHAUD, who has shown extraordinary leadership in the northern border region for economic development.

Mr. Speaker, parts of my home State of New Hampshire, and especially the beautiful region known as the North Country, have taken an economic beating and are struggling to recover. A staggering number of jobs have been lost. We have watched as plants closed and our young people disappeared to places that offer more opportunity. New Hampshire's North Country has suffered repeated economic body blows, and for the people who live there, it's getting harder and harder to get by.

I get up to the North Country quite frequently, and have spoken with hard-working folks with the drive to improve their neighborhoods, but whose communities have been ignored by the Federal Government for years.

If you were to pick up the paper today, Mr. Speaker, you would see pictures of the smokestacks of once thriving pulp mills coming down, having been subject to explosives.

Because of the challenges New Hampshire's North Country face, and the sincere desire of the people there to turn things around and to create new jobs and new investments, there's a compelling case for leveraging Federal investment in the region. In fact, the northern border region, or the ice belt, which includes the northernmost counties of New York, Vermont, New Hampshire and Maine, has higher unemployment, a higher percentage of people living in poverty, and lower household income than the rest of the Nation.

The commission created in this bill would be charged with investing Federal resources for economic development and job creation in the most distressed counties in that northern border region.

By design and purpose, this bill follows the successful regional development models created in the mid 1960s to improve the economic standing of targeted regions in the South. Based on this successful model, the commission would create a unique Federal-State partnership charged with promoting development through regional planning, technical assistance and funding of projects aimed at encouraging economic prosperity.

The bill works like this: Community development districts and other nonprofits are encouraged to bring project ideas to the commission from the local level. This bottom-up, grassroots approach insures that actions reflect both local needs and regional economic development goals. It also insures that States have a deciding voice in what investment is made within their borders.

With a proposed budget of $40 million per year, the Northern Border Regional Development Commission can help meet a range of local needs. Whether the need is agricultural development, land and forestry conservation to maintain productive traditional uses, investment in transportation infrastructure, alternative and renewable energy or health care facilities, this commission will play a key role in investing in the region's economy.

The bill says, if you're willing to work hard and play by the rules, we're here to help you get ahead. The communities in the northern border region deserve effective government working for them. The Regional Economic and Infrastructure Development Act is an important first step toward providing good-paying jobs, economic opportunity and revitalized communities.

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

Ms. NORTON. Mr. Speaker, I want to stress the bipartisan nature of this bill. I also want to stress the hearings we've held on this bill. As you might imagine, when people hear the word ''economic development,'' everybody wants in. This has been a very rigorous process. We have bent over backwards, frontwards and sideways to be completely objective and to be open to Members on both sides of the aisles.

It's worth noting that all of the amendments that were added were requested by minority Members, our Republican colleagues. We're pleased to

do so. They were able to show the need in their respective districts.

This bill, it seems to me, in light of the strong support it has had in our subcommittee and our committee, from Members from all parts of the country, and of all backgrounds and parties, in light of that fact, I urge passage of the bill, and I urge all Members to support this bipartisan bill for economic development for the underdeveloped regions of our country.

Mr. McHUGH. Mr. Speaker, I rise today in strong support of H.R. 3246, Regional Economic and Infrastructure Development Act of 2007. I appreciate the work Chairman OBERSTAR and Representatives GRAVES, HODES, and MICHAUD have done to develop this important legislation and bring it to the House floor.

The Regional Economic and Infrastructure Development Act is designed to alleviate systemic poverty and underdevelopment in our Nation's most severely economically distressed areas. These include rural Alaska, Appalachia, the Mississippi Delta region, the northern Great Plains region, the southeast crescent region, the southwest border region, and the northern border region, which includes all 11 counties that I have the honor to represent: Clinton, Essex, Franklin, Fulton, Hamilton, Jefferson, Lewis, Madison, Oneida, Oswego, and St. Lawrence.

To provide a comprehensive, consistent and broad-based approach to economic and infrastructure development, H.R. 3246 authorizes five regional economic development commissions. These commissions, modeled after the successful Appalachian Regional Commission, would have a uniform set of procedures and a common structure for administration, decisionmaking, management, and planning.

With funding authorized and provided by Congress, each Commission would make grants to States and local governments, Indian tribes, and public or nonprofit organizations for projects to develop transportation, public, and telecommunications infrastructure. These projects would also further efforts to provide job skills training, improve basic health care and related services, promote resource conservation, and development of both renewable and alternative energy sources.

My constituent counties, like many others within the northern border region, lag behind the rest of the Nation in economic growth and continue to experience higher than average levels of unemployment, poverty, and outmigration. Very simply, my constituents, as well as those who live in the other affected areas, should no longer be left behind. Moreover, I am confident that with the assistance provided through H.R. 3246, the economies of all the impacted counties will improve, thus resulting in an enhanced quality of life for all.

Mr. REYES. Mr. Speaker, I rise today in strong support of H.R. 3246, the Regional Economic and Infrastructure Development Act of 2007, which will help spur economic development in my district of El Paso, TX. I would like to thank Chairman OBERSTAR for his vision regarding the need and importance of regional authorities for development in areas of the country with huge economic need. For the past three Congresses, I have introduced my bill, the Southwest Regional Border Authority Act, in an attempt to bring some relief to the United States-Mexico border and my district of El Paso, TX. This year, under the leadership of Chairman OBERSTAR, my bill has been included into his overall legislation. I would also like to thank many of my colleagues who represent districts along the United States-Mexico border for their support in the creation of the Southwest Regional Border Authority.

The Chairman's bill would authorize $1.25 billion over the period of FY 2008 through FY 2012 for five regional commissions one of which will be created in the United States-Mexico border region. The Authorities would be Federal-State partnerships for providing assistance to economically distressed and underdeveloped areas that have experienced high levels of unemployment, poverty, or outmigration. Three of the commissions would be new and would assist areas in the southeastern United States and areas along the Mexican and Canadian borders; two of the commissions would replace existing Authorities in the Delta and northern Great Plains regions. The bill would establish uniform administrative structures and responsibilities for the commissions, and authorize the commissions to provide financial assistance for projects and programs in their respective regions to develop transportation and infrastructure, provide job skills training and support business development.

The Southwest border region, as defined in the bill, includes all counties within 150 miles of the United States-Mexico border. This region contains 11 counties in New Mexico, 65 counties in Texas, 10 counties in Arizona, and 7 counties in California, with a combined population of approximately 29 million.

According to research compiled by the Interagency Task Force on the Economic Development of the Southwest Border, 20 percent of the residents in my region live below the poverty level, unemployment rates often reach as high as five times the national average, and a lack of adequate access to capital has created economic disparities, making it difficult for businesses to start up in the region. Border communities have long endured a depressed economy and low-paying jobs. Our economic challenges partly stem from our position as a border community.

Economic development in border communities is difficult to stimulate without assistance from the government, private sector, and community organizations. H.R. 3246 would help foster planning to encourage infrastructure improvements, technology deployment, education and workforce training, and community development through entrepreneurship.

Modeled in part after the Appalachian Regional Commission, the Southwest Border Regional Authority and other Authorities would follow four guiding principles:

First, the Authorities would fund proposals designed at the local level followed by approval at the State level in order to meet regional economic development goals;

Second, projects leading to the creation of a diversified regional economy would be prioritized. Currently, States and counties often are forced to compete against each other for limited funding;

Third, the Authorities would be independent agencies. This would prevent them from having to attempt to satisfy another Federal agency's mission requirements when determining which projects to fund; and

Finally, the Authorities would be comprised of one Senate-confirmed Federal representative and the governors of the States of jurisdiction.

For too long, many areas of our country including the Southwest border region have been ignored, overlooked, and underfunded. We need to recognize the challenges facing these underserved areas and help them make the most of their many assets. I believe the Authorities created in the Regional Economic and Infrastructure Development Act of 2007 would go a long way toward achieving the goal of economic prosperity in some of the poorest regions of our country.

Again, I would like to thank Chairman OBERSTAR for his leadership on this issue and look forward to the implementation of this important legislation.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 3246, a bill to provide a comprehensive regional approach to economic and infrastructure development in the most severely economically distressed regions in the Nation.

H.R. 3246, the Regional Economic and Infrastructure Development Act of 2007, reauthorizes two existing commissions, the Delta Regional Commission and the Northern Great Plains Regional Commission, and establishes three new regional economic development commissions: the Southeast Crescent Regional Commission, the Southwest Border Regional Commission, and the Northern Border Regional Commission. These Commissions will address problems of systemic poverty and underdevelopment in their respective regions.

This legislation authorizes all of these regional commissions under a common framework of administration and management, modeled after the procedures for the highly successful Appalachian Regional Commission. By providing a uniform set of procedures, this bill provides a consistent method for distributing economic development funds and ensures a comprehensive regional approach to economic and infrastructure development in the most severely distressed regions in the country.

H.R. 3246 authorizes $250 million per year for fiscal years 2008 through 2012 for each commission to provide vital assistance for the development of our Nation's most chronically poor and distressed regions.

Each of the three new commissions authorized by this bill serves a unique need. The Southwest border region includes all counties within 150 miles of the United States-Mexico border. This region contains 11 counties in New Mexico, 65 counties in Texas, 10 counties in Arizona, and 7 counties in California for a combined population of approximately 29 million people. According to research compiled by the Interagency Task Force on the Economic Development of the Southwest Border, 20 percent of the residents in this region of the Nation live below the poverty level, and unemployment rates often reach as high as five times the national unemployment rate. A lack of adequate access to capital has created economic disparities and made it difficult for businesses to start up in the region.

The northern border region stretches from Maine to New York. While the region enjoys abundant natural resources and is rich in potential, it lags behind much of the Nation in economic growth, and its people have not shared equitably in the Nation's prosperity. The region's historic reliance on a few basic industries and agriculture has failed to provide a diverse enough economic base for vigorous, self-sustaining growth. In the countries in this region, 12.5 percent of the population lives in

poverty, median household income is more than $6,500 below the national average, and unemployment through layoffs in traditional manufacturing industries is persistent. The population grew only 0.6 percent between 1990 and 2000, during which time the U.S. population rose by 13.2 percent, indicating significant out-imigration and loss of young people.

The southeastern region of the United States includes the coastal and central portions of Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Florida. Approximately 40 percent of the counties in this region have had 20 percent or more of their citizens living in poverty, on average, during the last 30 years. The area has also faced record unemployment. Additionally, this region has experienced natural disasters at a rate of two to three times greater than any other region of the U.S. The southeastern region is one of the last areas of the country without a Federal authority dedicated to ending poverty and strengthening communities. The Southeast Crescent Authority (SECA) authorizes a local-State-Federal partnership to lift citizens in this geographic area out of poverty and create jobs by targeting the communities with the greatest need.

This bill has broad bipartisan support, and the committee has held a series of hearings regarding the need for these economic development commissions. The model for economic development through partnerships between the Federal Government and State and local governments has worked extremely well in the case of the Appalachian Regional Commission, and I am certain it will continue to serve to enhance the lives and livelihoods of citizens in other regions.

I submit an exchange of letters regarding jurisdiction, and I support HR. 3246 and urge its passage.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, September 17, 2007.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN OBERSTAR: I am writing to confirm our mutual understanding regarding consideration of H.R. 3246, the ''Regional Infrastructure Development Act of 2007,'' which was referred to the Transportation and Infrastructure Committee and reported to the House on September 7. Specifically, I appreciate your acknowledgement of the Committee on Agriculture's jurisdictional interest in provisions contained in the bill that affect rural development programs.

As you know, clause 1(a) of Rule X gives the Committee on Agriculture jurisdiction over bills that affect rural development programs. Given the importance of moving this bill forward promptly, I would be glad to waive any consideration of this measure as to allow its timely consideration by the entire House of Representatives. However, I do so with the understanding that this procedural route will not be construed to prejudice the Agriculture Committee's jurisdictional interests and prerogatives on this bill, or any other similar legislation, and will not be considered as precedent for consideration of matters of jurisdictional interest to the Agriculture Committee in the future.

Furthermore, in the event a conference with the Senate is requested in this matter, I would ask you to support the Committee on Agriculture's request to be represented.

Thank you very much for your courtesy in this matter and I look forward to your continued cooperation between our Committees as we deal with these matters in the future.

Sincerely,

COLLIN C. PETERSON
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, September 17, 2007.

Hon. COLLIN C. PETERSON,
Chairman, Committee on Agriculture, House of Representatives, Washington, DC.

DEAR CHAIRMAN PETERSON: Thank you for your September 17, 2007 letter regarding H.R. 3246, the ''Regional Economic and Infrastructure Development Act of 2007''. Your support for this legislation and your assistance in ensuring its timely consideration are greatly appreciated.

I agree that provisions in the bill are of jurisdictional interest to the Committee on Agriculture. I acknowledge that by forgoing a sequential referral, your Committee is not relinquishing its jurisdiction and I will fully support your request to be represented in a House-Senate conference on those provisions over which the Committee on Agriculture has jurisdiction in H.R. 3246.

I value your cooperation and look forward to working with you as we move ahead with this important economic development legislation.

Sincerly,

JAMES L. OBERSTAR,
Chairman.

Mr. McINTYRE. Mr. Speaker, I rise today in support of the Regional Economic and Infrastructure Development Act of 2007, which provides a comprehensive regional approach to economic and infrastructure development in the most severely economically distressed regions in the Nation. This bill includes legislation that I have introduced in every Congress since the 107th Congress that will establish a SouthEast Crescent Authority for economic development. The authority would cover the southeastern portion of the United States, encompassing the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Florida, which have all seen poverty rates well above the national average coupled with record unemployment—the double whammy—poverty and unemployment.

I would like to personally thank the Transportation and Infrastructure Committee Chairman OBERSTAR and his Ranking Member, Mr. MICA, and the Transportation and Infrastructure Subcommittee on Economic Development Chairwoman HOLMES NORTON and the Ranking Member, Mr. GRAVES, for their hard work and dedication to our Nation's most economically disadvantagd regions. It is their compassion, cooperation, and commitment that brought us here today, and I applaud them for their efforts to continue this cause, and I thank them for their friendship and support.

As a Member that represents a district from one of the Southern States that has experienced job growth stagnation, I have seen firsthand the restructuring of the South's economy. Jobs in textiles and furniture-making have decreased substantially while jobs in retail, services, and the professions have rushed in. Although a more high-tech and globally competitive economy has enabled new opportunities for employment in the South, it has also dismantled jobs long held by employees who have few prospects for shifting to other jobs with comparable pay. In addition, the seven States of the SECA region also experience natural disasters at a rate of two to three times greater than any other region of the United States, and this vulnerability to natural disasters further exacerbates the ability to recover from economic distress.

Modeled primarily after the successful Appalachian Regional Commission (ARC), the SouthEast Crescent Authority hopes to enjoin a local-State-Federal partnership to lift our citizens out of poverty and create jobs. With the Federal allocation of funding, SECA seeks to target monies to programs which address one or more of the following criteria for community betterment: (1) infrastructure, (2) education and job training, (3) health care, (4) entrepreneurship, and (5) leadership development. Those communities with the greatest need will be targeted, and grants will be made according to the degree of distress.

Mr. Speaker, the time is now to work to change this pattern and ensure that those individuals—like those in my district who work in textiles or manufacturing—and those communities—like the many rural communities that have been affected—are not left behind. And I am confident that the Regional Economic and Infrastructure Development Act of 2007 that is before us today will be able to do just that. It's the least we can do to act now and help ''the least of these'' who have suffered enough and to help bolster economic progress and possibility. Thank you, and may God bless our efforts to help expand economic opportunities for all of our citizens and their families.

Mr. ARCURI. Mr. Speaker, I rise today in strong support of the Regional Economic and In Development Act of 2007.

I want to thank the distinguished Chairwoman of the Economic Development, Public Buildings and Emergency Management Subcommittee, Ms. NORTON, the Full Committee Chairman, and the Ranking Members for delivering this legislation which authorizes three new economic development commissions—the Northern Border, Southeast Crescent, and Southwest Border Regional Commissions—and reauthorizes the successful Delta and Northern Great Plains Regional Commissions. These Commissions will help bring economic development to regions of our country that desperately need it.

Over the last several decades, Upstate New York has had a consistent pattern of economic distress as a result of substantial losses in the manufacturing sector, coupled with aging infrastructure and lack of opportunities for a skilled workforce. My district alone has seen a staggering loss of more than 14,000 manufacturing jobs between 2000 and 2005. However, this isn't an anomaly, it is extremely characteristic of several States in the Northeast. A targeted regional approach can help bring back economic vitality to these regions.

This bipartisan legislation creates a Northern Border Regional Commission that will bring much needed job creation and economic development resources to the Northeast region. Maine, New Hampshire, Vermont, and Upstate New York will all benefit tremendously from the establishment of this Commission because it will assess and address the very specific needs, assets, and challenges of the region as a whole.

The Commission will create a Federal-State partnership where local development districts and other non-profits bring project ideas and priorities to the Commission from the local level to promote economic development

through regional planning, technical assistance, and funding of projects aimed at encouraging economic prosperity.

This Northern Border Regional Commission is modeled after the very successful Appalachian Regional Commission (ARC) approach, an idea conceived by Chairman OBERSTAR, over 40 years ago.

Simply put, the numbers speak for themselves. Since its creation, the ARC has reduced the number of distressed counties in its region from 219 to 100, cut the poverty rate from 31 percent to 15 percent, and helped 1,400 businesses create 26,000 new jobs. I welcome the creation of similar Commissions with this kind of proven track record.

The Northern Border Regional Commission not only will extend benefits to economically distressed counties in Maine, New Hampshire, and Vermont, but will also allow Upstate New York counties like Oneida, Herkimer, Cayuga, and Seneca to enjoy the same benefits their neighboring counties in the Southern Tier enjoy under the Appalachian Regional Commission.

We need to act now to ensure that every American has access to job training, employment-related education, and high-tech infrastructure, so that we can retain and grow our global competitive edge. And I am confident the Regional Economic and Infrastructure Development Act will help us achieve that end.

I urge my colleagues to support this legislation which will help create parity for economically anemic regions across the country.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 3246, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

EXTENDING THE AUTHORITIES OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3527) to extend for two months the authorities of the Overseas Private Investment Corporation.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3527

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

SECTION 1. TEMPORARY EXTENSION OF OPIC PROGRAMS.

Section 235(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(2)) is amended by striking ''September 30, 2007'' and inserting ''November 30, 2007''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 3527.

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

There was no objection.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of this legislation and yield myself as much time as I may consume.

This House recently approved legislation that would reauthorize the Overseas Private Investment Corporation for an additional 4 years. The bill would ensure that OPIC continues its critical mission of supporting private investment to accomplish important public sector goals in the developing world, while, at the same time, enhancing OPIC's transparency and accountability.

The Senate is considering similar legislation, Mr. Speaker, and the Foreign Affairs Committee looks forward to working with that body so that we can send the bill to the President for his signature.

While the Senate considers this legislation, OPIC's current authority expires at the end of this month. In order to provide the Senate with additional time to take up this legislation and ensure that the corporation continues its critical work, my friend and colleague, the good chairman of the subcommittee, Mr. SHERMAN from California, has crafted this proposed bill that provides OPIC with the authority to operate for an additional 2 months beyond September 30, 2007.

□ 1445

I do want to commend our distinguished chairman of the committee, Mr. LANTOS; and our senior ranking member, Ms. ROS-LEHTINEN, for their support and leadership in bringing this legislation to the floor. I recommend this legislation for passage, and I urge my colleagues to support this bill.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of the bill, H.R. 3527, a bill that would extend the authorization of the Overseas Private Investment Corporation until November 30 of 2007.

Mr. Speaker, on July 23, as my good friend Mr. FALEOMAVAEGA just said, the House passed H.R. 2798, a bill to reauthorize OPIC through September 30 of 2011. That measure had previously been favorably reported by the House Committee on Foreign Affairs by a vote of 26–5, totally bipartisan. To date, however, the other body has not acted, requiring us to take this stop-gap measure to continue the authorization for this legislation. We hope they act soon on the Senate side so that the President can be sent a bipartisan bill that can be signed.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and pass the bill, H.R. 3527.

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

The yeas and nays were ordered.

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

AUTHORIZING THE PEACE CORPS TO PROVIDE SEPARATION PAY FOR HOST COUNTRY RESIDENT PERSONAL SERVICES CONTRACTORS

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3528) to provide authority to the Peace Corps to provide separation pay for host country resident personal services contractors of the Peace Corps.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3528

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

SECTION 1. AUTHORIZATION FOR PEACE CORPS TO PROVIDE SEPARATION PAY FOR HOST COUNTRY RESIDENT PERSONAL SERVICES CONTRACTORS OF THE PEACE CORPS.

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund for the Peace Corps to provide separation pay for host country resident personal services contractors of the Peace Corps.

(b) FUNDING.—The Director of the Peace Corps may deposit in the fund established under subsection (a)—

(1) amounts previously obligated and not canceled to provide the separation pay described in such subsection; and

(2) amounts obligated for fiscal years after fiscal year 2006 for current and future costs of providing such separation pay.

(c) AVAILABILITY.—Beginning in fiscal year 2007, amounts deposited in the fund established under subsection (a) shall be available without fiscal year limitation for severance, retirement, or other separation payments to host country resident personal services contractors of the Peace Corps in countries where such payments are legally authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA)

and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

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

Mr. Speaker, again I rise in strong support of this legislation and thank my good friend, the gentleman from New Jersey, on the other side of the aisle for his support in managing this legislation. I also want to thank the leadership of the Foreign Affairs Committee, Chairman LANTOS and our senior ranking member, Ms. ROS-LEHTINEN, for their leadership and support of this bill.

Mr. Speaker, to millions around the globe, Peace Corps is the ''human face'' of America. For more than 46 years, the Peace Corps has helped the people of developing countries meet their needs for trained men and women and in the process has promoted a better understanding of America.

The legislation before the House today is a technical bill requested by the administration. It will facilitate the provision of separation pay to the many foreign nationals who work for the Peace Corps overseas. The bill accomplishes this objective in an open and transparent manner to ensure the complete accountability to the American taxpayers.

With that, I urge my colleagues to support this bill.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3528, legislation introduced by our distinguished chairman, TOM LANTOS, that will help the Peace Corps eliminate a small but important discrepancy between its accounting and its expenditures.

Under foreign local law and the terms of their contracts, the Peace Corps is frequently required to make separation payments to personal service contractors overseas, for example, a lump sum payment equal to 1 month's salary for every year of service. The Peace Corps is required to account for that liability on its books every year even though those funds are not paid out to the contractor until the end of their service with the Peace Corps, which sometimes can be more than a decade.

However, because unspent funds revert back to the U.S. Treasury 5 years after they are obligated, the Peace Corps must pay obligations from beyond that time frame out of current operating funds. The bill would create a fund into which those obligations could be paid as they accrue, which can be used only for that purpose. Since this does not affect Peace Corps appropriations or obligations, there are no costs associated with this fix.

This also provides us with an opportunity, Mr. Speaker, to again commend the Peace Corps and its many volunteers for the important work that they do in building bridges of understanding between the American people and communities, families, and individuals overseas.

We support this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and pass the bill, H.R. 3528.

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

A motion to reconsider was laid on the table.

VIETNAM HUMAN RIGHTS ACT OF 2007

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3096) to promote freedom and democracy in Vietnam, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3096

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Vietnam Human Rights Act of 2007''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Purpose.
TITLE I—PROHIBITION ON NONHUMANITARIAN ASSISTANCE TO THE GOVERNMENT OF VIETNAM
Sec. 101. Bilateral nonhumanitarian assistance.
TITLE II—ASSISTANCE TO SUPPORT DEMOCRACY IN VIETNAM
Sec. 201. Assistance.
TITLE III—UNITED STATES PUBLIC DIPLOMACY
Sec. 301. Radio Free Asia transmissions to Vietnam.
Sec. 302. United States educational and cultural exchange programs with Vietnam.
TITLE IV—UNITED STATES REFUGEE POLICY
Sec. 401. Refugee resettlment for nationals of Vietnam.
TITLE V—ANNUAL REPORT ON PROGRESS TOWARD FREEDOM AND DEMOCRACY IN VIETNAM
Sec. 501. Annual report.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The relationship between the United States and the Socialist Republic of Vietnam has grown substantially over the past 12 years, with annual trade between the 2 countries reaching over $9,000,000,000 per year.

(2) The Government of Vietnam's transition toward greater economic freedom and trade has not been matched by greater political freedom and substantial improvements in human rights for many Vietnamese.

(3) The United States Congress agreed to Vietnam becoming an official member of the World Trade Organization (WTO) in 2006, amidst assurances that the Vietnamese Government was steadily improving its human rights record and would continue to do so.

(4) Vietnam remains a one-party state, ruled and controlled by the Communist Party of Vietnam (CPV), which continues to deny the right of citizens to change their government.

(5) Although in recent years the National Assembly of Vietnam has played an increasingly active role as a forum for highlighting local concerns, corruption, and inefficiency, the National Assembly remains subject to the direction of the CPV and the CPV maintains control over the selection of candidates in national and local elections.

(6) The Government of Vietnam forbids public challenge to the legitimacy of the one-party state, restricts freedoms of opinion, the press, and association and tightly limits access to the Internet and telecommunication.

(7) Since Vietnam's accession to the WTO on January 11, 2007, the Vietnamese Government arbitrarily arrested and imprisoned several individuals for their peaceful advocacy of democracy, including Father Nguyen Van Ly and human rights lawyers Nguyen Van Dai and Le Thi Cong Nhan.

(8) The Government of Vietnam continues to detain, imprison, place under house arrest, convict, or otherwise restrict persons for the peaceful expression of dissenting political or religious views, including Bui Kim Thanh, Hang Tan Phat, Truong Quoc Huy, Vu Hoang Hai, Nguyen Ngoc Quang, Pham Ba Hai, Dr. Le Nguyen Sang, Huynh Nguyen Dao, Nguyen Bac Truyen, Tran Quoc Hien, Nguyen Tan Hoanh, Tran Thi Le Hang, Doan Huu Chuong, Doan Van Dien, Le Ba Triet, Nguyen Tuan, Tran Thi Thuy Trang, Nguyen Phong, Nguyen Binh Thanh, Hoang Thi Anh Dao, Le Thi Le Hang, Tran Khai Thanh Thuy, Ho Thi Bich Khuong, Hong Trung, Danh Tol, Kim Muot, Thach Thuong, Ly Suong, Ly Hoang, Nguyen Van Tho, Le Van Soc, Nguyen Van Thuy, Duong Thi Tron, Truong Minh Duc, and Dr. Pham Hong Son, among others.

(9)(A) The Government of Vietnam continues to limit freedom of religion and restrict the operation of religious organizations.

(B) Despite reported progress in church openings and legal registrations of religious venues, the Government of Vietnam has halted most positive actions since the Department of State lifted the ''country of particular concern'' (CPC) designation for Vietnam in November 2006.

(C) Unregistered ethnic minority Protestant congregations suffer severe abuses because of actions by the Government of Vietnam, which have included forced renunciations of faith, the arrest and harassment of pastors, the withholding of social programs provided for the general population, confiscation and destruction of property, and subjection to severe beatings.

(D) The Unified Buddhist Church of Vietnam (UBCV) suffers persecutions as the Government of Vietnam continues to restrict

contacts and movement of senior UBCV clergy, including the Most Venerable Thich Huyen Quang, and the Most Venerable Thich Quang Do for refusing to join the state-sponsored Buddhist organizations, and the Government also continues to place leaders under ''pagoda'' and house arrest, destroy religious property, and harass and threaten local practicing Buddhists.

(E) The Government of Vietnam continues to suppress the activities of other religious adherents, including Cao Dai and Hoa Hao who lack official recognition or have chosen not to affiliate with the state-sanctioned groups, including through the use of detention and imprisonment.

(F) During Easter weekend in April 2004, thousands of Montagnards gathered to protest their treatment by the Government of Vietnam, including the confiscation of tribal lands and ongoing restrictions on religious activities. Credible reports indicate that the protests were met with violent response as many demonstrators were arrested, injured, went into hiding, and that others were killed. Many of these Montagnards are still serving long sentences for their involvement in peaceful demonstrations in 2001 and 2004.

(G) Ethnic minority Hmong in the Northwest Highlands of Vietnam also suffer restrictions, abuses, and persecution by the Government of Vietnam, and although the Government is now allowing some Hmong Protestants to organize and conduct religious activity, some government officials continue to deny or ignore additional applications for registration.

(10) The Government of Vietnam controls all print and electronic media, including access to the Internet, jams the signals of some foreign radio stations, including Radio Free Asia, and has detained and imprisoned individuals who have posted or sent democracy-related materials via the Internet.

(11) People arrested in Vietnam because of their political or religious affiliations and activities often are not accorded due legal process as they lack full access to lawyers of their choice, may experience closed trials, have often been detained for years without trial, and have been subjected to the use of torture to admit crimes they did not commit or to falsely denounce their own leaders.

(12)(A) United States refugee resettlement programs, including the Humanitarian Resettlement (HR) Program, the Orderly Departure Program (ODP), Resettlement Opportunities for Vietnamese Returnees (ROVR) Program, general resettlement of boat people from refugee camps throughout Southeast Asia, the Amerasian Homecoming Act of 1988, and the Priority One Refugee resettlement category have helped rescue Vietnamese nationals who have suffered persecution on account of their associations with the United States as well as Vietnamese nationals who have been persecuted because of race, religion, nationality, political opinion, or membership in a particular social group.

(B) While previous programs have served their purposes well, a significant number of eligible refugees from Vietnam were unfairly denied or excluded, including Amerasians, in some cases by vindictive or corrupt Vietnamese officials who controlled access to the programs, and in others by United States personnel who imposed unduly restrictive interpretations of program criteria. In addition, the Government of Vietnam has denied passports to persons who the United States has found eligible for refugee admission.

(C) The Department of State has agreed to extend the September 30, 1994, registration deadline for former United States employees, ''re-education'' survivors, and surviving spouses of those who did not survive ''re-education'' camps to sign up for United States refugee programs, as well as the Vietnamese In Country Priority One Program in Vietnam to provide protection to victims of recent persecution on account of race, religion, nationality, political opinion, or membership in a particular social group.

(D) The former United States Immigration and Naturalization Service agreed to resume the processing of former United States employees under the U11 program, which had been unilaterally suspended by the United States Government, as well as to review applications of Amerasians, children of American servicemen left behind in Vietnam after the war ended in April 1975, for resettlement to the United States under the Amerasian Homecoming Act of 1988.

(13) Congress has passed numerous resolutions condemning human rights abuses in Vietnam, indicating that although there has been an expansion of relations with the Government of Vietnam, it should not be construed as approval of the ongoing and serious violations of fundamental human rights in Vietnam.

(14) Enhancement of relations between the United States and Vietnam has proved an opportunity for a human rights dialogue and could lead to future progress on human rights issues in Vietnam.

SEC. 3. PURPOSE.

The purpose of this Act is to promote the development of freedom and democracy in Vietnam.

TITLE I—PROHIBITION ON NONHUMANITARIAN ASSISTANCE TO THE GOVERNMENT OF VIETNAM

SEC. 101. BILATERAL NONHUMANITARIAN ASSISTANCE.

(a) ASSISTANCE.—

(1) IN GENERAL.—Except as provided in subsection (b), United States nonhumanitarian assistance may not be provided to the Government of Vietnam in an amount exceeding the amount so provided for fiscal year 2007—

(A) for fiscal year 2008 unless not later than 30 days after the date of the enactment of this Act the President determines and certifies to Congress that the requirements of subparagraphs (A) through (D) of paragraph (2) have been met during the 12-month period ending on the date of the certification; and

(B) for each subsequent fiscal year unless the President determines and certifies to Congress in the most recent annual report submitted pursuant to section 501 that the requirements of subparagraphs (A) through (E) of paragraph (2) have been met during the 12-month period covered by the report.

(2) REQUIREMENTS.—The requirements of this paragraph are that—

(A) the Government of Vietnam has made substantial progress toward releasing all political and religious prisoners from imprisonment, house arrest, and other forms of detention;

(B)(i) the Government of Vietnam has made substantial progress toward respecting the right to freedom of religion, including the right to participate in religious activities and institutions without interference by or involvement of the Government; and

(ii) the Government of Vietnam has made substantial progress toward returning estates and properties confiscated from the churches;

(C) the Government of Vietnam has made substantial progress toward allowing Vietnamese nationals free and open access to United States refugee programs;

(D) the Government of Vietnam has made substantial progress toward respecting the human rights of members of all ethnic minority groups; and

(E)(i) neither any official of the Government of Vietnam nor any agency or entity wholly or partly owned by the Government of Vietnam was complicit in a severe form of trafficking in persons; or

(ii) the Government of Vietnam took all appropriate steps to end any such complicity and hold such official, agency, or entity fully accountable for its conduct.

(b) EXCEPTION.—

(1) CONTINUATION OF ASSISTANCE IN THE NATIONAL INTEREST.—Notwithstanding the failure of the Government of Vietnam to meet the requirements of subsection (a)(2), the President may waive the application of subsection (a) for any fiscal year if the President determines that the provision to the Government of Vietnam of increased nonhumanitarian assistance would promote the purpose of this Act or is otherwise in the national interest of the United States.

(2) EXERCISE OF WAIVER AUTHORITY.—The President may exercise the authority under paragraph (1) with respect to—

(A) all United States nonhumanitarian assistance to Vietnam; or

(B) one or more programs, projects, or activities of such assistance.

(c) DEFINITIONS.—In this section:

(1) SEVERE FORMS OF TRAFFICKING IN PERSONS.—The term ''severe form of trafficking in persons'' means any activity described in section 103(8) of the Trafficking Victims Protection Act of 2000 (Public Law 106–386 (114 Stat. 1470); 22 U.S.C. 7102(8)).

(2) UNITED STATES NONHUMANITARIAN ASSISTANCE.—The term ''United States nonhumanitarian assistance'' means—

(A) any assistance under the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2 of part I of that Act, relating to the Overseas Private Investment Corporation), other than—

(i) disaster relief assistance, including any assistance under chapter 9 of part I of that Act;

(ii) assistance which involves the provision of food (including monetization of food) or medicine;

(iii) assistance for refugees; and

(iv) assistance to combat HIV/AIDS, including any assistance under section 104A of that Act; and

(B) sales, or financing on any terms, under the Arms Export Control Act.

TITLE II—ASSISTANCE TO SUPPORT DEMOCRACY IN VIETNAM

SEC. 201. ASSISTANCE.

(a) IN GENERAL.—The President is authorized to provide assistance, through appropriate nongovernmental organizations and the Human Rights Defenders Fund, for the support of individuals and organizations to promote internationally recognized human rights in Vietnam.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President to carry out subsection (a) $2,000,000 for each of the fiscal years 2008 and 2009.

TITLE III—UNITED STATES PUBLIC DIPLOMACY

SEC. 301. RADIO FREE ASIA TRANSMISSIONS TO VIETNAM.

(a) POLICY OF THE UNITED STATES.—It is the policy of the United States to take such measures as are necessary to overcome the jamming of Radio Free Asia by the Government of Vietnam.

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to such amounts as are otherwise authorized to be appropriated for the Broadcasting Board of Governors, there are authorized to be appropriated to carry out the policy under subsection (a) $9,100,000 for the fiscal year 2008 and $1,100,000 for fiscal year 2009.

SEC. 302. UNITED STATES EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS WITH VIETNAM.

It is the policy of the United States that programs of educational and cultural exchange with Vietnam should actively promote progress toward freedom and democracy in Vietnam by providing opportunities to Vietnamese nationals from a wide range of occupations and perspectives to see freedom and democracy in action and, also, by ensuring that Vietnamese nationals who have already demonstrated a commitment to these values are included in such programs.

TITLE IV—UNITED STATES REFUGEE POLICY

SEC. 401. REFUGEE RESETTLMENT FOR NATIONALS OF VIETNAM.

(a) POLICY OF THE UNITED STATES.—It is the policy of the United States to offer refugee resettlement to nationals of Vietnam (including members of the Montagnard ethnic minority groups) who were eligible for the Humanitarian Resettlement (HR) Program, the Orderly Departure Program (ODP), Resettlement Opportunities for Vietnamese Returnees (ROVR) Program, the Amerasian Homecoming Act of 1988, or any other United States refugee program and who were deemed ineligible due to administrative error or who for reasons beyond the control of such individuals (including insufficient or contradictory information or the inability to pay bribes demanded by officials of the Government of Vietnam) were unable or failed to apply for such programs in compliance with deadlines imposed by the Department of State.

(b) AUTHORIZED ACTIVITY.—Of the amounts authorized to be appropriated to the Department of State for Migration and Refugee Assistance for each of the fiscal years 2008, 2009, and 2010, such sums as may be necessary are authorized to be made available for the protection (including resettlement in appropriate cases) of Vietnamese refugees and asylum seekers, including Montagnards in Cambodia.

TITLE V—ANNUAL REPORT ON PROGRESS TOWARD FREEDOM AND DEMOCRACY IN VIETNAM

SEC. 501. ANNUAL REPORT.

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act and every 12 months thereafter, the Secretary of State shall submit to the Congress a report on the following:

(1)(A) The determination and certification of the President that the requirements of subparagraphs (A) through (E) of section 101(a)(2) have been met, if applicable.

(B) The determination of the President under section 101(b)(1), if applicable.

(2) Efforts by the United States Government to secure transmission sites for Radio Free Asia in countries in close geographical proximity to Vietnam in accordance with section 301(a).

(3) Efforts to ensure that programs with Vietnam promote the policy set forth in section 302 and with section 105 of the Human Rights, Refugee, and Other Foreign Policy Provisions Act of 1996 regarding participation in programs of educational and cultural exchange.

(4) Steps taken to carry out the policy under section 401(a).

(5) Lists of persons believed to be imprisoned, detained, or placed under house arrest, tortured, or otherwise persecuted by the Government of Vietnam due to their pursuit of internationally recognized human rights. In compiling such lists, the Secretary shall exercise appropriate discretion, including concerns regarding the safety and security of, and benefit to, the persons who may be included on the lists and their families. In addition, the Secretary shall include a list of such persons and their families who may qualify for protections under United States refugee programs.

(6) A description of the development of the rule of law in Vietnam, including, but not limited to—

(A) progress toward the development of institutions of democratic governance;

(B) processes by which statutes, regulations, rules, and other legal acts of the Government of Vietnam are developed and become binding within Vietnam;

(C) the extent to which statutes, regulations, rules, administrative and judicial decisions, and other legal acts of the Government of Vietnam are published and are made accessible to the public;

(D) the extent to which administrative and judicial decisions are supported by statements of reasons that are based upon written statutes, regulations, rules, and other legal acts of the Government of Vietnam;

(E) the extent to which individuals are treated equally under the laws of Vietnam without regard to citizenship, race, religion, political opinion, or current or former associations;

(F) the extent to which administrative and judicial decisions are independent of political pressure or governmental interference and are reviewed by entities of appellate jurisdiction; and

(G) the extent to which laws in Vietnam are written and administered in ways that are consistent with international human rights standards, including the requirements of the International Covenant on Civil and Political Rights.

(b) CONTACTS WITH OTHER ORGANIZATIONS.—In preparing the report under subsection (a), the Secretary shall, as appropriate, seek out and maintain contacts with nongovernmental organizations and human rights advocates (including Vietnamese-Americans and human rights advocates in Vietnam), including receiving reports and updates from such organizations and evaluating such reports. The Secretary shall also seek to consult with the United States Commission on International Religious Freedom for appropriate sections of the report.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

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

I rise in strong support of this resolution. I would be remiss if I do not first recognize my good friend, the gentleman from New Jersey. Not only do I have the highest respect for him but certainly as a champion of human rights issues all over the world, and for this I want to commend him for his authorship of this proposed bill. And I would like to also thank Chairman LANTOS and senior Ranking Member ROS-LEHTINEN, the leadership of our Foreign Affairs Committee, for their support and efforts in bringing this proposed legislation for consideration by our colleagues.

Mr. Speaker, Vietnam stands at a crossroads, and the world is watching carefully to see the choices that it will make.

Like many other countries of the world, Vietnam has a responsibility to protect human and religious rights and provide political freedoms to its people. The Vietnamese people and their leaders should have a deep appreciation of the need to protect and foster the human rights of its people especially after being subjected to many years of abuse and dictatorial and colonial rule of the French Government.

I commend Vietnam's efforts to improve its economy, which grew by over 8 percent last year. In November also of last year, Vietnam played host to the Asian Pacific Economic Cooperation summit, and in January it joined the World Trade Organization. So we must recognize the extraordinary economic achievements Vietnam has made in a short time. This economic growth has bettered the lives of millions of the people of Vietnam.

But recent reports have given serious indications on how the Vietnamese Government has arrested and placed several religious and political leaders in prison without due process and in violation of their human rights.

Mr. Speaker, Congress played an important role in seeing that Vietnam became a member of the World Trade Organization. And yet since its accession, Vietnam has arrested numerous individuals simply for peacefully advocating for democracy.

Vietnam continues to limit freedom of religion, freedom of the press, and freedom of information. It remains as a one-party political system in which the Communist Party is the final arbiter of all decisions.

Mr. Speaker, U.S. engagement with Vietnam has helped spur economic growth and improvements in the lives of the Vietnamese people. But engagement must not be limited to foreign direct investment. We must also seize the opportunity to work with Vietnam to promote political openness and improve human rights.

This bill promotes just this kind of engagement. It prohibits increased assistance to Vietnam above fiscal year 2007 levels other than for humanitarian efforts. This bill makes it clear to Vietnam that the only factor limiting increased aid is positive action by the Vietnamese Government on political, human, and religious rights.

The bill also supports civil society groups in Vietnam that promote human rights. It supports educational exchanges that would enhance freedom and democracy in that country. And it makes it the policy of the United States to offer safe resettlement here to those who are forced to flee Vietnam and become refugees.

Mr. Speaker, Vietnam is increasingly integrated into the global economy; but to be considered a friend of our Nation, it must protect human rights and provide its people political and religious freedom. We all wish this future for Vietnam, and we hope there will be more positive results of our continued efforts to dialogue with the leaders of the people of Vietnam.

With that, Mr. Speaker, I urge my colleagues to support this proposed bill.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Let me begin by thanking my good friend and colleague, Mr. FALEOMAVAEGA, for his leadership on human rights. We have worked together on those issues around the world. We have served on the Human Rights Committee for years, and he has been one of those champions with whom I am just so glad to associate myself. And I want to thank Mr. LANTOS, the chairman of our committee, for bringing this bill to the floor and express my strong gratitude to him and to Ranking Member ILEANA ROS-LEHTINEN and to the leadership for posting this bill for consideration today.

Mr. Speaker, Vietnam has long been known as a major violator of human rights. Sadly, in recent months the human rights situation in Vietnam has deteriorated and become substantially worse, and a new ugly wave of brutal repression has been launched by Hanoi. Over the last couple of months, some of the bravest champions of democracy have been dragged into court and sent to the gulag for simply promoting human rights and justice and free trade unions.

I would note to my colleagues that the House of Representatives has gone on record time and time again condemning and deploring these violations, but this is a new wave that comes on the heels of PNTR, as well as the WTO accession by the Vietnamese Government.

I would note that on May 2 of this year, this House unanimously adopted a resolution that I sponsored which called on the Government of Vietnam to immediately and unconditionally release Father Nguyen Van Ly, Nguyen Van Dai, Le Thi Cong Nhan, and other political prisoners and prisoners of conscience. During consideration of that resolution, Mr. Speaker, I noted that I had been to Vietnam on many human rights trips. I have chaired several hearings on the issue of human rights in Vietnam and have been joined by my friend Mr. FALEOMAVAEGA, Mr. ROYCE and others in those hearings. But on one of the most recent trips, I actually met with Father Ly, who was just sentenced to 8 years in prison. Just sentenced. I also met with Nguyen Van Dai and about 60 other human rights activists and religious leaders and people who are pressing for reform in that country. And one by one those individuals are being caught in this dragnet.

I was struck when I met with these individuals, Mr. Speaker, by how extraordinarily generous, compassionate, talented, and kind hearted these people are. They are extraordinary. They are Vietnam's best and brightest and certainly their bravest. I was amazed at how they harbored no malice, no hate towards the government that hates them, nor do they hate the government leaders. They only want a better future for their country. Each and every one of the people I met with is committed to peaceful, nonviolent reform.

I met with Father Ly when he was under house arrest, and he sounded just like the activists that I had met and spoken to during the dark years of the Warsaw Pact and the Soviet Union. My first human rights trip, I would note parenthetically, was in 1982 on behalf of Soviet refuzniks. It was like being right back there, deja vu, talking to these individuals just like back then, the Shcharanskys of this world or Vaclav Havel or Lech Walesa, people like the folks in Charter 77 in the Czech Republic who only wanted freedom, democracy, and human rights.

□ 1500

And none of them wanted violence. And these reformers of Vietnam want nothing whatsoever to do with violence. And yet, they are accused of slandering the state. To criticize an unjust policy is construed by the state to be slander. Father Ly has now been sentenced to 8 years, and that's in addition to the 14 years he had previously served in the Gulag on trumped-up charges.

Just days after the House adopted the Resolution 243 calling for a reversal of human rights violations, Nguyen Van Dai was sentenced to 5 years imprisonment and 4 years of house arrest. Attorney Van Dai is a tenacious campaigner for human rights who uses the rule of law in a nonviolent manner to press his case.

On the same day that Mr. Van Dai was sentenced, another human rights lawyer, a labor activist, Le Thi Cong Nhan, received 4 years imprisonment and 3 years of house arrest from the same ruthless regime. She, too, punished for engaging in activities recognized internationally as protected human rights.

I've read the 2007 trial proceedings and the government sentencing record, which I intend to put into the RECORD. And I ask every Member to read that and to read it very carefully. It reads like a chilling chapter out of George Orwell's book, ''1984.''

At the trial, the presiding judge, Nguyen Huu Chinh, accused and condemned Dai of being a member of an Independent Trade Union. A member of the Communist party in Poland, Jaruzelski, accused Lech Walesa of that same thing, an independent trade union. That accusation carries with it a time in the Gulag in Vietnam today.

In Vietnam today, men and women are going to jail for very long periods of time for what the government calls ''disseminating propaganda against the Government of the Socialist Republic of Vietnam.''

I point out to my colleagues that the day after the House passed the resolution on May 2, the U.S. Commission on International Religious Freedom indicated in its annual report that the removal of Vietnam from the State Department's List of Countries of Particular Concern was premature based on the evidence that the current situation in the country has not allowed religious freedom. Again, it was part of an effort, I think, of suggesting that if they just got into the World Trade Organization, somehow they would matriculate from dictatorship to democracy. Regrettably, that has not happened. And we've seen a snapback to repression that is very, very severe, cruel, and very, very ugly.

The legislation before us, Mr. Speaker, would prohibit an increase in U.S. nonhumanitarian assistance to Vietnam unless the government makes substantial progress in the following areas: the release of political and religious prisoners; respect for religious freedom; allowing open access to the United States for our refugee program, because very often those who would like to become a part of that have to pay bribes to communist officials or they are simply detained and not allowed to apply; and respect for the rights of ethnic minority groups, including the Montagnard.

Beginning in fiscal year 2009, there would also be a need to show that neither any official of the government nor any government agency was complicit in the trafficking of human persons. The president may waive this restriction on assistance if he determines that the assistance would promote human rights or would otherwise be in the national interests of the U.S.

Other important provisions would authorize $2 million of assistance in both 2008 and 2009 to support democracy in Vietnam, and approximately $10 million over 2 years to overcome the jamming of Radio Free Asia by Vietnam. Let me tell my colleagues, they're jamming Radio Free Asia, jamming it, so the message that we think is so important simply cannot get through. And again, the only thing that any dictatorship needs anywhere to survive and prosper is a secret police, got that in Vietnam, and a control of the message, the propaganda. And by jamming Radio Free Asia, they preclude other voices, other opinions from reaching the people.

The bill would also extend U.S. refugee programs to Vietnamese who were previously eligible but were unable to apply for reasons beyond their control, like I said, like not wanting to pay bribes to Vietnamese officials.

Mr. Speaker, in November of 2006, pursuant to a boatload of assurances and solemn promises that the human

rights situation would improve, Vietnam became the first country to be removed from the Countries of Particular Concern. It was also part of an effort to try to get into the World Trade Organization.

Despite this flurry of international recognition, tangible economic benefit, despite the hopes of many, including and especially the Vietnamese people, Vietnam has reverted with a vengeance to its repressive practices and has arrested, imprisoned and imposed lengthy prison sentences on numerous individuals who only want freedom.

Mr. Speaker, these massive human rights violations perpetrated by the Government of Vietnam cannot be overlooked, they cannot be trivialized. These human rights violations occur as we meet here today, and they cannot continue without equally serious consequences.

I do believe that this snapback to human rights abuse underscores perhaps the unwitting naivete on the part of some who think if we just trade, things will get better. It has not.

And finally, I would ask my colleagues to take a look at pages H 4248 and H4249 from the May 1, 2007 CONGRESSIONAL RECORD, a manifesto that was written and signed on April 8, 2006, called the 8406 Block. It is a call for freedom and democracy and nonviolence.

One by one, those who have signed this very important human rights document in Vietnam have been hunted down, arrested and incarcerated by the government. That's like the people who signed the Declaration of Independence, or again, during the Soviet years, those who would sign manifestos calling for human rights, like Charter 77, who because they espoused freedom, found themselves in a Gulag or being mistreated by the government.

I urge Members on both sides of the aisle to support this. This is a bipartisan bill, and I appreciate that. This is the kind of expression that I think this body is known for, speaking with one voice, truth to power, on behalf of human rights.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I want to associate myself with the distinguished and most eloquent statement made by my good friend from New Jersey.

I have not had the privilege of visiting Vietnam since the days of the war in 1967, 1968, but I do intend to visit that country since it comes under the jurisdiction of my subcommittee.

But again, I want to thank my good friend for the facts and the data that he just presented. I hope my colleagues will take him up on reading some of these important documents that he had shared with us in his presentation.

At this time, I would like to yield 5 minutes to the distinguished lady from California, my good friend, Ms. Sanchez.

Ms. LORETTA SANCHEZ of California. I thank the chairman for allowing me to speak today on this issue of the Vietnam Human Rights Act of 2007.

As you know, I represent the largest Vietnamese community outside of Vietnam in the world, and so I've had the chance to visit Vietnam now three times. Actually, I just finished visiting in April of this year. Before that, I had been denied a visa to visit Vietnam for three times in the past 2½ years.

Now, I rise today in support of my colleague's House Resolution 3096, because this is a very critical time in our relationship with Vietnam.

Before being accepted in the World Trade Organization in January, the Government of Vietnam assured the world that they would make significant progress in the area of human rights, things that we, as Americans, really sometimes take for granted; freedom of speech, freedom of the press, freedom of collective bargaining, freedom to assemble as we wish, and most importantly, really one of the reasons our country was founded, freedom of religion.

As my colleague from New Jersey stated, we had put Vietnam on the List of Particular Concern with respect to the infringement on religious beliefs of the people of Vietnam, and even they were taken off in anticipation of this issue of going into the WTO. Many, many promises in the 11 years that I have served in the Congress, many, many promises by the communist Government of Vietnam, yet nothing ever holds up. And in this particular case, every person who has stood up to speak inside of Vietnam for democracy, for democracy, for something other than the communist party, for free elections, for return of land confiscated by that government, for their ability to practice the religion that they want, for their ability to assemble three or four or five on a street corner with a simple sign, asking, wanting, searching for democracy. And each and every one of these people are under house arrest, have been put in prison. One of them, Father Ly, for example, was given a trial, a trial that lasted one day, no attorney available to him, in a very famous photograph sent across the world of the communist government with their hand over his mouth at his very own trial because they didn't want him to be heard by the world.

The venerable Thich Quang Do, a Buddhist, through peaceful means saying we need religious freedom, recognize the church where most of the Buddhists in Vietnam want to belong. But nothing. Instead, he is under house arrest. All of these dissidents, and yet they continue to speak up and try to tell the world that there is no human right in Vietnam. And they continue to fight.

Many of my colleagues on the other side and on our side of the aisle have been working to get this message out. So then they got WTO, and they imprisoned everybody. I was there in April. There were no dissidents to meet. I asked to go to the prisons. I asked to go see those who had been put behind bars. They laughed. They would not let me. They said, How dare you ask. You know better than to ask to see these people. And our ambassador, at his residence there, put together a tea of the wives and the mothers of the dissidents, not people who had spoken up, simply because they were married and these women were worried about their husbands. And they came to talk to us. They were stopped at their homes. They were barricaded in their homes. The streets were barricaded to their homes so they couldn't get out. And the two who made it, now in a very famous video playing on the Internet, as I came to the home, so did those women, the two who got through. And about 25 communist government soldiers descended upon us, pulling us apart and dragging away one of the women. The ambassador came out. He said these women are simply here to come and have tea with us. But they would have none of it. This is democracy? These are the human rights that this government promised?

So I say today, let us not be conspirators with this government in the backslide of progress. Please, I ask my colleagues, join us in voting for this resolution today.

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California (Mr. ROYCE), who has spoken out on behalf of human rights in Vietnam with great faithfulness, is also a cosponsor of this legislation, and also promoted legislation that was successful in expanding Radio Free Asia.

Mr. ROYCE. Mr. Speaker, I also rise in support of the Vietnam Human Rights Act of 2007.

I join Congressman SMITH, and the efforts made by others here that have been tireless, the strategy of trying to shine some light on Vietnam, trying to get the international community to look at what is happening there.

I've worked with Congressman SMITH on this legislation since 2001, and I know the importance of having it passed, but also, I know the trouble that it has been met with in the other body. And if we can overcome the objections of a few in the other body, this bill will be an important tool in pressing Hanoi to end its wanton disregard for human rights.

I think the necessity of this legislation is because since early this year the crackdown has intensified in Hanoi, in Vietnam to such an extent that especially students, especially spokesmen for religious organizations there are receiving these one-hour show trials where afterwards they're being sent to a penitentiary, 8 years in the case of Father Ly. It was 14-some years ago when he was sent away the first time. And Mr. Speaker, I've had the opportunity there, in Vietnam, to meet with the venerable Thich Quang Do, when he was under house arrest, and Le Quang Liem and see the incredible repression that they face, and to

see what is really a slow strangulation of the culture and of the traditional religion as the state attempts to rewrite religion without the support of the religious leaders, and thus come down hard on those religious leaders and try to remove them from society and try to imprison them certainly when they speak out.

□ 1515

As Human Rights Watch said, this is the worst crackdown that we have seen in Vietnam in 20 years. In the past year, Vietnamese officials brought this harassment to religious leaders and political dissidents and student activists to these new draconian levels that, unfortunately, force us to act here.

This bill's focus on Vietnam suppression of the democratic movement and its tight control over the media will be an important component in bringing change. Why? Because with this legislation, Radio Free Asia will now better be able to bring objective news and to be a surrogate voice for opinions and news outside of the state-sponsored propaganda, so the Vietnamese people will hear of the spread of democratic values in Asia.

Frankly, the spread of democratic values in Asia is critical to U.S. security interests. It is important to note that Vietnam has recently ratcheted up its efforts to block radio broadcasts from Radio Free Asia. This tells me that not only are these broadcasts having a positive effect in combating state propaganda, but Hanoi is feeling increased political pressure. This bill provides the means to overcome radio jamming and the funds for continued broadcasts.

So, Mr. Speaker, I urge passage of the bill. I think it sends a firm message to Hanoi that abuse of this kind to nonviolent citizens in the country will not be met with silence, but, frankly, that we will take action not only in terms of the broadcasting, but this also authorizes our administration to provide U.S. assistance through appropriate nongovernmental organizations and the Human Rights Defenders Fund for the support of the individuals and organizations to promote human rights and to promote nonviolent democratic change inside the country.

So besides capping U.S. nonhumanitarian assistance, this other leverage will be very helpful in terms of trying to protect the human rights and dignity of the students and of the religious leaders right now that are facing such persecution inside Vietnam.

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

Mr. Speaker, I want to thank my colleagues from California, Mr. ROYCE and Ms. SANCHEZ, for their most outstanding statements and their support of this proposed legislation offered by my good friend, the gentleman from New Jersey.

It saddens me because of the times and the periods that I have had the opportunity of meeting with several delegations that have represented Vietnam for the past couple of years. As my good friend from New Jersey has stated earlier, they have made a lot of promises. We have taken their promises in good faith, and now we find ourselves in a situation where their promises have been severely questioned. I kind of like to think that when a country makes a promise, they like to keep it. If this is the way Vietnam is doing business, then certainly we ought to do something about it.

Again, I want to thank my good friend from New Jersey for his authorship of this bill.

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

Mr. SMITH of New Jersey. Mr. Speaker, before yielding back the balance of our time, again, I want to thank Mr. FALEOMAVAEGA and just remind my colleagues that this is the third time this legislation, both under the Republican leadership, and now, thankfully, the Speaker has seen fit to bring this to the floor, as well, the third time I have brought this bill to the floor. Twice it passed the House. Hopefully, it will pass it again.

I think there is a greater sense of urgency now because there is this new, and I would call it an ugly and pervasive, crackdown. They got all their economic benefits. They got their World Trade Organization accession, and, as I said before, PNTR was passed by this House and the bilateral agreement before that. So they got all of that. Now, they just have gone right back to the ugliest commissions of crimes against their own people.

Mr. Speaker, let me just also say to my colleagues that we have heard from some very reliable sources that those who have been incarcerated, those who are being intimidated are being told that the United States really doesn't care about human rights; that all that we care about is the almighty buck, the dollar, and making profits. I want to remind them that we have not walked away. This is a bipartisan expression of concern for their well-being.

Of course, we know why they do this. I will never forget Wei Jingsheng, the great human rights Democracy Wall leader, who spent years in the Chinese laogai, or gulag, coming and testifying at a hearing that I convened on human rights abuses in China. He said that one of the ways that they break people in prison is to say that nobody cares and that everybody has forgotten. It says in the Bible that without hope, the people perish. And that is I think doubly, triply true when you are an incarcerated political prisoner and you are told that you have been abandoned.

I want those individuals to know we have not abandoned them. We care deeply for them. We pray for them; and we are trying to do what we can do, using legislation to try to effectuate their release and hopefully, some day, welcome a Vietnam that is democratic, free, and a protector of human rights, not a violator.

Mr. Speaker, let me also finally say that right after we passed this legislation out of committee in the International Relations Committee in a totally bipartisan effort, the Communist Party of Vietnam's online newspaper berated me and my colleagues very, very, I think, viciously. They did what all human rights abusers always do. They said, Don't interfere with our internal affairs.

Well, we have heard that before, Mr. Speaker. We have heard it from the Soviet Union. We have heard it from Cuba. We have heard it from countries where gulags are filled with human rights activists and freedom-loving individuals. We heard it from South Africa in the 1980s when many of us spoke out passionately against apartheid. They said, Don't intervene in our internal affairs.

I hope the Senate takes note. I hope my colleagues will read what is truly going on in Vietnam today. I have put this in the RECORD, the 8406 Manifesto, a great statement of human rights call, and will include as the judge's findings in the sentencing of the two people, including Dai that I mentioned earlier. You read this and you realize why we get so concerned, those of us like Mr. FALEOMAVAEGA and others who follow this day in and day out. This is an indictment on the system, not on the individuals who have been sent to prison.

Mr. Speaker, I urge my colleagues to read this. I urge passage of this bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 3096, the Vietnam Human Rights Act of 2007, introduced by my distinguished colleague, Mr. SMITH. This important legislation provides economic and political incentives for the Vietnamese government to improve its human rights record and ensure freedom and democracy. This bill also encourages the dissemination of information to the people of Vietnam through promoting free media and encouraging educational exchanges with the United States that will allow for a true democracy of truth and knowledge develop.

Mr. Speaker, despite a recent history of warfare and an oppressive command economy, Vietnam is now making extraordinary progress. Last year, Vietnam's economy grew by over 8 percent, and it hosted the Asia Pacific Economic Cooperation Summit. In January 2007, Vietnam joined the World Trade Organization.

This rapid economic progress has improved the lives of millions of Vietnamese. However, I remain concerned about the lack of political openness and reported human rights abuses. In this repressive atmosphere, the government arrests individuals who are peacefully advocating democracy as well as limiting the freedom of religion, freedom of the press, and freedom of information.

Vietnam today is at a crossroads, the government must now choose to accept its responsibilities to its citizens or continue upon its trajectory of shunning them, facing increasing international scrutiny. The United States and the Congress must react to the situation in Vietnam with firmness and resolve; we are

unable and unwilling to ignore human rights abuses and political suppression anywhere in the world.

By limiting the amount of funds the United States provides to the Vietnamese Government pending a substantial and documented improvement in its human rights record, the United States will show its commitment to the promotion of freedom and democracy throughout the world. This bill will prohibit the provision of additional non-humanitarian funds unless the Vietnamese Government has released political prisoners, made progress on respecting freedom of religion, made progress on returning church properties, allowed the Vietnamese people access to U.S. refugee programs, made progress on protecting ethnic minority rights, and has held accountable any official who is found to have been complicit in the trafficking of humans.

The provisions of this legislation work to ensure that the Vietnamese Government halts any and all human rights abuses, while also respecting and ensuring the rights of its citizens. I believe that this legislation provides the necessary administrative outline that will allow the United States to pursue the best possible relationship with Vietnam and cement our position as an advocate of human rights in the realm of international affairs. The bill makes it the policy of the United States to actively promote democracy and freedom through educational exchanges, as well as offering refugee resettlement to all eligible nationals of Vietnam. This bipartisan resolution is a crucial step toward securing the promotion of freedom, democracy, and a respect for universal human rights in Vietnam, the United States and the world as a focal point of United States foreign policy.

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

Mr. WOLF. Mr. Speaker, I rise today in support of H.R. 3096, the Vietnam Human Rights Act of 2007, a bill which I am pleased to cosponsor. Introduced by my good friend and colleague, Representative CHRIS SMITH of New Jersey, a champion of human rights in this House, this is an important measue which speaks to the deteriorating state of human rights in Vietnam.

After joining the World Trade Organization in January 2007, the politburo of the Vietnamese Communist Party (VCP) has carried out a large-scale brutal campaign of arrest against the nascent movement for democracy in Vietnam. Ignoring all international criticism and strenuous protests of the Vietnamese people, inside Vietnam and abroad, the communist regime in Hanoi has shamefully pushed ahead with its crackdown. Among others, the following events were particularly disconcerting to me:

On February 18, 2007, the second day of the Lunar New Year, which is the most sacred time in Vietnamese culture, the communist security forces raided Father Nguyen Van Ly's office within the Communal Residence of the Hue Archdiocese. Father Ly was later banished to a remote, secluded area in Hue.

On March 8, 2007, Reverend Nguyen Cong Chinch and his wife were brutally assaulted by security forces of Gia Lai Province in the Central Highlands, who then arrested Reverend Chinch on undisclosed charges.

Also on March 8, 2007, two prominent human rights activists and lawyers, Mr. Nguyen Van Dai and Ms. Le Thi Cong Nhan, were arrested in Hanoi and were told that they would be detained for four months as part of an undisclosed investigation.

On March 9, 2007, Mr. Tran Van Hoa, a member of the People's Democracy Party in Quang Ninh Province, and Mr. Pham Van Troi, a member of the Committee for Human Rights in Ha Tay, were summoned by security forces and threatened with ''immeasurable consequences'' if they do not stop their advocacy for human rights in Vietnam.

Also on March 10, 2007, state security forces also raided the home of Ms. Tran Khai Thanh Thuy, a writer, on the grounds that she advocated for ''people with grievances'' against the government. They took away two computers, two cell phones, and hundreds of appeals that she had prepared for victims of the government's abuses.

On March 12, 2007, lawyer Le Quoc Quan, a consultant on local governance for the World Bank, Asian Development Bank, UNDP, and Swedish International Development Agency, was arrested in his hometown, Nghe An, less than a week after he returned from a fellowship at the National Endowment for Democracy in Washington, D.C. His whereabouts are unknown at this time.

On April 5, 2007, the Vietnamese authorities in Hanoi rudely prevented Congresswoman LORETTA SANCHEZ (D–CA) from meeting with several dissidents' wives at a gathering organized at the U.S. Ambassador's home. The police reportedly used very hostile and undignified manners to intervene in the meeting.

Furthermore, the Hanoi communist regime is still imprisoning many political dissidents and labor advocates such as Huynh Nguyen Dao, Truong Quoc Huy, Nguyen Tan Hoanh, Doan Huu Chuong, and more than 350 lay people of the Protestant churches in the Central Highland.

I share the concerns of the Vietnamese-Americans in my district, as well as all across the country, who are very angered and distressed by what they perceive as a new and aggressive plan of the Hanoi government to reverse the progress of human rights in Vietnam. It seems to me that the Vietnamese government is conducting this crackdown on advocates of human rights and religious freedom because it believes that the U.S. has no further leverage in the region. Now that Vietnam has been admitted to the WTO, and met with the Holy See, they believe they can respond in this brutal fashion to supporters of democracy and freedom and we will not respond.

Throughout my years in Congress, I have worked to foster human rights and religious freedom throughout the world. I have raised this issue with U.S. government officials often, especially since this recent crackdown, in an effort to pressure the Vietnamese government to stop persecuting its citizens. I believe the State Department should consider putting Vietnam back on the list of Countries of Particular Concern if the human rights situation in Vietnam does not improve. I believe that the State Department is failing the Vietnamese people struggling for human rights, and is not doing all that it can do to advocate on behalf of the Vietnamese people. The Vietnamese people should be able to choose their own leaders through free and fair elections and to use the Internet freely without censure or restrictions.

Mr. Speaker, I urge a unanimous vote for passage of this legislation so that the Vietnamese people will know that the U.S. House of Representatives stands in support of their freedom.

Mr. SMITH of New Jersey. Mr. Speaker, I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and pass the bill, H.R. 3096, as amended.

The question was taken.

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

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

COMMENDING THE FIRST DEMOCRATIC ELECTIONS IN ACEH, A PROVINCE IN SUMATRA, INDONESIA

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 238) commending the first democratic elections in Aceh, a province in Sumatra, Indonesia, and expressing support for the further democratic development and implementation of the Helsinki Memorandum of Understanding.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 238

Whereas for three decades there has been a continuous armed conflict in Aceh, a province in Sumatra, Indonesia;

Whereas violence between the Indonesian military and the Free Aceh Movement has resulted in an estimated 15,000 deaths in the region;

Whereas the tsunami on December 26, 2004, killed at least 165,000 people in Aceh, devastated the landscape, and led to the loss of livelihood for 600,000 people;

Whereas the Government of Indonesia and the Free Aceh Movement signed a Memorandum of Understanding on August 15, 2005, in Helsinki;

Whereas the Aceh Monitoring Mission (AMM), led by the European Union (EU), the Association of Southeast Asian Nations (ASEAN), Norway, and Switzerland, has supported the implementation of the Helsinki Memorandum of Understanding successfully;

Whereas the Free Aceh Movement has demobilized its military troops and decommissioned its arms;

Whereas the Government of Indonesia has withdrawn its nonorganic military and police forces from Aceh;

Whereas the Law on the Governing of Aceh (LoGA) was signed into law by Indonesian President Susilo Bambang Yudhoyono on August 1, 2006;

Whereas the general life situation of the Acehnese has improved significantly since the signing of the Helsinki Memorandum of Understanding and the Acehnese populate markets and celebrate festivities in public;

Whereas the first democratic and peaceful gubernatorial and district administrative

elections in Aceh were held on December 11, 2006, and more than 80 percent of entitled Acehnese voted; and

Whereas Irwandi Yusuf, a former leader of the Free Aceh Movement, won the gubernatorial election with the highest support of more than 38 percent of total votes: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the first democratic elections in Aceh, a province in Sumatra, Indonesia, in which the Acehnese have shown their strong commitment to democracy and peace, and congratulates Irwandi Yusuf, the first democratic elected governor of Aceh;

(2) expresses its ongoing support for the further democratic development of Aceh and the Helsinki Memorandum of Understanding signed by the Government of Indonesia and the Free Aceh Movement on August 15, 2005;

(3) encourages both parties to live up to their commitments under the Helsinki Memorandum of Understanding, especially with regard to establishing a Human Rights Court for Aceh and a Commission of Truth and Reconciliation; and

(4) encourages the Secretary of State and the Administrator of the United States Agency for International Development to commit resources in supporting the peace and building a strong civil society in Aceh.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the resolution being considered.

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

There was no objection.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

Mr. Speaker, again, I want to thank the leadership of our House Foreign Affairs Committee, the distinguished gentleman from California, Chairman TOM LANTOS, and our senior ranking member, Congresswoman ROS-LEHTINEN, for their support and their leadership in bringing this bill to the floor. I would also like to thank our distinguished colleague from New York (Mr. CROWLEY) for introducing this important resolution.

Mr. Speaker, on December 11, 2006, the Indonesian province of Aceh was host to one of the truly exceptional events in recent world history. Only 2 years after a devastating tsunami claimed some 165,000 lives of the people of Aceh, which is a province of Indonesia, and following three decades, almost 30 years, of violent conflict that ravaged this region, the courageous people of Aceh held peaceful and democratic elections. It was an inspiring testament to the human spirit.

More than 80 percent of eligible voters cast their ballots in this landmark election. It signaled a new chapter in the lives of the beleaguered people of Aceh and served as a bold demonstration of the power of democracy and diplomacy throughout the world.

Diplomacy, Mr. Speaker. This election could not have taken place without the willingness of the Government of Indonesia and the armed fighters of the Free Aceh Movement to take the important step of choosing peace over violence to settle their differences. After decades of bloody battle, the two sides put down their arms and negotiated the Helsinki Memorandum of Understanding on August 15, 2006.

□ 1530

Mr. Speaker, we have seen it from Northern Ireland to South Africa and around the world. When government and rebel groups are finally willing to lay down their arms and come to the negotiating table, agreements previously thought not possible can suddenly come to fruition.

In addition to calling for elections, the Aceh Memorandum of Understanding also calls for the establishment of a Human Rights Court and a Truth and Reconciliation Commission, very similar to what happened in South Africa. It is important that these bodies be established without delay so that Aceh can begin to heal and then fulfill its potential.

In choosing to settle their dispute peacefully and committing to a democratic process, the Government of Indonesia and the Free Aceh Movement showed true leadership by putting the people of Aceh first. This resolution commends this bold choice and the elections that it produced, supports the full implementation of the Helsinki Memorandum of Understanding, recognizes how far Aceh has come, and expresses hope for the future.

Mr. Speaker, I also would like to recognize the leadership of the President of Indonesia, President Susilo Yudhoyono. I know he played a most critical role in bringing about a peaceful solution to the province of Aceh. Just as in my recent discussions with him a couple of months ago, he had given promise that he is also totally committed to the full implementation of the autonomy law that was passed by the Indonesian Parliament to provide for greater democracy and self-rule for the people of West Papua. I know this issue is not related to the Aceh situation, but I do know it is connected to the fact that Jakarta or the Government of Indonesia is the government responsible for what has happened between these two provinces.

But I do want to give recognition to President SBY, as he is usually known in Indonesia, for his leadership and for his efforts in bringing finally to a peaceful solution the situation in the province of Aceh.

I fully support this resolution, and I ask my colleagues to support its passage.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume and rise in support of H. Res. 238, which commends the momentous Democratic elections held in Aceh, Indonesia this past December.

For decades, that region of northern Sumatra was caught in seemingly endless cycles of retribution. Separatist violence by the Free Aceh Movement, known as the GAM, provoked brutal crackdowns by the Indonesian military, and far too often it was the civilians in the middle who paid the price. That conflict and the mistrust of both sides appeared insurmountable.

Then, on December 26, 2004, an even more terrible tragedy struck the area. The Indian Ocean tsunami suddenly snuffed out over 165,000 lives in Aceh alone, devastated the coastline, and displaced hundreds of thousands more.

In January of 2005, within days of the tsunami, I visited the devastated coastline and the Banda Aceh aid center, along with the United States Navy crews who were providing water and logistical support from the USS *Abraham Lincoln* for humanitarian relief efforts.

It was a cataclysm of biblical proportions. But the immensity of the suffering it caused also diminished the relative significance of the political conflicts that had afflicted those communities for so long. Since then, we have seen progress towards democracy and reconciliation that would have not appeared possible beforehand.

The signing of the Helsinki Memorandum of Understanding, the withdrawal of Indonesian troops and military from outside of Aceh, the demobilization of the GAM forces and the enactment of the law on the governing of Aceh were all and are very positive and hopeful signs.

Over 80 percent of the eligible Acehnese voters participated in last December's peaceful district and gubernatorial elections, and in an unmistakable sign of change, the former GAM leader, Irwandi Yusuf, was elected as governor.

Of course, the work of long-term reconciliation and building of a strong civil society will take time and continued cooperation from all parties. Thus, it is appropriate that this resolution encourages both sides to live up to their commitments under the Helsinki Memorandum, particularly with regard to establishing a Human Rights Court for Aceh and a Truth and Reconciliation Commission. Having personally witnessed the suffering of the Acehnese and the devastation of their homes and livelihoods following the tsunami, I am particularly hopeful that we are witnessing the springtime of democracy, peace and development in Aceh.

I want to thank Mr. CROWLEY for presenting us with this opportunity to congratulate the people of Aceh and the Government of Indonesia on the progress they have achieved so far.

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

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

Mr. Speaker, as much as we recognize what has happened and is developing there in Indonesia, especially in this province of Aceh where great democratization or, I suppose, having a better relationship with the central government in Jakarta, there are a couple of things I want to share with my colleague.

That is not all. Indonesia happens to be the fourth most populous country in the world. Indonesia also is the largest, most populous Muslim country in the world, with some 223 million people there. And they are Sunni Muslims. I want to share that with my colleagues as a point of interest.

I think it was just last week that, if the media reports are accurate, Indonesia also just recently signed a $1 billion arms trade agreement with Russia. That is a real twist there in terms of what is happening in the Asia-Pacific region and why this country ought not be neglected in terms of our interest and what we should be doing to work closely with the leaders of Indonesia or Jakarta, for that matter.

Indonesia is going through transition and some very serious problems. I indicated earlier about the serious problems it had had with the province of West Papua. West Papua is part of Indonesia. It was a former colony of the Dutch. Then the dictator, Suharto, by use of military force colonized West Papua again, if you want to put it in those terms.

The largest gold mining operation in the world happens to be in West Papua in this province in Indonesia. It is tremendously rich in terms of minerals and oil and all these things that are part of this country.

As much as I want to express that sense of hope that the resolution to some 30 years of war, this revolt between the people of Aceh and Indonesia, I just want to express a sense of concern to my colleagues that the situation in West Papua is still not clear, and I sincerely hope in the coming weeks and months that President Susilo Yudhoyono will be more forthcoming in terms of the commitment that he has made.

I want to thank the Government of Indonesia for allocating some $2 billion, hopefully, finally, after some 50 or 60 years of not even giving the time of day for the needs of the people of West Papua, some $2 billion to build an infrastructure, to provide better schools, better roads, better hospitals. I sincerely hope that President SBY will follow through with this commitment concerning the province of West Papua.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 238.

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

A motion to reconsider was laid on the table.

CALLING ON GOVERNMENT OF PEOPLE'S REPUBLIC OF CHINA TO RELEASE CERTAIN PRISONERS AND END SUPPRESSION OF UYGHUR PEOPLE

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 497) expressing the sense of the House of Representatives that the Government of the People's Republic of China should immediately release from custody the children of Rebiya Kadeer and Canadian citizen Huseyin Celil and should refrain from further engaging in acts of cultural, linguistic, and religious suppression directed against the Uyghur people, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 497

Whereas the protection of the human rights of minority groups is consistent with the actions of a responsible stakeholder in the international community and with the role of a host of a major international event such as the Olympic Games;

Whereas recent actions taken against the Uyghur minority by authorities in the People's Republic of China and, specifically, by local officials in the Xinjiang Uyghur Autonomous Region, have included major violations of human rights and acts of cultural suppression;

Whereas the authorities of the People's Republic of China have manipulated the strategic objectives of the international war on terror to increase their cultural and religious oppression of the Muslim population residing in the Xinjiang Uyghur Autonomous Region;

Whereas an official campaign to encourage Han Chinese migration into the Xinjiang Uyghur Autonomous Region has resulted in the Uyghur population becoming a minority in their traditional homeland and has placed immense pressure on those who are seeking to preserve the linguistic, cultural, and religious traditions of the Uyghur people;

Whereas the House of Representatives has a particular interest in the fate of Uyghur human rights leader Rebiya Kadeer, a Nobel Peace Prize nominee, and her family as Ms. Kadeer was first arrested in August 1999 while she was en route to meet with a delegation from the Congressional Research Service and was held in prison on spurious charges until her release and exile to the United States in the spring of 2005;

Whereas upon her release, Ms. Kadeer was warned by her Chinese jailors not to advocate for human rights in Xinjiang and throughout China while in the United States or elsewhere, and was reminded that she had several family members residing in the Xinjiang Uyghur Autonomous Region;

Whereas while residing in the United States, Ms. Kadeer founded the International Uyghur Human Rights and Democracy Foundation and was elected President of the Uyghur American Association and President of the World Uyghur Congress in Munich, Germany;

Whereas two of Ms. Kadeer's sons were detained and beaten and one of her daughters was placed under house arrest in June 2006;

Whereas President George W. Bush recognized the importance of Ms. Kadeer's human rights work in a June 5, 2007, speech in Prague, Czech Republic, when he stated: ''Another dissident I will meet here is Rebiyah Kadeer of China, whose sons have been jailed in what we believe is an act of retaliation for her human rights activities. The talent of men and women like Rebiyah is the greatest resource of their nations, far more valuable than the weapons of their army or their oil under the ground.'';

Whereas Kahar Abdureyim, Ms. Kadeer's eldest son, was fined $12,500 for tax evasion and another son, Alim Abdureyim, was sentenced to seven years in prison and fined $62,500 for tax evasion in a blatant attempt by local authorities to take control of the Kadeer family's remaining business assets in the People's Republic of China;

Whereas another of Ms. Kadeer's sons, Ablikim Abdureyim, was beaten by local police to the point of requiring medical attention in June 2006 and has been subjected to continued physical abuse and torture while being held incommunicado in custody since that time;

Whereas Ablikim Abdureyim was also convicted by a kangaroo court on April 17, 2007, for ''instigating and engaging in secessionist'' activities and was sentenced to nine years of imprisonment, this trial being held in secrecy and Mr. Abdureyim reportedly being denied the right to legal representation;

Whereas two days later, on April 19, 2007, another court in Urumqi, the capital of Xinjiang Uyghur Autonomous Region, sentenced Canadian citizen Huseyin Celil to life in prison for ''splittism'' and also for ''being party to a terrorist organization'' after having successfully sought his extradition from Uzbekistan where he was visiting relatives;

Whereas Chinese authorities have continued to refuse to recognize Mr. Celil's Canadian citizenship, although he was naturalized in 2005, denied Canadian diplomats access to the courtroom when Mr. Celil was sentenced, and have refused to grant consular access to Mr. Celil in prison;

Whereas a Chinese Foreign Ministry spokesperson publicly warned Canada ''not to interfere in China's domestic affairs'' after Mr. Celil's sentencing; and

Whereas Mr. Celil's case was a major topic of conversation in a recent Beijing meeting between the Canadian and Chinese Foreign Ministers: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the Government of the People's Republic of China—

(1) should recognize, and seek to ensure, the linguistic, cultural, and religious rights of the Uyghur people of the Xinjiang Uyghur Autonomous Region;

(2) should immediately release the children of Rebiya Kadeer from both incarceration and house arrest and cease harassment and intimidation of the Kadeer family members; and

(3) should immediately release Canadian citizen Huseyin Celil and allow him to rejoin his family in Canada.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H. Res. 497.

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

There was no objection.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

Mr. Speaker, I want to first thank again my colleague from New Jersey for his participation in managing the other side of the aisle on this proposed legislation. I thank the chairman of the Foreign Affairs Committee, the gentleman from California, Mr. TOM LANTOS, for his leadership and for his support of this legislation. Especially I want to thank my good friend and colleague, the distinguished senior ranking member, Ms. ROS-LEHTINEN, for her authorship of this human rights resolution.

With passage of this measure, Congress will shine its spotlight on the brutal suppression of the Muslim Uyghur people by the Chinese Government, and the despicable retaliatory actions of the Chinese Government against the leading Uyghur human rights voice, Rebiya Kadeer.

Similar to the Tibetans, the Turkic Muslim Uyghur have long sought to protect their cultural survival in the face of the Chinese Government-supported migration of the Han Chinese to the Uyghur homeland. Chinese authorities severely restrict economic and educational freedoms for the Uyghurs, regularly destroying books and closing places of worship.

Most trials of Uyghur prisoners are held in secret and many political prisoners are routinely executed without the knowledge of their families. Thousands of Uyghur political prisoners are held without charge or even trial and are routinely abused or tortured.

Mr. Speaker, the People's Republic of China continues to brutally suppress even the slightest attempts of peaceful political, religious and cultural expression of the Uyghurs in the Xinjiang Province. After the attacks in the U.S. on September 11, the People's Republic of China has used the pretext of the war on terrorism to justify these severe human rights violations in Xinjiang and routinely labels the Uyghurs as terrorists and as splitists.

When the Uyghur people found their human rights voice in Rebiya Kadeer, the Chinese Government immediately moved against her and sentenced her to 8 years in prison. They arrested her while she was on her way to meet representatives of our Congressional Research Service.

After international lobbying efforts, the Chinese Government finally released her from prison. They told her that her children would pay a steep price if she continued to lobby for human rights in Xinjiang.

When you carry the hopes and dreams of your entire people on your shoulders, it is impossible to be quiet in the face of such brutal oppression. Upon arriving in the United States, Rebiya continued her human rights work through the International Human Rights and Democracy Foundation and as president of the Uyghur American Association and the World Uyghur Congress in Munich, Germany.

Mr. Speaker, the Chinese Government held to their word and arrested her sons in Xinjiang. Her daughter was placed under house arrest. Using the pretext of a tax investigation to strip the family of all the remaining possessions and business interests, one son was fined $12,500 for tax evasion. Another was sentenced to 7 years in prison and fined $62,500. Yet another was sentenced to 9 years in prison on April 17, 2007, for secessionism.

The Ros-Lehtinen resolution before us, Mr. Speaker, also raises the human rights of Uyghur Canadian Huseyin Celil. He was recently convicted by a Chinese court to life imprisonment on bogus charges. The Canadian Government has been denied access to him throughout his trial.

The blatant refusal to accept even the most basic norms of diplomatic conduct and refusing Canadian embassy officials to visit Mr. Celil not only flies in the face of long-established diplomatic norms and standards, but it is a flagrant violation of Mr. Celil's internationally recognized human rights.

Mr. Speaker, I urge all Members to join me in supporting this resolution and in sending the Chinese Government a strong message that it needs to respect the minority rights of the Uyghur people, that it needs to immediately release the children of Rebiya Kadeer and cease all harassment of her family members, and set free Mr. Celil so he can return to Canada to be reunited with his family.

Again, Mr. Speaker, I urge my colleagues to support this legislation.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in very strong support of this resolution offered by Ms. ROS-LEHTINEN that asks the Chinese Government to recognize the rights of the Uyghur people and to free the children of Rebiya Kadeer, an extraordinary human rights activist and Uyghur spokeswoman.

At turning points in history, Mr. Speaker, of oppressed peoples, one honest and courageous man or woman often comes to represent the entire people in the eyes of the world. In the United States, on matters related to civil rights, it was the Reverend Martin Luther King. In Burma, it is Aung San Suu Kyi. In India, it was Gandhi. For Chinese Catholics, it was Cardinal Kung. In Poland, it was Lech Walesa and John Paul II. For Tibetans, it is his Holiness, the Dalai Lama.

For the Uyghur people, deprived of their religious freedom, robbed of their cultural and linguistic rights and marginalized in their own homeland by the government-organized Han Chinese migration, it is Rebiya Kadeer.

For years, Ms. Kadeer was a voice crying in the wilderness, asking the serial human rights abusers in Beijing to recognize the rights of the Uyghur people. In 1999, the Chinese Government imprisoned her. In 2005, it released her into exile into the United States, warning her not to advocate for her people. Her husband and several children were already in exile here. Others remained behind. In 2000, while she was in prison, one of her daughters testified at a human rights hearing that I chaired on the Uyghurs, and she was very powerful in her statement on behalf of her mom.

Even though some of her children still lived in China, this incredibly brave woman established a Uyghur human rights foundation. Now she has become the quintessential symbol of Uyghur aspirations and hopes. She is a recognized leader in the Uyghur exile and human rights communities, a Nobel Peace Prize nominee, and a friend of President Bush after their meeting in Prague this past summer.

Mr. Speaker, we all want Beijing to act like a responsible stakeholder in the world. I make no secret of my conviction that Beijing has a very long way to go. The list of serious human rights abuses committed by the Chinese Government is long. It includes the persuasive systematic exploitation of women and the murder of their children through forced abortion as part of its coercive one-child-per-couple policy. Against the Uyghurs, it is used as a means of genocide, of trying to destroy an entire race and ethnic group of people because of their ethnicity. The imprisonment of democratic dissidents and religious believers remains a serious and pervasive problem in the PRC, as does the marginalization of the Tibetans in their homeland on the roof of the world.

The extensive use of torture has been documented time and time again. Manfred Nowak, the Special Rapporteur for the United Nations, went to China and came back, and his report is literally an indictment. If you are arrested, if a Han Chinese, a Uyghur or anyone is arrested, the way they get a conviction is they torture you. Eventually you sign on the bottom line and you admit your so-called crimes. They have also forcibly repatriated North Korean refugees. Again, there is abuse after abuse after abuse, and the Uyghurs are at the brunt of it.

The oppression of the Uyghurs in their homeland along the Silk Road must be included, Mr. Speaker, on any list of Chinese Government's most serious abuses. In the United States, Ms. Kadeer has ensured that the world does not forget the oppression of the Uyghur

people, and the Chinese Government has retaliated now, as they have in the past, by harassing her children who live in the Xinjiang Uyghur Autonomous Region by placing them under house arrest, by incarcerating them and by beating them.

Today, Mr. Speaker, the House of Representatives, both Republicans and Democrats alike, ask that Beijing end this campaign of retaliation against the Kadeer family. We join the voice of those who care for those kids, an anguished mother who cries, ''let my children go.''

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We also ask that Beijing immediately release Hussein Celil, an ethnic Uyghur who is a citizen of Canada, so he can rejoin his family living in that country.

Finally, in the darkness of the political oppression of the Uyghur people, Rebiya Kadeer stands out as a beacon of light and hope. Let us honor her and her family and her work by enthusiastically supporting this resolution.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I want to commend and thank my good friend from New Jersey. I call him the champion of human rights all over the world. Wherever there is violation of human rights, he is there; and I commend him for his efforts all these years that I have been privileged to work closely with him on these issues.

Mr. Speaker, I recall years ago Mr. Mandela was accused by a former Prime Minister of Great Britain as being a terrorist. Of course, having served in prison for 29 years, all he was trying to say was that something was wrong in South Africa. They call it apartheid. If that isn't a human rights violation, I don't know what is.

But the fact that these two people, the lady and her children and this Canadian citizen, whether it is 2 or 3 or 3 million, our government and this Congress should give every attention as far as to the needs of those people as far as human rights violations are concerned.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 497, expressing the sense of the House of Representatives that the Government of the People's Republic of China should immediately release from custody the children of Rebiya Kadeer and Canadian citizen Huseyin Celil and should refrain from further engaging in acts of cultural, linguistic, and religious suppression directed against the Uyghur people, and for other purposes. I want to congratulate my good friend and colleague, the distinguished ranking member of this Committee, Ms. ROS-LEHTINEN, for this important human rights resolution. It is the responsibility of the Congress to remind the government of the People's Republic of China of their obligations to live up to international standards to protect ethnic cultural identities and minority rights.

Mr. Speaker, not only does the People's Republic of China systemically abuse the basic human rights of its minority citizens, but its repressive tactics extend to the members of politically active human rights advocates' families. Furthermore, the government has manipulated the international war on terrorism to justify its repressive treatment of the Muslim population living in Xinjiang, as well as encouraging Chinese migration into the region in an attempt to purify the region of its traditional Uyghur occupants.

It is extremely important that the United States hold the government of the People's Republic of China responsible to international standards regarding political as well as basic human rights. The government brutally suppresses even the slightest attempts of peaceful political, religious, and cultural expression of Uyghurs in Xinjiang. As a member of Congress, I feel particularly responsible to Uyghur human rights activist Rebiya Kadeer, who was arrested while she was on her way to meet representatives of our Congressional Research Service. While she was released from prison following international lobbying efforts, deemed a prisoner of consciousness by Amnesty International, upon resumption of her human rights advocacy abroad, her sons in Xinjiang were arrested and remain imprisoned to this day.

This resolution also raises the human rights issues of Huseyin Cecil, a Uyghur Canadian who was recently convicted in a kangaroo court to life imprisonment on ''bogus'' charges. The Canadian government and Embassy Officials have been refused access to their citizen throughout the process, and the Chinese government has blatantly refused to accept even the most basic norms of diplomatic conduct.

By supporting this resolution, the United States will alert the Chinese government that it must respect the minority rights of the Uyghur people as well as the rights of human rights advocates. The resolution requires the immediate release of the children of Rebiya Kadeer as well as Mr. Cecil so that they might all return to their families.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 497.

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

A motion to reconsider was laid on the table.

RECOGNIZING THE 50TH ANNIVERSARY OF MALAYSIA'S INDEPENDENCE

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 518) recognizing the 50th anniversary of Malaysia's independence, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 518

Whereas Malaysia is a multi-religious and multi-racial democracy in Southeast Asia that is important to the United States' strategic interests;

Whereas Malaysia is one of the United States' key allies in efforts to combat international terrorism, and it condemns all terrorism, regardless of its cause or objectives;

Whereas the Prime Minister of Malaysia, Datuk Seri Abdullah Ahmad Badawi, has condemned those seeking to incite race and religious hatred, including anti-Semitism;

Whereas Malaysia has taken a leading regional role in counter-terrorism and counter-narcotics in Southeast Asia, through intelligence sharing, close cooperation in law enforcement, participation in joint exercises and training, and other cooperative efforts with its neighboring countries and the United States;

Whereas Malaysia is the United States' 10th largest trading partner, and the two countries have signed a Trade and Investment Framework Agreement;

Whereas Malaysia has consistently been a favored destination of American investment due to its competitive advantages, including good infrastructure, a highly-trained, educated, and multilingual workforce, and a business-friendly government;

Whereas the Malaysian Constitution guarantees gender equality, and the many accomplishments of Malaysian women evidence Malaysia's commitment to the advancement of women's social, economic, and legal status;

Whereas Malaysia was ruled by the United Kingdom until 1957;

Whereas Malaysia gained independence from the United Kingdom on August 31, 1957; and

Whereas August 31, 2007, is the 50th anniversary of Malaysia's independence, as well as the United States-Malaysia relationship: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 50th anniversary of Malaysia's independence;

(2) expresses congratulations to Malaysia on reaching this national milestone; and

(3) expresses its support for an ongoing strong bilateral relationship between the United States and Malaysia and the continued cooperation of the two countries in such important areas as counter-terrorism, counter-narcotics, and trade.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in strong support of this resolution and thank the leadership of the House Foreign Affairs Committee, the gentleman from California (Mr. LANTOS) and the senior ranking member, Ms. ROS-LEHTINEN, for their support in bringing this legislation before the floor.

Let me also express my support and commendation to my good friend and senior member of the Foreign Affairs Committee, the gentleman from New York (Mr. MEEKS) for introducing this resolution.

Mr. Speaker, Malaysia today is a far cry from its humble beginnings a half-century ago. From its start in 1957 as an underdeveloped nation struggling to gain its footing in uncertain terrain of post-colonial Southeast Asia, Malaysia has transformed itself into a confident country that attracts the attention of the world.

Malaysia now boasts a booming economy that is deeply integrated into the world's economic system. Its economy was mature enough to weather the Southeast Asian economic crisis of the late 1990s and rebound to produce strong growth again in the 21st century.

Mr. Speaker, few sights symbolize Malaysia's progress more aptly than Kuala Lumpur's dramatic modern skyline, dominated by the Petronas Twin Towers, which are currently the second-largest buildings in the world and a constant reminder of Malaysia's bright future.

Significant political transformations have accompanied Malaysia's dramatic economic development. But Malaysia's democracy remains incomplete, as evidenced by the fact that the same political party has held power for over 50 years.

The Internal Security Act is used to lock up people without charge, and defamation laws are used to silence critics of the government.

While Malaysia's democratic transition is not fully complete, it remains a democracy nonetheless, and a strong ally of the United States.

Mr. Speaker, the United States today counts Malaysia as one of its most important partners in Southeast Asia. Malaysia works closely with the United States to combat terrorism and narcotics trafficking. We look forward to continuing to work with the people of Malaysia to bring peace, stability, and prosperity to this important region of the world.

With this resolution, we support Malaysia's golden anniversary, its 50th year of independence. It is a proud achievement for an important friend and ally of the United States, and I ask and urge my colleagues to support this resolution.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 518, recognizing the 50th anniversary of Malaysian independence.

In this regard, I would like to recognize Representative MEEKS and Mr. SESSIONS for their longstanding interest in Malaysia and in expanding economic, political, and people-to-people ties with that important Southeast Asian country.

This year, Malaysia celebrates the 50th anniversary of its independence from Britain as well as the 50th anniversary of U.S.-Malaysia diplomatic relations. Malaysia has earned the reputation of being a moderate majority-Muslim democratic state and has integrated itself into the world economy while maintaining a multi-faith, multi-ethnic society. While recognizing Malaysia's achievements and regional, as well as global, influence, however, it is important to note several areas of concern both for Malaysia's people and the international community.

Malaysia has an established record of tolerance and respect among its varied religious and ethnic populations. However, recent reports raise troubling concerns as to whether the rights of religious and racial minorities are being threatened. For example, the May 30, 2007, decision by the Malaysian Federal Court in the apostasy case of Lina Joy has troubling implications for the question as to whether shari'a law takes precedence over civil law in matters of religious conversion. There are indications that this and other court rulings are eroding the constitutional rights of minorities, which in turn is aggravating a growing socio-religious divide in the country.

The resolution we are considering references the Prime Minister's condemnation of those seeking to incite racial and religious hatred. While commendable, the fact that the Prime Minister perceived it necessary to make this commendation only reinforces the growing perception that the government needs to be more vigilant to ensure that the rights of minorities in Malaysia are respected.

Another area of deep concern to me is in the area of human trafficking. Malaysia has progressively fallen in the tier rankings made by the State Department pursuant to the Trafficking Victims Protection Act until it reached tier 3 in 2007, and that is for the most egregious violators. According to the June 2007 Trafficking in Persons Report, Malaysia is failing to punish acts of trafficking, provide adequate shelters and social services to victims, protect its migrant workers from involuntary servitude, and prosecute traffickers who are arrested and detained under preventive laws. It is particularly disturbing that the Government of Malaysia recently signed a memorandum of understanding with the Government of Indonesia that authorizes Malaysian employers to confiscate and hold the passport of Indonesian domestic employees throughout the term of their employment. Such authority could easily facilitate the involuntary servitude of domestic workers.

I would strongly encourage the Malaysian Government to take the opportunity on this 50th anniversary celebration of the country's independence to seriously address human trafficking so as to protect the rights of all individuals residing or transiting within its borders.

The United States and Malaysia have sometimes had sharp policy differences. Yet despite these occasional disagreements, this resolution points out that the U.S. and Malaysia have continued to work closely together in such important areas as counterterrorism, defense cooperation, counternarcotics, and trade. Bilateral relations have grown stronger in recent years, and we value their relationship. Nevertheless, we continue to have different perspectives on important issues of concern.

One of these relates to Iran. As my colleagues are aware, the United States remains opposed to foreign investment in Iran's oil and gas sector, including Malaysian investment, as a matter of law and policy. Congress and the executive branch must continue to emphasize our concerns about such investment and related financial ties and to oppose business as usual with Iran. It is critical that the world community, including Malaysia, joins us in persuading Tehran to end its nuclear weapons program.

In addition, U.S. authorities have recently uncovered a number of plots to transship weapons technology and sensitive dual-use goods through Malaysia to Iran. This, together with past evidence of a Malaysian company's involvement in A.Q. Khan's clandestine nuclear proliferation network, point to an urgent need for Malaysia to implement reforms to its export controls. The failure to rein in proliferators not only endangers international security, but could also imperil legitimate trade. Thus, it would be in the country's best interest, as well as that of the international community, for Malaysia to enact a world-class export control system.

Another concern involves relations with the State of Israel. Although Malaysia is not a member of the League of Arab States, it appears to share much of the league's anti-Zionist ideology. Indeed, Kuala Lumpur does not maintain diplomatic relations with Israel.

A 2006 Congressional Research Service report on the then-proposed U.S.-Malaysia FTA pointed out that Kuala Lumpur appeared to be a de facto supporter of the trade embargo against Israel. In point of fact, Malaysia conducts virtually no trade with Israel.

The absence of normal commercial ties with Israel, let alone formal diplomatic relations, presents a stunningly awkward circumstance, one I hope Malaysian leaders would find time to reflect upon and to correct.

In conclusion, while I join this body in welcoming this 50th anniversary of Malaysian independence, I would simply note that U.S.-Malaysian relations could become even more constructive and mutually beneficial if Kuala Lumpur would take action to address these ongoing issues of concern.

Mr. SESSIONS. Mr. Speaker, I rise today to commemorate Malaysia's 50th anniversary of their independence from the United Kingdom that was recently celebrated on August 31, 2007.

I am proud to serve as a Co-Chair of the Congressional Malaysia Trade, Security, and Economic Cooperation Caucus along with my good friend, the Honorable GREGORY W. MEEKS of New York. This is an important tribute from the House of Representatives to the people of Malaysia, as we honor a landmark day in their history. The United States was one of the first countries to establish diplomatic relations with the newly independent Malaysia 50 years ago, and I am proud of how the United States/Malaysian relationship has prospered since their independence.

Malaysia has a population in excess of 25 million, and is a moderate-Muslim democratic nation in a key geo-politically sensitive region of the world. Malaysia is currently our 10th largest trading partner, and I hope that our trade relationship with Malaysia will expand. We have inked a Trade and Investment Framework Agreement with Malaysia, and our countries are currently in talks for a free trade agreement. I am hopeful that these talks will produce a free trade agreement accord that Congress will be able to pass. This enhanced economic partnership would be of great benefit to the businesses and citizens of both countries.

Malaysia has been a regional leader in many areas of mutual concern to the United States and Malaysia, they are a leader in counter-terrorism and counter-narcotics in Southeast Asia. Through intelligence sharing, close cooperation in law enforcement, participation in joint exercises and training, and other cooperative endeavors with its neighboring countries and the United States, Malaysia is a leader in many of our shared interests.

I would like to take this opportunity to thank our recently departed Ambassador to Malaysia, Ambassador Christopher J. LaFleur, for his service of representing the interests of the United States in Kuala Lumpur. Moreover, I would like to thank the current Charge d'affaires ad interim for the American Embassy in Malaysia, David B. Shear, and the Malaysia Desk Officer at the State Department in Washington, Michael P. Taylor, for their service and hard work. Recently, I had the opportunity to meet our new Ambassador to Malaysia, Ambassador James R. Keith. Ambassador Keith has my full confidence and gratitude; he is a seasoned diplomat of great skill, and I wish him a good start to his duties in representing the United States in Malaysia.

I have also had the pleasure of working with many fine diplomats from Malaysia; I would like to recognize the current Ambassador from Malaysia to the United States, H.E. Datuk Dr. Rajmah Hussain. I would also like to note her immediate predecessor, who I worked with for several years, H.E. Tan Sri Ghazzali B. Sheikh Abdul Khalid. Ambassador Ghazzali was Malaysia's long-tenured representative in Washington, and I am pleased that he is currently engaged in the free trade talks between our two countries. I thank Ambassadors Rajmah and Ghazzali for their services in representing Malaysia in Washington.

I congratulate the people of Malaysia on the occasion of this landmark day in their history, and firmly believe that our bilateral relationship will only continue to grow and prosper.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Res. 518, which recognizes the 50th anniversary of Malaysia's independence. H. Res. 518 acknowledges the Federation of Malaysia's accomplishments over the past 50 years. In addition, H. Res. 518 recognizes the importance to the United States' strong bilateral relationship with Malaysia and endorses this relationship to continue to prosper. It is important for the United States to make this demonstration and endorsement not only because of our relationship with Malaysia but also because we share a similar history of gaining independence and implementing democracy. Therefore, we are proudly participating in the celebration of a government that has liberated its people and provides freedom in the name of democracy.

Mr. Speaker, celebrating Malaysia's 50th anniversary is significant because it shows her strength and perseverance towards maintaining freedom. Malaysia shows its determination throughout its history by gaining its independence in 1957, defeating communists soon after gaining independence, surviving through turmoil in 1960s, recession and political repression in the 1980s, and more unrest in the 1990s.

Today, Malaysia is a nation of skyscrapers and microchip plants, fast highways and sprawling cities where the government talks of Malaysia's role in biotech, or conference hosting or Islamic finance. It is almost unrecognizable from the independent Federation of Malaya of 31 August 1957, when its first Prime Minister Tunku Abdul Rahman Putra Al Haj stood tall in a specially built stadium in Kuala Lumpur and raised his right arm as the crowd echoed his three cries of "Merdeka!" which means freedom. At that time 60% of Malaysians were living below the national poverty line according to Dr. Richard Leete, head of the UN Development Program for Malaysia, Singapore and Brunei. Over the past 50 years that proportion has declined remarkably and currently there are less than 5% of people in poverty in Malaysia.

Mr. Speaker, H. Res. 518 also gives us the opportunity to support key American values and interests. By supporting this bill the United States will essentially be supporting a multi-religious and multiracial democracy. In addition, the United States will be supporting the condemnation of racism, religious hatred, and anti-Semitism. Also, the United States will be supporting Malaysia's condemnation of all forms of terrorism and assistance in the War on Terror. Finally, the United States will be supporting the success of our 10th largest trade partner, who we are currently in talks with about a free trade agreement.

Mr. Speaker, I urge my colleagues to join me in supporting H. Res. 518 and commending Malaysia on the 50th anniversary of its freedom.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 518, as amended.

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

A motion to reconsider was laid on the table.

RECOGNIZING THE REMARKABLE EXAMPLE OF SIR NICHOLAS WINTON

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 583) recognizing the remarkable example of Sir Nicholas Winton who organized the rescue of 669 Jewish Czechoslovakian children from Nazi death camps prior to the outbreak of World War II.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 583

Whereas during the Holocaust, in which some 6,000,000 Jews were brutally put to death by the Government of Nazi Germany, a small number of individuals risked their lives and spent fortunes to save the lives of others because they were decent and courageous men and women of principle;

Whereas, in October 1938, the Nazi Government occupied the Sudetenland area of Czechoslovakia, which resulted in tens of thousands of Jewish refugees fleeing the occupied areas and seeking safety in the areas of as-yet unoccupied Czechoslovakia;

Whereas, in late 1938, a 29-year-old British businessman, Nicholas Winton, was encouraged by a friend at the British Embassy in Prague to forgo a ski vacation in the Alps to visit Prague and see first-hand the freezing refugee camps filled with Jewish families who had fled the Sudetenland;

Whereas, in the face of this enormous suffering, Winton, moved by feelings of deep compassion, undertook a massive effort to help the children of many of these Jewish families escape these horrible circumstances, though at that time neither he nor they knew the full extent of the horrors that awaited them;

Whereas Winton sought to find friendly governments which would grant asylum to these Jewish refugee children, and his efforts were rebuffed by the countries whose help he requested, until the Governments of Sweden and the United Kingdom agreed to accept children from the Czechoslovakian refugee camps;

Whereas Winton and other volunteers gathered names and other information on children whose parents recognized the importance of getting their children beyond the reach of the Nazi Government, and Winton was able to use this information to identify foster homes for these refugee children;

Whereas Winton took the lead in raising funds to pay for the transportation of the children from Prague to Britain and Sweden and to pay an enormous government-imposed fee to cover the costs of future repatriation;

Whereas, on March 14, 1939, the first 20 children left Prague under Winton's auspices, and the very next day the Nazi army overran the remainder of un-occupied Czechoslovakia;

Whereas the heroic effort of Winton and other volunteers to assist these young children flee occupied Czechoslovakia continued for over six months until the outbreak of World War II on September 1, 1939, during which time 669 children were able to leave in a total of eight separate groups;

Whereas the ninth group of some 250 children was scheduled to leave Prague on September 3, 1939, but was halted following the outbreak of hostilities, and none of these 250 children lived to see the end of World War II six years later;

Whereas this group of 669 children, saved through the efforts of Winton and his collaborators, includes doctors, nurses, teachers, musicians, artists, writers, pilots, ministers, scientists, engineers, entrepreneurs, and a Member of the British Parliament, and today they and their children and grandchildren and great-grandchildren number over 5,000 individuals, and these individuals live in the United States, Canada, Australia, the Czech Republic, Britain, Germany, and other countries;

Whereas Winton's achievement went unrecognized and unacknowledged for more than half a century until his wife, who knew nothing of this life-saving work, came across an old leather briefcase in an attic in which she found lists of the children, letters from their parents and other materials documenting his efforts;

Whereas, of the 15,000 Czechoslovakian Jewish children who fled to refugee camps or who were forced into concentration camps during the Nazi occupation, only a handful survived World War II, and Vera Gissing, one of the children saved by Winton and the author of the script for the film ''Nicholas Winton—the Power of Good'', which won the Emmy Award in 2002, said that Winton ''rescued the greater part of the Jewish children of my generation in Czechoslovakia. Very few of us met our parents again: they perished in concentration camps. Had we not been spirited away, we would have been murdered alongside them.''; and

Whereas Winton has been honored with the title of Member of the British Empire (MBE), was awarded the Freedom of the City of Prague, received the Czech Order of T. G. Masaryk, and was given a knighthood from Queen Elizabeth II for services to humanity: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends Sir Nicholas Winton and those British and Czechoslovakian citizens who worked with him, for their remarkable persistence and selfless courage in saving the lives of 669 Czechoslovakian Jewish children in the months before the outbreak of World War II; and

(2) urges men and women everywhere to recognize in Winton's remarkable humanitarian effort the difference that one devoted principled individual can make in changing and improving the lives of others.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

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

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

There was no objection.

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

I rise in strong support of this resolution, and I thank the leadership of the House Foreign Affairs Committee, Chairman LANTOS and our senior ranking member, Ms. ROS-LEHTINEN, for their support on this resolution.

Let me also especially congratulate the chief sponsor and author of this important resolution, my good friend and member of the Foreign Affairs Committee, Congressman KLEIN, as well as the lead Republican cosponsor, Mr. LINCOLN DIAZ-BALART, for recognizing the unsung hero of World War II, Sir Nicholas Winton.

Mr. Speaker, whenever humanity is enshrouded in the darkness of atrocity and violence, there are a few scattered lights of moral decency and personal courage that give hope to all mankind that darkness will not prevail.

□ 1600

Arguably, Mr. Speaker, there has not been a more terrible period of darkness than that of World War II when Nazi Germany systematically murdered more than 6 million Jewish people. Even during that terrible period there were lights in the moral darkness and who kept alive the values of decency, compassion and courage. One such person was a 29-year-old British businessman, Mr. Nicholas Winton.

During his frequent business trips to Germany, Mr. Winton observed firsthand the virulent anti-Semitism that prevailed in that country and manifested itself in arrests, harassment, and physical attacks on Jewish people. In 1935, Germany codified anti-Semitism by enacting the Nuremberg Race Laws.

Mr. Speaker, after the Munich Agreement of 1938 and the subsequent annexation of Germany of the Sudetenland region of Czechoslovakia, Mr. Winton became concerned that Nazi Germany could not be appeased. Indeed, on November 9 of that year, 1938, anti-Semitic violence exploded across Germany and Austria. Because of the broken glass in the streets, that date is remembered as Kristallnacht.

Soon afterwards, Mr. Winton was encouraged even by a friend at the British Embassy in Prague to forgo a ski vacation in the Alps and instead to visit what was left of Czechoslovakia in order to see the refugee camps filled with freezing Jewish families who had fled the Sudetenland.

Mr. Speaker, he was deeply moved by the suffering he saw and was convinced immediate action had to be taken. Mr. Winton conceived of an idea. Upon his return to Great Britain, he organized volunteers to collect names of children whose parents were desperate to get them beyond the reach of the Nazi Government.

Mr. Winton then identified foster homes for those refugee children in Britain and in Sweden. He raised money to fund their transportation and to pay fees imposed by the government to cover the costs of future repatriation.

Mr. Speaker, on March 14, 1939, the first 20 children of this venture left Prague. The very next day the Nazi Army overran the remainder of unoccupied Czechoslovakia. Mr. Winton and his volunteers continued their dangerous work for another 6 months, until the full outbreak of World War II on September 1st.

During this time, Mr. Winton and his volunteers saved 669 children. These were children who escaped the Holocaust and who later had their own lives and families, thanks to the efforts of this one man.

Mr. Speaker, tragically, a final group of 250 children scheduled to leave on September 3 was prevented from doing so. None of them lived to see the end of World War II.

It is by coincidence that we even learned about the heroic efforts of now 97-year-old Mr. Nicholas Winton, who never sought any recognition for his actions. Even his wife was unaware of what he had done until she found an old leather briefcase in an attic that contained documents pertaining to the rescue operations.

Mr. Speaker, the world has now begun to pay tribute to the brave acts of this modest hero, a true man, in my opinion. He was knighted by Queen Elizabeth II and made a member of the British Empire. He received the honor of the Freedom of the City of Prague and was made a member of the order named for the father of Czechoslovakia.

It is appropriate, Mr. Speaker, for this House to recognize the courageous efforts of this one man, Sir Nicholas Winton, during one of history's darkest moments.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

I am pleased, Mr. Speaker, to take this opportunity to rise in support of House Resolution 583 recognizing the remarkable example of Sir Nicholas Winton, who organized the rescue of 669 Jewish Czechoslovakian children from Nazi death camps prior to the outbreak of World War II.

Sir Nicholas Winton, like many of life's heroes, sought no publicity for his efforts, which ultimately saved those young lives. In fact, for more than 50 years Winton's heroism went unrecognized until his wife, Greta, stumbled across a leather briefcase in their attic in which she found documentation of the children smuggled out of Nazi-occupied Czechoslovakia and letters written by their parents.

Though less well known, Sir Nicholas' story has much in common with Oskar Schindler's, which has been celebrated in both print and film.

In 1938, Nicholas, a British subject, traveled to Prague, where he was haunted by the impression of refugee camps which were newly constructed there. This experience motivated him to tirelessly lobby the British Government in attempts to secure visas for Czechoslovakian Jewish refugee children.

Winton's efforts enabled the safe escape to Britain of almost 700 kids who surely would have perished without his intervention. Sir Nicholas' mission was

even more challenging, as it required that he first find a foster family to accept each child before they would be accepted into the country.

It is staggering to consider today that there are over 5,000 descendants of ''Winton children'' around the world, including the UK, Canada, Czech Republic and the United States, lives that would have perished without Sir Nicholas' selfless dedication to a remarkable humanitarian mission.

Nearly 100 years old today, Sir Nicholas Winton has been honored with the title Member of the British Empire and with knighthood from Queen Elizabeth II.

I encourage my colleagues to support this and I thank Mr. KLEIN for his authorship of this legislation.

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

Mr. FALEOMAVAEGA. Mr. Speaker, it is with pleasure that I yield all the time that he needs to the author of this important resolution, my good friend and also a senior member of our committee, the gentleman from Florida (Mr. KLEIN).

Mr. KLEIN of Florida. Mr. Speaker, I thank the gentlemen for the presentation and the support of the resolution, House Resolution 583. I would also like to thank Chairman LANTOS, who has a deep and abiding understanding of the circumstances leading up to and what occurred during the Holocaust, and of course Congresswoman ILEANA ROS-LEHTINEN and my cosponsor, Congressman LINCOLN DIAZ-BALART from Florida.

Mr. Speaker, I rise today to honor a true hero, Mr. Nicholas Winton, who saved more than 600 children from their death during the Holocaust. Nine months before the outbreak of World War II, Nicholas Winton, then only 29 years old, a young man, used his business and personal connections, urgently working from the dining room of a hotel room, and found safety for these hundreds of children.

Nicholas Winton took the lead in raising the necessary funds to assure transportation for these children. As was said already, he found foster homes and arranged for the necessary permits and documents. But let's understand this is not just an administrative function that we would think of today to place children. This was under threat of death of himself, his family and anybody who assisted. He saved these children's lives, since most of their families and contemporaries remained in Czechoslovakia, and they soon perished.

These children grew up to be doctors, nurses, teachers, musicians, artists, writers, pilots, ministers, scientists, engineers, entrepreneurs, and even a member of the British Parliament. Today they and their children and grandchildren and great grandchildren number over 5,000 human beings, living in the United States, Canada, Australia, the Czech Republic, Britain, Germany and elsewhere.

Nicholas Winton, as was already indicated, was given a knighthood from Queen Elizabeth II for his services to humanity. Sir Nicholas never sought credit for saving the lives of these children. In fact, his achievement went unrecognized for more than half a century, and until 1988 his family never knew about it.

For 50 years they were called ''Winton's children,'' as the survivors called themselves, and did not know who to even thank or to whom they owed their lives. The story only emerged when his wife came across a satchel in the attic and found lists of children and letters from their parents.

In 1939, as he scrambled to save hundreds of lives, Nicholas Winton wrote in a letter: ''There is a difference between passive goodness and active goodness, which is, in my opinion, the giving of one's time and energy in the alleviation of pain and suffering. It entails going out, finding and helping those in suffering and danger and not merely in leading an exemplary life in a purely passive way of doing no wrong.''

The life of Sir Nicholas is certainly an example of active goodness. Just as we will never forget the horrors and deaths of the Holocaust, we must also never forget the examples of bravery and heroism that still serve as our role models today.

On a personal note, as with many people in this country, much of my grandparents' family was killed in the Holocaust. I think many of us in this country understand and recognize the importance of a man who stood up as bravely as he did, and there were many others who did the same and risked their lives in doing this.

I thank the members of Congress today. I urge my colleagues to support this resolution to honor the life and accomplishments of Sir Nicholas Winton, a hero to many and a model for all.

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentleman from Florida for his most eloquent statement. Maybe some day these 5,000 children of Mr. Winton might have a reunion somewhere in the United States to express a real sense of appreciation to this gentleman.

I recall, Mr. Speaker, the statement by the late Martin Luther King, Jr., who said that in the end we will not remember the words of our enemies, but the silence of our friends. Here is one gentleman that was not silent about human rights and what he did for some 669 children whose descendants now enjoy the benefits of what he did some 60 years ago.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 583, recognizing the remarkable example of Sir Nicholas Winton, who organized the rescue of 669 Jewish Czechoslovakian children from Nazi death camps prior to the outbreak of World War II. I would like to thank my colleague, Congressman RON KLEIN, for introducing this important legislation, as well as the lead Republican cosponsor, Congressman LINCOLN DIAZ-BALART.

Mr. Speaker, today we recognize one of the great unsung heroes of World War II; a man who stood up against extraordinary evil to defend innocent children. Sir Nicholas Winton is an individual of profound moral decency and personal courage, who, in the midst of the immense darkness of World War II, offered hope that the perpetrators of horrendous atrocities would not prevail.

In 1938, Nicholas Winton, a 29-year-old clerk at the London Stock Exchange, visited Prague and was immediately concerned by the refugee situation. His frequent business trips to Germany had given him first-hand knowledge of the virulent anti-Semitism codified by the 1935 Nuremberg Race laws, manifesting itself in ever-increasing attacks, harassment, and arrest of Jewish people in Germany. The 1938 Munich Agreement, which gave Hitler control over the Sudetenland region of Czechoslovakia and was hailed by British Prime Minister as a ''peace for our time,'' did not ease Winton's fears, and he came to recognize that Germany could not be appeased.

When Winton visited Prague, he found refugee camps, full of freezing Jewish families who had fled the Sudetenland. In particular, he was alarmed that nothing was being done to help the many innocent children, trapped in the gathering storm of war. Before returning to London, he set up a system of Kindertransport, where the names of children where collected and paired with foster homes in Britain and Sweden. When families could not pay to transport their children beyond the reaches of the Nazis, Winton raised money to fund transportation and other fees.

On March 14, 1939, only a day before the Nazi army occupied all of Czechoslovakia, the first 20 children left Prague. Over the next six months, a total of 669 children were sent via 8 trains to London, where families waited to shelter them. These children were spared the horror of the concentration camps by the courageous efforts of one man. Vera Gissing, one of the many children who, thanks to Winton's work, survived the war, later wrote, ''He rescued the greater part of the Jewish children of my generation in Czechoslovakia. Very few of us met our parents again: they perished in concentration camps. Had we not been spirited away, we would have been murdered alongside them.''

A 9th train was scheduled to leave on September 3, 1939, with 250 children onboard. Tragically, Great Britain entered the war that very day, and the train was prevented from leaving Prague, and it later disappeared. None of the children on board was ever heard from again, and none survived the war. In all, 15,000 Czech children were killed in the Holocaust.

Nicholas Winton is a reluctant hero, who never bragged about his courageous work. He never sought recognition for his actions, and we only learned about his efforts by coincidence. His good deeds did not end with the war's conclusion, and he was awarded a Member of the Order of the British Empire title in 1983 for his charitable work with the elderly. He was further recognized by the City of Prague and the nation of Czechoslovakia.

Sir Nicholas Winton epitomizes the greatness of the human spirit. He stood against the forces of darkness and helped the powerless during one of history's blackest hours, and then never sought recognition for his extraordinary accomplishments. Six hundred and

sixty-nine children were saved from suffering the horrific fate that befell so many of their friends and family members due to his daring, creativity, and compassion. I am grateful for the opportunity to pay tribute to this extraordinary man, and I strongly urge my colleagues to support this resolution.

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

The SPEAKER pro tempore (Mr. MICHAUD). The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 583.

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

A motion to reconsider was laid on the table.

COMMENDING GERMANY IN PREVENTING A LARGE-SCALE TERRORIST ATTACK

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 639) commending the actions of the Government of Germany and its cooperation with United States intelligence agencies in preventing a large-scale terrorist attack against locations in Germany, including sites frequented by Americans, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 639

Whereas on September 4, 2007, German police arrested three individuals for planning large-scale terrorist attacks against locations in Germany, including sites frequented by Americans;

Whereas possible targets included Ramstein Air Base, which serves as headquarters for United States Air Forces in Europe and is also a North Atlantic Treaty Organization installation, and Frankfurt Airport, the third largest airport in Europe;

Whereas according to German authorities, the three suspects belonged to a German cell of Islamic Jihad Union, a radical Sunni group based in Central Asia with links to Al Qaeda;

Whereas 300 police and other law enforcement officials were involved in the investigation and 41 homes across Germany were raided in a highly well-planned operation;

Whereas German and United States authorities worked closely together in the investigation;

Whereas United States intelligence agencies reportedly provided critical information that alerted their German counterparts as to the travels of the suspects between Germany and Pakistan and the suspects' affiliation with the Islamic Jihad Union;

Whereas German authorities acted swiftly and decisively to prevent a horrific attack that could have come within days of the arrests;

Whereas the successful collaborative action by United States and German authorities prevented the possible deaths of many innocent people;

Whereas Germany and the United States have been close allies in the fight against terrorism;

Whereas the law enforcement, intelligence, diplomatic, and military organizations in Germany and the United States continue to work together to combat the terrorist threat and prevent future attacks;

Whereas acts of terror have profoundly affected citizens of many different countries across the globe; and

Whereas victory in the fight against terrorism is critical to preserve the liberty and ensure the safety of all people: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the efforts of German law enforcement authorities in preventing a large-scale terrorist attack on numerous targets in Germany, including sites frequented by Americans;

(2) recognizes the role of United States intelligence agencies in providing critical information to German authorities in their investigation and apprehension of the suspected terrorists and notes the continuing importance of such United States intelligence efforts with Germany;

(3) commends the intelligence community of Germany for its outstanding work in identifying the individuals suspected of seeking to carry out this terrorist plot;

(4) condemns those individuals who would use acts of violence against innocent civilians to spread a message of hate and intolerance;

(5) urges the allies of the United States to remain steadfast in their efforts to defeat international terrorism; and

(6) expresses its readiness to provide any necessary assistance to the Government of Germany in its counterterrorism efforts and to bring to justice those individuals involved in this terrorist plot.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentleman from New Jersey (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

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

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

There was no objection.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of this proposed resolution and yield myself such time as I may consume.

I want to thank the leadership of our Foreign Affairs Committee, the distinguished gentleman, the chairman of our committee, Mr. LANTOS, and our senior ranking member, Ms. ROS-LEHTINEN of Florida, for their leadership and their support of this bill.

I also want to congratulate my good friend and colleague, the gentleman from California (Mr. GALLEGLY), for introducing this important resolution that highlights ongoing efforts to keep our country and allies safe.

Mr. Speaker, I would also like to thank Ms. ROS-LEHTINEN for her help in bringing this resolution to the floor so promptly.

On September 4th, German police arrested three individuals who were suspected of planning a large-scale terrorist attack against several locations in Germany. These included sites frequented by Americans, such as Ramstein Air Force Base and Frankfurt Airport. Had these plotters successfully carried out their planned assault on such populous facilities, the levels of death and destruction would have been too terrible to imagine, let alone American lives that would have been compromised.

Mr. Speaker, thankfully, the world was spared yet another day of horror caused by the heartless acts of terrorists bent on causing large-scale loss and chaos. I strongly commend the Republic of Germany and their intelligence community for its skillful monitoring activities, as well as its swift and decisive action in preventing an appalling act of violence and destruction by terrorists.

Mr. Speaker, I praise the excellent work of our own intelligence community, which, as I understand it, played a pivotal role in foiling their terror plot by providing essential information to the German authorities. This successful collaboration between German and U.S. intelligence communities underscores the continued importance of cooperative measures across the Atlantic to ensure the safety of American lives both here and abroad.

Mr. Speaker, as part of the broader fight against terrorism, there are many nameless individuals whose deeds might not be readily apparent to the public. However, their tireless efforts and personal sacrifice are crucial to preserving the safety of our Nation. I am thinking in particular of our intelligence community as well as members of the United States diplomatic corps, members of our armed services, whom I wish to thank publicly today for their continued efforts to prevent future terrorist attacks.

The discovery of this plot highlights that the threat of terrorism remains real, that it is multifaceted, and that it permeates the neighborhoods of our closest allies. It is, therefore, important that we remain vigilant, yet collective, poised, yet humble, in our efforts to identify and expunge such threats to our national security.

Again, I want to thank my good friend, the gentleman from California (Mr. GALLEGLY), for his initiative in providing this resolution for Members for its passage. I urge my colleagues to approve this resolution.

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

□ 1615

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

I want to thank Mr. GALLEGLY for offering this resolution. I think it is a very timely and a very important one.

I rise in support of House Resolution 639, which commends the German Government for its cooperation with our American intelligence community in

apprehending several terrorists in Germany who were bent on killing large numbers of Americans and Germans.

Just last week, this House and the American people took time to commemorate and to remember the tragic loss of life of almost 3,000 American lives killed 6 years ago in the cowardly attacks on the World Trade Center and the Pentagon. Due to the cooperation of the intelligence agencies in the U.S. and Germany, many Americans are alive today who might well have suffered a similar fate in just the past few days who, quite likely, would have been killed or injured in explosions masterminded by extremists who care nothing for innocent civilians that they are intent on destroying.

We are fortunate, Mr. Speaker, to have allies in Europe who are working with us in this important fight against terrorism as well as our own intelligence community that is working around the clock to protect not only Americans but people around the world.

This resolution expresses to both our friends in the Federal Republic of Germany and to the hardworking people of our intelligence agencies the profound thanks and gratitude for saving American lives.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 639, as amended.

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

A motion to reconsider was laid on the table.

AWARDING A CONGRESSIONAL GOLD MEDAL TO MICHAEL ELLIS DEBAKEY, M.D.

Mr. AL GREEN of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1154) to award a Congressional Gold Medal to Michael Ellis DeBakey, M.D.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1154

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

SECTION 1. FINDINGS.

The Congress makes the following findings:

(1) Michael Ellis DeBakey, M.D. was born on September 7, 1908 in Lake Charles, Louisiana, to Shaker and Raheeja DeBakey.

(2) Dr. DeBakey, at the age of 23 and still a medical student, reported a major invention, a roller pump for blood transfusions, which later became a major component of the heart-lung machine used in the first successful open-heart operation.

(3) Even though Dr. DeBakey had already achieved a national reputation as an authority on vascular disease and had a promising career as a surgeon and teacher, he volunteered for military service during World War II, joining the Surgeon General's staff and rising to the rank of Colonel and Chief of the Surgical Consultants Division.

(4) As a result of this first-hand knowledge of military service, Dr. DeBakey made numerous recommendations for the proper staged management of war wounds, which led to the development of mobile army surgical hospitals or MASH units and earned Dr. DeBakey the Legion of Merit in 1945.

(5) After the war, Dr. DeBakey proposed the systematic medical follow-up of veterans and recommended the creation of specialized medical centers in different areas of the United States to treat wounded military personnel returning from war and from this recommendation evolved the Veterans Affairs Medical Center System and the establishment of the Commission on Veterans Medical Problems of the National Research Council.

(6) In 1948, Dr. DeBakey joined the Baylor University College of Medicine, where he developed the first surgical residency program in the City of Houston, and today, guided by Dr. DeBakey's vision, the College is one of the most respected health science centers in the Nation.

(7) In 1953, Dr. DeBakey performed the first successful procedures to treat patients who suffered aneurysms leading to severe strokes, and he later developed a series of innovative surgical techniques for the treatment of aneurysms enabling thousands of lives to be saved in the years ahead.

(8) In 1964, Dr. DeBakey triggered the most explosive era in modern cardiac surgery, when he performed the first successful coronary bypass, once again paving the way for surgeons world-wide to offer hope to thousands of patients who might otherwise succumb to heart disease.

(9) Two years later, Dr. DeBakey made medical history again, when he was the first to successfully use a partial artificial heart to solve the problems of a patient who could not be weaned from a heart-lung machine following open-heart surgery.

(10) In 1968, Dr. DeBakey supervised the first successful multi-organ transplant, in which a heart, both kidneys, and lung were transplanted from a single donor into 4 separate recipients.

(11) In 1964, President Lyndon B. Johnson appointed Dr. DeBakey to the position of Chairman of the President's Commission on Heart Disease, Cancer and Stroke, leading to the creation of Regional Medical Programs established ''to encourage and assist in the establishment of regional cooperative arrangements among medical schools, research institutions, and hospitals, for research and training.''.

(12) In the mid-1960's, Dr. DeBakey pioneered the field of telemedicine with the first demonstration of open-heart surgery to be transmitted overseas by satellite.

(13) In 1969, Dr. DeBakey was elected the first President of Baylor College of Medicine.

(14) In 1969, President Lyndon B. Johnson bestowed on Dr. DeBakey the Presidential Medal of Freedom with Distinction, and in 1985, President Ronald Reagan conferred on him the National Medal of Science.

(15) Working with NASA engineers, he refined existing technology to create the DeBakey Ventricular Assist Device, one-tenth the size of current versions, which may eliminate the need for heart transplantation in some patients.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design, to Michael Ellis DeBakey, M.D., in recognition of his many outstanding contributions to the Nation.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 4. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

SEC. 5. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund such amounts as may be necessary to pay for the costs of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 3 shall be deposited into the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. AL GREEN) and the gentleman from Texas (Mr. CULBERSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. AL GREEN).

GENERAL LEAVE

Mr. AL GREEN of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on this bill, H.R. 1154.

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

There was no objection.

Mr. AL GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am honored to be the original sponsor of this bill. However, Mr. Speaker, I would like to make it conspicuously clear that to award this Congressional Gold Medal to the Honorable Michael DeBakey, many other persons are to be thanked.

I would like to start by thanking the chairman of the Financial Services Committee, my chairman, Chairman BARNEY FRANK, for helping us to expeditiously get this bill out of committee. I would also like to thank the majority leader, STENY HOYER, for the outstanding work that he has done to get this bill to the floor; my colleagues, Congressman MICHAEL BURGESS and the Congressman who is with

me right now, Congressman BURGESS is en route, Congressman JOHN CULBERSON. They have both worked with me, Mr. Speaker, to help us acquire the necessary votes, 290, and I assure you we have acquired more than 300 votes, to get this bill to the floor. The Texas delegation has worked with us and deserves an expression of appreciation. The 313 cosponsors in the U.S. House, the leadership of the U.S. House of Representatives, and of course we would like to thank Senator KAY BAILEY HUTCHISON, and the Members of the Senate for what they have done with this legislation.

Mr. Speaker, the Congressional Gold Medal has many judges. In fact, 535 people act as judges with reference to the awarding of the Congressional Gold Medal. Each Member of the House, 435, and each Senator has a vote. Each one judges the merits of a candidate for a Congressional Gold Medal.

I want you and all others to know, Mr. Speaker, and I understand this and I guess I want people to understand that I understand, that it is not easy to get 290 Members of the House and 67 Members of the Senate to agree. However, with Dr. Michael DeBakey, I found that it was a labor of love, and I found all of the Members that we approached to be most receptive to having this medal be accorded the Honorable Dr. Michael DeBakey.

Let me at this time explain what a Congressional Gold Medal is. It is the Nation's highest and most distinguished civilian award. It was originally awarded to military leaders and later became a civilian medal. It is the congressional equivalent of the Presidential Medal of Freedom.

Each medal is unique, and it will be coined by the United States Mint and designed by the United States Mint. There will be duplicates made in bronze, and they will be available for public consumption.

The Congressional Gold Medal has been awarded approximately 134 times to approximately 300 individuals. Some noted recipients include the first President of our Nation, George Washington; General Andrew Jackson; the Wright Brothers; Thomas Edison; Sam Rayburn, a former Speaker of this august body; sir Winston Churchill; Robert Kennedy; Lady Bird Johnson; Mother Teresa; Nelson Mandela; Rosa Parks; Pope John Paul II; the Reverend Dr. Martin Luther King; and Coretta Scott King. And the last recipients were the Tuskegee Airmen.

Mr. Speaker, I want to thank God for Dr. Michael DeBakey. He is truly one who epitomizes the American Dream. Born the oldest of five children, his parents were of Lebanese descent. He was born in my home State, New Orleans, Louisiana. And, Mr. Speaker, I am proud to say that he had his residency at Charity Hospital, the hospital where I was delivered, and I am currently researching to find out if it is entirely possible that I might be a person who was delivered by the Honorable Michael DeBakey.

He received his degree from Tulane Medical School. He was on the faculty of Baylor University from 1948 to 1993. He chaired the department of surgery at Baylor. He was the president of Baylor College and also a chancellor.

Mr. Speaker, the Honorable Michael DeBakey has earned the right to receive a Congressional Gold Medal. He served his country during World War II, helped to develop the mobile army surgical hospital units known as the MASH units. We probably would not have a MASH TV series if not but for the Honorable Michael DeBakey.

He helped to develop and establish the VA hospitals. He helped to establish the current Veterans Affairs medical system. He established the field of surgery in the area of strokes. He led the movement to establish the National Library of Medicine. He performed the historic multiple transplantation procedure. He was a leader in the development of the artificial heart. He operated on more than 60,000 patients in Houston alone. He has published more than 1,600 articles. He has been awarded 57 honorary degrees. He helped to establish health care systems around the world, in Jordan, Morocco, Russia, Saudi Arabia, and Spain, to name a few.

Dr. DeBakey is a great citizen not only of the United States of America but also of the world. He has been a humanitarian par excellence, and he has helped both rich and poor alike.

Mr. Speaker, if we did not have a Congressional Gold Medal, we would have to create one to honor the Honorable Dr. Michael DeBakey. On his 99th birthday, I am proud to say, we called him to let him know that we had reached the 290 signatures necessary in the House. And his comments were, ''I am so grateful that I am a citizen of the United States.''

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

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

It is my singular honor to stand before the House today to support H.R. 1154, a bill that Mr. GREEN is the lead author of, which he has coauthored with Mr. BURGESS and I and other members of the Texas delegation, which Senator HUTCHISON has carried in the Senate, to award the Congressional Gold Medal to Dr. Michael DeBakey.

AL GREEN and I are proud to represent the Texas Medical Center in Houston, the largest assembly of medical institutions and hospitals, learning facilities in the world, and certainly the greatest collection of medical talent, human talent in the entire world. And Dr. Michael DeBakey has had an impact on medicine based out of the Texas Medical Center that just simply cannot be overstated. And my friend AL GREEN has spoken so eloquently and so well of many of Dr. DeBakey's accomplishments. I could not agree more that if the Congressional Gold Medal did not exist, it certainly should be created just for Dr. Michael DeBakey.

He is an educator, surgeon, innovator. As Mr. GREEN has said, Dr. DeBakey comes from Louisiana, the oldest of five children. He was born in 1908. And it is important for people listening to know that this great good man is 99 years old, in great good health, is still active, and is, I hope, watching this afternoon.

He received both his bachelor's, his master's, and his medical degrees all from Tulane University in New Orleans and completed his internship at the Charity Hospital and his residency at the University of Strasbourg, France and Heidelberg, Germany.

At the age of 23, and still a medical student, he reported a major invention, the roller pump for blood transfusions, which later became a major component of the heart-lung machine used in the first successful open heart operation. And while Dr. DeBakey was still a resident in surgery, he invented a blood transfusion needle, suture scissors, and a colostomy clamp while still a student. He is also credited with inventing and perfecting countless other medical devices, techniques, and procedures that have saved untold number of lives and led to healthy hearts for millions of people throughout the world. The man is truly a pioneer in ways that I think most people may or may not know. He is a modest good man, and I just can't tell you how proud I am to be here and to be a part of this tonight.

When he returned to the United States in 1937, after completing his European studies, Dr. DeBakey accepted a position on the faculty of Tulane University's School of Medicine Department of Surgery. And although he had already achieved a national reputation as an authority on vascular disease and had a promising career as a surgeon and teacher, Dr. DeBakey volunteered for medical service during World War II, joined the Surgeon General's staff, and rose to the rank of colonel and chief of the surgical consultant's division.

His firsthand knowledge led Dr. DeBakey to make a number of recommendations to properly stage the management of war wounds, which led to the development of the MASH units that we are all so familiar with because of the television show, and today the survival rate of soldiers in the field is remarkable. If they are injured or wounded in combat and defense of this Nation, the surgical attention they get from those mobile army surgical hospitals is a direct result of Dr. DeBakey's work in World War II. And for this contribution, Dr. DeBakey earned the Legion of Merit in 1945.

After World War II, Dr. DeBakey recommended the creation of specialized medical centers in different parts of the United States to treat wounded military personnel returning from the war; and from this recommendation, Dr. DeBakey's ideas led to the creation

of the Veterans Affairs Medical Center System. He also proposed a systematic follow-up of veterans, as he had done so with soldiers in the field, which led to the establishment of the Commission on Veterans Medical Problems of the National Research Council and an extensive VA Medical Center Research program. And in 2003, in honor of Dr. DeBakey's accomplishments, with the help of my friend AL GREEN and SHEILA JACKSON-LEE and other members of the Houston delegation, the Department of Veterans Affairs Medical Center in Houston, Texas, was renamed the Michael DeBakey Veterans Affairs Medical Center.

In 1948, Dr. DeBakey moved to Houston and started at the Methodist Hospital in Baylor College of Medicine in the Texas Medical Center. Shortly after he arrived, he secured commitments to improve the institutions and quickly developed the first surgical residency program in the city of Houston. Guided by his vision, Baylor College of Medicine is today one of the most respected health science centers in the Nation and in the world.

In 1969, as Al mentioned, Dr. DeBakey was elected the first president of the Baylor College of Medicine, and today he is chancellor emeritus of the Baylor College of Medicine. Dr. DeBakey has been crucial to the growth of the Methodist Hospital in the Texas Medical Center.

At Methodist, Dr. DeBakey performed many of his groundbreaking surgeries, including the first removal of a carotid artery blockage in 1950.

□ 1630

Today Dr. DeBakey is a senior attending surgeon at the Methodist Hospital.

Convinced that there must be a way to improve existing methods of vascular surgery, Dr. DeBakey went out on his own and purchased fabric from a Houston area fabric store, using a craft he had learned from his mother as a child, Dr. DeBakey created the first Dacron prosthetic artery on his wife's sewing machine. Intensive studies and testing followed, and with the collaboration of a research associate from the Philadelphia College of Textiles and Sciences, a knitting machine was developed that produced the first seamless artificial artery in history called Dacron tubes.

In 1953, Dr. DeBakey performed the first successful procedures to treat patients who suffered aneurysms leading to severe strokes. He later developed a series of innovative surgical techniques for the treatment of aneurysms enabling thousands of lives to be saved in the years ahead.

During Dr. DeBakey's tenure as a member of the Task Force on Medical Services of the Hoover Commission, he initiated the concept and led the movement to establish a national facility for valuable and historical medical papers and artifacts. His efforts led to the dedication on June 12, 1959, of the National Library of Medicine housed at the National Institutes of Health. Today the National Library of Medicine is the world's largest and most prestigious repository of medical archives.

In 1964, President Johnson appointed Dr. DeBakey to the position of chairman of the President's Commission on Heart Disease, Cancer and Stroke, which led to the creation of the Regional Medical Programs established ''to encourage and assist in the establishment of regional cooperative arrangements among medical schools, research institutions and hospitals for research and training.''

In 1964, Dr. DeBakey also triggered the most explosive era in modern cardiac surgery when he performed the first successful coronary bypass in history. That's an extraordinary achievement, and everyone should focus on that. Dr. DeBakey was, once again, paving the way for surgeons worldwide to offer hope to thousands of patients who might otherwise succumb to heart disease.

Two years later, Dr. DeBakey made medical history again when he was the first to use, successfully, a partial artificial heart to solve the problems of a patient who could not be weaned from a heart-lung machine following open heart surgery.

And in the mid-1960s, Dr. DeBakey pioneered the field of telemedicine with the first demonstration of open heart surgery to be transmitted overseas by satellite, a technique that is today used extensively in Iraq. When soldiers in the field are injured and brought into the hospital and they need medical care, physicians in the Texas Medical Center, which AL GREEN and I are so proud to represent, are able to view those procedures live via satellite, of the x-rays, of the CAT scans and the procedure itself being done in Iraq. A doctor sitting in Houston, Texas is able to help observe and offer advice on that procedure to help save those soldiers' lives. And that technique was first pioneered by Dr. DeBakey back in the mid-1960s.

In 1968, Dr. DeBakey supervised the first successful multi-organ transplant where a heart, both kidneys and a lung were transplanted from a single donor to four separate recipients. In 1968.

In 1969, President Johnson bestowed on Dr. DeBakey the Presidential Medal of Freedom with Distinction.

Dr. DeBakey has always focused on education and bringing young people into the field of medicine and strengthening and expanding the reach of our medical schools. And in 1962, he supported an educational outreach program that led to the creation of Houston High School for Health Professions, now recognized as one of the best high schools of its kind in the United States. And in 1996, Houston's High School for Health Professions was renamed the Michael E. DeBakey High School for Health Professions in honor of this great, good man.

And he was recognized by President Reagan in 1985 with the National Medal of Science.

In 1999, Time Magazine chose Dr. DeBakey as one of the 100 Great Americans of the 20th Century and honored him for his pioneering work and innovation in cardiovascular surgery and the artificial heart.

Dr. DeBakey continues his pioneering research today. Working with NASA engineers, he refined existing technology to create the DeBakey ventricular assist device for patients with dying hearts. This device is one tenth the size of current versions and restores the cardiac output of a heart to normal function in order to relieve the patient's failing heart and could eventually eliminate the need for heart transplant in some patients. And, in fact, the technology that Dr. DeBakey was able to develop for the ventricular assist device is very similar to and helped NASA in developing the fuel pumps for the space shuttle, which to this day the space shuttle fuel pumps on those engines are able to move more fuel, more fluid more rapidly than any other pump ever invented. And Dr. DeBakey's work was a key part of that.

I have a particular soft part in my heart. As a member of the Appropriations Committee, I do my best to avoid spending money. The starting answer is no, unless it's medical or scientific research. And when it comes to medical or scientific research, that's our Nation's insurance policy and the investment that we make. And the research that's done at the Texas Medical Center, other medical institutions around the country and in scientific research and in the space program is truly a part of our national insurance policy. And the research work that Dr. DeBakey has done with NASA has truly led to saving lives and improved technological spin-offs in many other areas as well.

In 1999, Dr. DeBakey was one of eight individuals chosen to commemorate the United Nations' International Day for Tolerance and received the prestigious U.N. Lifetime Achievement Award.

In 2000, Dr. DeBakey was recognized by the Library of Congress, which designated him a Living Legend.

Throughout his many years of public service, Dr. DeBakey has been awarded over 50 honorary degrees from colleges, universities and medical schools worldwide, as well as numerous awards from educational institutions, professional and civic organizations and governments worldwide.

I want to again, Mr. Speaker, say thank you to my colleagues, Representative AL GREEN and Representative MICHAEL BURGESS, for bringing this bill to the House floor, and a special thank you to Chairman BARNEY FRANK for expediting its approval through the Financial Services Committee.

I could not agree more with my friend, AL GREEN. There is no better

way to express the merit of this good man, that if the Congressional Gold Medal did not exist, it truly would need to be invented for Dr. DeBakey. With his extraordinary achievements, his contributions to mankind, to improving the lives and health of not only the people of the United States but of the world, I am proud to join my friend, AL GREEN, in urging the House to support and pass H.R. 1154 to award the Congressional Gold Medal to Dr. Michael Ellis DeBakey.

Mr. Speaker, I am pleased that we have been joined by the other lead author of this bill, my colleague and good friend from Dallas, Dr. MICHAEL BURGESS. And I would like, if I could, at this time to yield time to Dr. BURGESS.

Mr. BURGESS. Mr. Speaker, I want to come to the floor of the House today to talk and honor the legacy that is that of Dr. Michael DeBakey, the father of cardiovascular surgery, and to encourage my colleagues on both sides of the aisle to vote in favor of H.R. 1154, the bill to designate a Congressional Gold Medal for the famed Houston heart surgeon.

This bill was introduced by my good friend from Texas, Representative AL GREEN. And Mr. Speaker, we've heard in great detail the number of accomplishments of this singular individual. But, Mr. Speaker, I felt it was incumbent upon me, as one of the very few physicians in the House of Representatives, to come to the floor and talk just a little bit about how Dr. DeBakey forever changed the face of the practice of medicine in this country.

As a fellow physician, Dr. DeBakey's work and medical advancements are indeed legendary. His dedication to healing those around him came not only from his talent as a physician, but his ongoing commitment to medical education, the larger medical community, and indeed, the entire profession, the practice of medicine.

His motto, as always, was ''Strive for nothing less than excellence.'' This motto should be adopted by every one of us in this House and indeed across the country.

His education and his entrepreneurial spirit made him worthy of the Nation's highest expression of appreciation for distinguished achievements and contributions.

Dr. DeBakey received his bachelor's and M.D. degree from Tulane University down in New Orleans. While in medical school, Dr. DeBakey invented what became known as the roller pump, later to become a major component in the heart-lung machine used in open heart surgery. Think of that, Mr. Speaker. He was in medical school. He was not yet an M.D. and he devised a revolutionary concept for the engineering of a pump that dealt with a roller mechanism, as opposed to the piston mechanism that resulted in the destruction of red blood cells by the very mechanism that was intended to pump those red blood cells. He had an unusual knack for looking at things in a new light and developing new ideas.

He completed his internship at Charity Hospital in New Orleans. Charity Hospital. Think of that, Mr. Speaker. One of the venerable institutions of medical education in this country; an institution that was unfortunately lost to us just two short years ago to the ravages of Hurricane Katrina. Charity Hospital has turned out a number of medical icons of my generation and the generation before, now lost to us forever.

But it was Dr. DeBakey at his residency in surgery or doing his internship at Charity Hospital to then go on to his residency in surgery at the University of Strasbourg, France and the University of Heidelberg in Germany.

He volunteered for service in World War II and was subsequently named director of the surgical consultants division of the United States Surgeon General's Office. His work during that war led that office to the development of the mobile army surgical hospital, which we now know as a MASH unit. These units were the forerunners of our forward surgical combat teams that have saved so many lives in the present conflicts in Iraq and Afghanistan. Previous conflicts in Korea and Vietnam certainly benefited from the mobile army surgical hospitals, but those forward surgical teams, to be able to deliver the type of care in the battlefield that those critically injured patients need, many of us have traveled to Iraq and seen those hospitals at Ballad and Imbue Sinai in Baghdad, the Baghdad ER. And it's the principles put forward by Dr. DeBakey that are at work at this hour in those centers where our men and women are fighting today.

He helped establish the specialized medical and surgical center system for treating military personnel returning home from war, subsequently known as the Veterans Administration medical center system.

But it was at Methodist Hospital in Houston in the Texas Medical Center represented so capably by my friends from Texas Mr. CULBERSON and Mr. GREEN where Dr. DeBakey performed many of his groundbreaking surgeries, including the first removal of a carotid artery blockage. Mr. Speaker, the year was 1950. That's the year I was born. The first coronary artery bypass graft in 1964, the first use of a ventricular assist device to pump blood and to support a failing heart in 1966, and then some of the first heart transplants performed in this country in 1968 and '69.

He developed a self-contained miniaturized left ventricular assist device pump, again, to assist the diseased left ventricle and allow it an opportunity to either heal, get the patient to surgery, or perhaps provide stabilization leading up to a transplant. This is something that is in use today, and indeed I saw it used on one of my family members a number of years ago.

The techniques used to miniaturize the device's inner workings were developed with engineers working with engineers right next door at the nearby NASA program.

He served as an advisor to nearly every United States President for the last 50 years. He traveled, in 1966 very famously to Russia to consult on the surgery for Russian President Boris Yeltsin. And knowing Dr. DeBakey, I have to suspect he did a good deal more than consult on that surgery.

During his professional surgical career, he performed more than 60,000 cardiovascular procedures, trained thousands of surgeons who practice around the world. His name is affixed to a number of organizations, centers for learning, and projects devoted to medical education and health education for the general public.

But think of this, Mr. Speaker. Dr. DeBakey also underwent an operation that was named for him. Reading in the New York Times on the way up here to Washington last December, I read a story about how Dr. DeBakey had undergone the surgery that he himself had described many years before. In fact, Dr. DeBakey admitted at the time, although he knew he was quite ill, he never called his own doctor and he never called 911.

Now, I'm quoting here. He said, ''if it becomes intense enough, you're perfectly willing to accept cardiac arrest as a possible way of getting rid of the pain.'' That's what he told the New York Times. You just have to marvel at the pragmatism of that individual.

As previously noted by the other two speakers, he did help establish the National Library of Medicine, which is now the world's largest and most prestigious repository for medical archives. Indeed, I will probably use the medline in the National Library of Medicine this evening as I prepare for hearings on the Energy and Commerce Committee tomorrow.

Mr. Speaker, as we talk in Congress about the need for improving the practice of medicine, Dr. DeBakey was on the forefront of that, while most of us in this body hadn't even started school yet. In fact, many in this body were not even born yet.

These accomplishments have been honored before. In 1969, he received the highest honor a United States citizen can receive, the Presidential Medal of Freedom with Distinction. In 1976, his students founded the Michael E. DeBakey International Surgical Society.

His contributions to medicine and his breakthrough surgeries and innovative devices have completely transformed our view of the human body and of our longevity and, indeed, of the planet.

□ 1645

He has been designated a living legend by the Library of Congress, and today we take another opportunity to honor a full and important life by conferring on Dr. DeBakey the Congressional Gold Medal.

I want to thank my colleagues who joined me in cosponsoring H.R. 1154, introduced by Congressman GREEN and cosponsored by Congressman CULBERSON.

Mr. Speaker, imagine a simple country doctor from Louisville, Texas. I got to sit on the phone last Friday with AL GREEN and sing Happy Birthday to Dr. DeBakey on his 99th birthday. What an honor for me, what an honor for America to be able to afford this individual the rightful accolades that he so richly deserves.

Mr. AL GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume to just make a few closing comments, if I may.

Mr. Speaker, as was indicated by Dr. BURGESS, who has worked tirelessly, I might add, to help us get the necessary signatures to bring this bill to the floor, as was indicated, Dr. DeBakey is a living legend. But he is really more than that. He is a person who is loved by many people. The people over at Baylor College of Medicine, the staff, they have worked with us to help us get this piece of legislation through the Congress.

I am honored to tell you, Mr. Speaker, that Mrs. DeBakey is a real asset as well, and we don't want to overlook her.

He is a gentle spirit, a person who is warm, a person who exudes a sense of confidence that is almost infectious. He is a person who is not only a great citizen of the United States, a great humanitarian, but a person who will be remembered throughout history for all that he has done to help humankind.

Mr. Speaker, I will close with a poem, the author whose name is not known to me, but it is most appropriate for Dr. DeBakey:

''While some measure their lives by days and years
Others by heartthrobs, passions, and tears
The surest measure under God's sun
Is what for others in your lifetime have you done.''

Dr. DeBakey, we thank you for what you have done, and we honor you today for your great place in history that you will acquire.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, as a citizen of Houston, the greatest city in the greatest state of the world's greatest country, and as an original co-sponsor of the legislation, I rise proudly to support H.R. 1154, which authorizes the awarding of the Congressional Gold Medal to Michael Ellis DeBakey, M.D. The Congressional Gold Medal is the highest expression of national appreciation for exceptional service and for lifetime contributions. The medal has been awarded to individuals from all walks of life. Dr. Martin Luther King, Jr. and Coretta Scott King, Pope John Paul II, the Navajo Code Talkers, Rosa Parks, Frank Sinatra, and Elie Wiesel are among those who have been honored. Dr. Michael DeBakey is exceptionally well qualified to join the list of individuals who have received this most distinguished of honors. As I would like to discuss briefly, Dr. DeBakey is one of the greatest Americans of the 20th Century.

Dr. Michael Ellis DeBakey, internationally renowned physician, is known foremost for his pioneering work as a cardiovascular surgeon. Although he is widely regarded as ''the father of modern cardiovascular surgery'' due to his path-breaking introduction of now commonplace procedures such as arterial bypass operations, artificial hearts, and heart transplants, Dr. DeBakey's contributions in fields diverse as military medicine, veterans affairs, and public health policy would place him in the first rank of all the practitioners of the healing arts who ever lived.

Born in 1908 in Lake Charles, Louisiana, Dr. DeBakey received his undergraduate and medical degrees from Tulane University. After receiving surgical training in Europe, Dr. DeBakey returned to the United States and enlisted in the Army at the onset of World War II. His service on the Surgeon General's staff during the war was pivotal; studies conducted by Dr. DeBakey and his colleagues led to the creation of ''mobile army surgical hospital'' (MASH) units that revolutionized battlefield medicine would go on to save hundred of thousands of lives in that and subsequent wars. For his wartime contributions to the Nation, Lt. Col. DeBakey was awarded the Legion of Merit Award in 1945.

Following the war, Dr. DeBakey's expertise in the development of specialized medical and surgical center-systems contributed greatly to the design and formation of the Veterans Administration Medical Center System. In addition, Dr. DeBakey played a leading role in persuading the Congress to create and fund the National Library of Medicine, where records of the Nation's medical research activities are stored for the benefit of future researchers.

Dr. DeBakey's arrival in Houston at the Baylor College of Medicine heralded the development of Baylor and Houston's Texas Medical Center into world-renowned centers of medical excellence. As Baylor's Chairman of Surgery and later President, Dr. DeBakey spearheaded efforts to associate Baylor with the TMC's network of hospitals, secured Federal funding for research, and recruited numerous highly-acclaimed faculty and researchers to Baylor. During that time, Dr. DeBakey was also an active and innovative clinician: introducing the Dacron artificial arteries in 1953, the first successful coronary bypass in the early 1960s, and the first successful multi-organ transplant in 1968.

Dr. DeBakey's wisdom has been sought by virtually every U.S. president since Harry S. Truman. He served on presidential commissions during both the Kennedy and Johnson administrations, and thus provided essential support in the passage of the landmark 1965 Medicare legislation. Dr. DeBakey was awarded the Presidential Medal of Freedom with Distinction in 1969 and the National Medal of Science by President Ronald Reagan in 1987. He currently serves as Chancellor Emeritus of the Baylor College of Medicine and continues to see patients, pursue his research, serve on national advisory committees, and consult on projects to help develop health care systems in the Middle and Far East.

It is for these reasons and more, Madam Speaker, that I led the fight throughout the 107th and 108th Congress to pass legislation naming the Houston Veterans Hospital in my Congressional district after this great American. This effort finally came to fruition in the 108th Congress when the President signed into law Pub. L. 108–170.

The awarding of the Congressional Gold Medal to Dr. Michael Ellis DeBakey is an appropriate act of recognition from a grateful nation to a person who has devoted his life to improving life in America and around the world. I strongly support H.R. 1154 and urge my colleagues to join me in voting to award the Congressional Gold Medal to Michael Ellis DeBakey, M.D., one of Houston's greatest sons and America's greatest citizens.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of H.R. 1154, a resolution to award a Congressional Gold Medal to Michael Ellis DeBakey, M.D.

Dr. DeBakey has been a dedicated public servant, especially to veterans.

The developments in organ transplant medicine developed by him have enabled millions of people to lead happy and productive lives.

Early in life, he volunteered for military service during World War II, joining the Surgeon General's staff and rising to the rank of Colonel and Chief of the Surgical Consultants Division. His recommendations led to advances in mobility military medicine and earned him the Legion of Merit in 1945.

His work contributed to the ultimate development of the Veterans Affairs Medical Center System and the establishment of the Commission on Veterans Medical Problems of the National Research Council.

Mr. Speaker, I served as Chief Psychiatric Nurse at the V.A. Hospital in Dallas and have 15 years of experience in hands-on patient care.

Medical follow-up after active service is extremely important for our veterans.

Dr. DeBakey's intelligence, dedication and other talents were directed early in his career to assist men and women serving in our military.

For decades, his innovations in cardiovascular medicine revolutionalized the field and have forever changed the way surgery is conducted.

Many millions who will never know him have Dr. DeBakey to thank for pioneering surgical techniques that have saved their lives.

Mr. Speaker, as a Texan, I have great pride for our own Dr. Michael DeBakey. It is fitting for the U.S. House of Representatives to honor him in this way.

I urge my colleagues to support this resolution.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in support of this legislation to award Dr. Michael E. DeBakey with the Congressional Gold Medal. I would also like to thank my friend and neighbor, AL GREEN, as well as my fellow Texan, Dr. BURGESS, for introducing this bill to honor and celebrate the life and achievements of Dr. Michael DeBakey.

Over the course of his long life, Dr. DeBakey has been a tremendous asset to his long-time home of Houston and has made a considerable contribution to the advancement of medicine. His accomplishments are numerous, both in traditional medicine and military medicine. Dr. DeBakey volunteered for enlistment in World War II where he helped to develop mobile army surgical hospitals. His commitment to military medicine continued with his work to establish both the Veterans Affairs Medical Center System and the establishment of the Commission on Veterans Medical Problems of the National Research Council. In recognition of his service to the U.S. Armed Forces and our country's wounded soldiers and veterans, the VA Medical Center in Houston is formally known as the Michael E. DeBakey Veterans Affairs Medical Center.

Dr. DeBakey is a medical pioneer in the area of cardiac surgery, which is his expertise. His career is highlighted by a number of "firsts." While still a student, he invented a roller pump for blood transfusions. He performed the first successful coronary bypass; he was the first to successfully use a partial artificial heart; he supervised the first successful multi-organ transplant and then led the way for telemedicine with the first demonstration of open-heart surgery broadcasted overseas by satellite.

Mr. Speaker, this list represents only a snapshot of Dr. DeBakey's service. He also was the first president of Baylor College of Medicine where he developed the fellowship and residency programs at his namesake Department of Surgery. Today, Baylor is one of the jewels of the Texas Medical Center, in large part due to Dr. DeBakey's leadership, and has been the site of countless medical miracles for patients from Texas and around the world. A true testament to Dr. DeBakey's impact is the admiration he has earned from the Houston community, more than 60,000 members of which count Dr. DeBakey as their physician.

Internationally, Dr. DeBakey has been recognized and honored by well over a dozen governments and even inducted into the Academy of Athens, a society founded by Plato. His many awards include the U.S. Army Legion of Merit and the Presidential Medal of Freedom awarded by President Johnson and the National Medal of Science awarded by President Reagan.

I can think of no physician better suited for the Congressional Gold Medal, and I encourage my colleagues to join me in supporting this bill to bestow that honor upon Dr. DeBakey.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. AL GREEN) that the House suspend the rules and pass the bill, H.R. 1154.

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

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON FINANCIAL SERVICES TO FILE SUPPLEMENTAL REPORT ON H.R. 1852, EXPANDING AMERICAN HOMEOWNERSHIP ACT OF 2007

Mr. AL GREEN of Texas. Mr. Speaker, I ask unanimous consent that the Committee on Financial Services be authorized to file a supplemental report on the bill, H.R. 1852.

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

There was no objection.

RECESS

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

Accordingly (at 4 o'clock and 48 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CARDOZA) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3246, by the yeas and nays;

H.R. 1657, by the yeas and nays;

H.R. 3527, by the yeas and nays.

The vote on H.R. 3096 will be taken tomorrow.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3246, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 3246, as amended.

The vote was taken by electronic device, and there were—yeas 225, nays 152, not voting 55, as follows:

[Roll No. 867]

YEAS—225

Abercrombie
Ackerman
Aderholt
Alexander
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (NY)
Blumenauer
Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Buchanan
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fortenberry
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kuhl (NY)
Lampson
Langevin
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCrery
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Renzi
Reyes
Richardson
Rodriguez
Rogers (AL)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Smith (NJ)
Snyder
Solis
Souder
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Udall (NM)
Velázquez
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu

NAYS—152

Akin
Bachmann
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cantor
Carter
Castle
Chabot
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
Everett
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastert
Hastings (WA)
Heller
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
LaHood
Lamborn
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Petri
Pitts
Platts
Porter
Price (GA)
Putnam
Radanovich
Regula
Rehberg
Reichert
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Stearns
Sullivan
Thornberry
Tiahrt
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller

Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—55

Allen
Bachus
Bishop (GA)
Boswell
Brown, Corrine
Buyer
Cannon
Carney
Carson
Conyers
Costello
Cubin
Davis, Jo Ann
Dicks
Ehlers
Engel
Gerlach
Gutierrez
Hensarling
Hooley
Hunter
Jefferson
Jindal
Johnson (IL)
Knollenberg
Kucinich
Lantos
Larsen (WA)
Lynch
Marchant
McKeon
Miller, George
Moran (VA)
Neal (MA)
Oberstar
Paul
Peterson (PA)
Pickering
Poe
Pryce (OH)
Ramstad
Sánchez, Linda T.
Shays
Slaughter
Smith (WA)
Space
Tancredo
Terry
Towns
Udall (CO)
Van Hollen
Visclosky
Waxman
Wynn
Yarmuth

□ 1857

Messrs. GOODLATTE, WALDEN of Oregon, AKIN, and EVERETT changed their vote from ''yea'' to ''nay.''

Messrs. ALEXANDER, COBLE, BUCHANAN, and Ms. CLARKE changed their vote from ''nay'' to ''yea.''

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

ESTABLISHING A SCIENCE AND TECHNOLOGY SCHOLARSHIP PROGRAM

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1657, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. HILL) that the House suspend the rules and pass the bill, H.R. 1657.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 360, nays 16, not voting 56, as follows:

[Roll No. 868]

YEAS—360

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Arcuri
Baca
Bachmann
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Edwards
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hoyer
Hulshof
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Klein (FL)
Kline (MN)
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Petri
Pitts
Platts
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (NM)
Upton
Velázquez
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—16

Barrett (SC)
Broun (GA)
Burton (IN)
Deal (GA)
Doolittle
Duncan
Flake
Franks (AZ)
Hoekstra
Inglis (SC)
Kingston
Miller (FL)
Pence
Sali
Shadegg
Westmoreland

NOT VOTING—56

Allen
Bachus
Bishop (GA)
Boswell
Brown, Corrine
Buyer
Cannon
Carney
Carson
Conyers
Costello
Cubin
Davis, Jo Ann
Dicks
Ehlers
Engel
Gerlach
Gutierrez
Hensarling
Hooley
Hunter
Jefferson
Jindal
Johnson (IL)
Knollenberg
Kucinich
Lantos
Larsen (WA)
Lynch
Marchant
McKeon
Miller, George
Moran (VA)
Neal (MA)
Oberstar
Paul
Peterson (PA)
Pickering
Poe
Pryce (OH)
Ramstad
Sánchez, Linda T.
Schmidt
Shays
Slaughter
Smith (WA)
Space
Tancredo
Terry
Towns
Udall (CO)
Van Hollen
Visclosky
Waxman
Wynn
Yarmuth

□ 1906

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. VAN HOLLEN. Mr. Speaker, on rollcall Nos. 867 and 868, due to unavoidable delays in travel, I missed the votes on H.R. 3246 and H.R. 1657. Had I been present, I would have voted ''yea'' on both.

EXTENDING THE AUTHORITIES OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3527, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and pass the bill, H.R. 3527.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 347, nays 30, not voting 55, as follows:

[Roll No. 869]

YEAS—347

Abercrombie
Ackerman
Aderholt
Alexander
Altmire
Andrews
Arcuri
Baca
Bachmann
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carter
Castle
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)

Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Edwards
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gilchrest
Gillibrand
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Klein (FL)
Kline (MN)
Kuhl (NY)
LaHood
Lampson
Langevin
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Nunes
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pitts
Platts
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—30

Akin
Barrett (SC)
Broun (GA)
Chabot
Conaway
Davis, David
Deal (GA)
DeFazio
Doolittle
Duncan
Flake
Foxx
Gingrey
Gohmert
Goode
Hoekstra
Johnson, Sam
Jones (NC)
Jordan
Kingston
Lamborn
McHenry
Royce
Sali
Sensenbrenner
Shadegg
Sullivan
Walberg
Wamp
Westmoreland

NOT VOTING—55

Allen
Bachus
Bishop (GA)
Boswell
Brown, Corrine
Buyer
Cannon
Carney
Carson
Conyers
Costello
Cubin
Davis, Jo Ann
Dicks
Ehlers
Engel
Franks (AZ)
Gerlach
Gutierrez
Hensarling
Hooley
Hunter
Jefferson
Jindal
Johnson (IL)
Knollenberg
Kucinich
Lantos
Larsen (WA)
Lynch
Marchant
McKeon
Miller, George
Moran (VA)
Neal (MA)
Oberstar
Paul
Peterson (PA)
Pickering
Poe
Pryce (OH)
Ramstad
Sánchez, Linda T.
Shays
Slaughter
Smith (WA)
Space
Tancredo
Terry
Towns
Udall (CO)
Visclosky
Waxman
Wynn
Yarmuth

□ 1916

Mr. BARRETT of South Carolina changed his vote from ''yea'' to ''nay.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, I took a leave of absence on September 17, 2007, as I was attending to personal business. The following list describes how I would have voted had I been in attendance today.

"Yea"—H.R. 3246—Regional Economic and Infrastructure Development Act of 2007 (Rep. OBERSTAR, JAMES L.)

"Yea"—H.R. 1657—To establish a Science and Technology Scholarship Program to award scholarships to recruit and prepare students for careers in the National Weather Service and in National Oceanic and Atmospheric Administration marine research, atmospheric research, and satellite programs. (Rep. ROHRABACHER, DANA)

"Yea"—H.R. 3257—To extend for two months the authorities of the Overseas Private Investment Corporation. (Rep. SHERMAN, BRAD)

Mr. BOSWELL. Mr. Speaker, due to personal business in Iowa, I was unable to return to Washington for votes on Monday, September 17, 2007. If I had been here, I would have voted "yea" on H.R. 3246, H.R. 1657 and H.R. 3527.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1852, EXPANDING AMERICAN HOMEOWNERSHIP ACT OF 2007

Ms. MATSUI, from the Committee on Rules, submitted a privileged report (Rept. No. 110–330) on the resolution (H. Res. 650) providing for consideration of the bill (H.R. 1852) to modernize and update the National Housing Act and enable the Federal Housing Administration to use risk-based pricing to more effectively reach underserved borrowers, and for other purposes, which was referred to the House Calendar and ordered to be printed.

AMENDMENT PROCESS FOR CONSIDERATION OF H.R. 2881, FAA REAUTHORIZATION ACT OF 2007

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

Ms. MATSUI. Mr. Speaker, the Rules Committee is expected to meet Wednesday, September 19, to grant a rule which may structure the amendment process for floor consideration of H.R. 2881, the FAA Reauthorization Act of 2007.

Members who wish to offer an amendment to this bill should submit 30 copies of the amendment and a brief description of the amendment to the Rules Committee in H–312 in the Capitol no later than 10 a.m. on Wednesday, September 19. Members are strongly advised to adhere to the amendment deadline to ensure the amendments receive consideration.

Amendments should be drafted to the amendment in the nature of a substitute to H.R. 2881. The amendment reflects an agreement between the Transportation and Infrastructure Committee and the Science and Technology Committee. A copy of the text is posted on the Web site of the Rules Committee.

Amendments should be drafted by legislative counsel and also should be reviewed by the Office of the Parliamentarian to be sure that the amendments comply with the rules of the House. Members are also strongly encouraged to submit their amendments to the Congressional Budget Office for analysis regarding possible PAYGO violations.

HONORING DR. MICHAEL E. DEBAKEY

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would like to join my colleague, Congressman AL GREEN, in congratulating Dr. Michael E. DeBakey for having the Congressional Gold Medal that was passed today in the House acknowledge his outstanding leadership.

Dr. DeBakey is not only a great American, a great Texan, and a great Houstonian, but he is a great lover of freedom and peace. He does so by evidencing it through his wonderful hands of surgery.

Dr. DeBakey was in World War II. He established the MASH unit that is now saving lives of our soldiers in Iraq and Afghanistan. His wisdom has been sought by virtually every U.S. President since Harry S. Truman. He served on Presidential commissions during both the Kennedy and Johnson administrations and thus provided essential support in the passage of the landmark 1965 Medicare legislation.

Dr. DeBakey was awarded the Presidential Medal of Freedom with distinction in 1969 and the National Medal of Science from President Ronald Reagan in 1987. I want to thank Dr. DeBakey and my former colleague, Chris Bell, for initiating the legislation that will allow us to award him the Congressional Gold Medal. He is deserving on his birthday of September 7 when he reached almost 100 years old. He is deserving of this great honor. We in Houston love him and admire him. We thank him for the service he has given and all of the lives that he has served. This is a great day when we have passed legislation to honor Dr. Michael E. DeBakey of Houston Texas, the Texas Medical Center, with a Congressional Gold Medal.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. CARDOZA). 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.

FREQUENCY OF WITNESS INTIMIDATION

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

Mr. CUMMINGS. Mr. Speaker, this evening I will continue my discussion on a growing and often deadly plague on our society, witness intimidation.

Each day, there is a story reported about civic-minded citizens being threatened with violence or becoming victims of fire bombings or shootings, all of which are designed to prevent them from testifying to crimes that they have witnessed.

Unfortunately, these tactics are working to form what has become commonly known as a ''conspiracy of silence.'' Witnesses are literally afraid for their lives. If you do not believe me, listen to these recent reports: in Newark, New Jersey, for 2 years Reginald Roe was the star and sole witness that prosecutors were relying on in a case involving an ambush gang killing in a parking lot there. Having picked two men's pictures out of a photo array and sworn before a grand jury, he said: ''I saw everything, I was there.''

But when the case came to trial, with a group of gang members glaring at him in open court, Roe changed his story, testifying that he had heard the shots, but never saw who fired them. The two suspects were acquitted.

In Philadelphia, as the culture of fear continues to deter witnesses from coming forward, a Federal grand jury accused a drug dealer and his girlfriend of conspiring to intimidate a government witness by having the witness's neighborhood plastered with flyers labeling him ''a rat and a snitch.''

In Parachute, Colorado, Garfield County deputies arrested five teenagers they believed threatened to beat someone with a baseball bat who planned to testify against them.

In my hometown of Baltimore, a 16-year-old witness in the case of the murder of 15-year-old Christine Richardson was moved from the city by relatives due to mounting threats. Indeed, the teenager was beaten the day after the murder occurred and was threatened by three girls, one of whom brandished a gun.

Mr. Speaker, the current situation is simply unacceptable. We should be making it easier for witnesses of crime to come forward. It should be the norm, rather than an odd occurrence, for criminals to be prosecuted. This issue must be addressed because without witnesses, there can be no justice in America.

Some success stories do exist. On August 31, Baltimore City State's Attorney Patricia Jessamy was able to get a witness to testify, which helped secure the conviction of 39-year-old Joseph Brinkley on two counts of attempted first-degree murder and handgun charges. In November of 2005, Brinkley approached two men as they hailed a cab and shot them in the back multiple times with a 9 millimeter semi-automatic handgun. The victim originally told detectives that he did not see the shooter, but recanted his statement after Brinkley approach him and his 9-year-old son.

Unfortunately, such bravery is rare. Our constituents must know that taking an interest in their community and reporting crime is the right thing to do and that the government will do everything possible to ensure their safety.

This is why I urge my colleagues to become a cosponsor of H.R. 933, the Witness Security and Protection Act of 2007, and to support its passage when it comes to the House floor. Upon enactment, this legislation authorizes $90 million a year over the next 3 years to assist State and local law enforcement for witness protection while fostering Federal, State, and local partnerships. Priority will be given to prosecuting offices in States with an average of at least 100 murders during the immediate past 5 years; however, smaller entities also have a chance to receive funding.

State and local prosecutors will also be able to use these funds to provide witness protection on their own or to pay the cost of enrolling their witnesses in the short-term State witness protection program to be created within the U.S. Marshal Service.

Mr. Speaker, finally, improving protection for State and local witnesses will move us one step closer toward alleviating the fears of and threats to prospective witnesses and help to safe guard our communities from violence.

CONSTITUTION DAY

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

Mr. CONAWAY. Mr. Speaker, the Preamble of the Constitution reads: ''We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.''

On this day, 220 years ago, the 55 delegates to the Continental Congress convened in Philadelphia to hold their final meeting and sign a document that would change the course of history. Our Founding Fathers created a monumental plan to govern a sprawling young country dedicated to the idea that citizens were sovereign and should be as free from the tyranny of unchecked authority.

Constitution Day presents us with an opportunity to pause and reflect on what a magnificent job these 55 individuals did in crafting a compromise which has provided us with a unified and stable Nation. In their wisdom, they sought to protect the rights and liberties of individuals by dividing power and authority between States and the national government. The result is a system of shared roles designed to prevent any one element from gaining too much power.

Members of Congress have taken an oath to bear true faith and allegiance to the Constitution and with that responsibility in mind it is vital for us to fully understand this sacred document. That is why today on the 220th anniversary of the signing of our Constitution I am introducing the AMERICA Act: A Modest Effort to Read and Instill the Constitution Again.

The AMERICA Act simply states that Members of Congress, Senators, and their respective staff read the Constitution annually.

Mr. Speaker, we Members of Congress are pledged to uphold this Constitution, to defend this Constitution, write the laws that implement this Constitution and from time to time propose constitutional amendments to change this Constitution. It is my hope that this modest yearly effort will renew and deepen our appreciation for the brilliance of the Constitution and the division and constraints on power contained within it.

The AMERICA Act is meant to be a reminder to lawmakers to stay within our country's founding framework as we conduct our legislative business. To our detriment, we often take the path of political expedience and ignore the limits so clearly written into the Constitution.

Today, I call on all Members of Congress to join me and rededicate ourselves to our founding principles of limited, constrained governance as enshrined in our Constitution. By studying our founding document, we will continue the legacy of these great men and their groundbreaking ideas, as well as develop the habits of citizenship

that keep the Constitution alive and relevant for our new generation of Americans.

I urge you all to join me in cosponsoring the Support America Act and its vital passage.

□ 1930

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.)

END THE OCCUPATION OF IRAQ NOW

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, last week, the President called for an enduring relationship with Iraq, a relationship that extends beyond his administration. He did not tell us exactly how long this would last, but we have to have a good idea, because the White House and the Secretary of Defense have said that our involvement on the Korean peninsula should be the model for Iraq. That would mean they are planning to occupy Iraq for 50 years or more.

Consider what this means: A lame duck administration is committing the United States to decades of occupation that will cost trillions of dollars and result in the deaths of countless American troops and Iraqi civilians. This is simply, simply, intolerable.

We were also told last week that the next Petraeus report will come in this coming March and we must wait for that report before we act. But we can't sit around and we can't wait. We can't wait for another Petraeus report; we can't sit around and wait for another Crocker report, because we are fiddling while Iraq burns. We have already had a 4½-year sugar-coated spin and TV show from the Oval Office.

Mr. Speaker, enough is enough. The occupation is damaging America morally, politically and economically, and it must end. The Congress has the constitutional power and the Congress has the responsibility to end it.

It is time to take bold action. It is time to use our power, our power of the purse, to bring our brave troops home. We must pass a bill requiring that all war spending be used for one purpose and one purpose only, to fully fund the safe, orderly and responsible withdrawal of American troops and military contractors. Commanders on the ground would be given what they need to ensure the safe redeployment of all troops. The bill should also set firm and doable dates for the start and the end of the withdrawal.

We can then help the Iraqis by replacing military action that isn't working with the strong regional and international diplomatic efforts that can work, work to bring about reconciliation and reconstruction to Iraq.

By using our power of the purse, the Congress can set the political agenda. We can build political momentum for withdrawal by offering the American people a clear and easily understood plan for ending our involvement in Iraq. And we can change the terms of the debate from the narrow ''is the surge working'' to ''how soon can we get on with the job of bringing peace to Iraq and restoring America's moral leadership in the world.''

If we use our constitutional power of the purse, the administration would surely attack us. They would say we are cutting off funding for the troops. But that would be false. The troops would get every single last dollar they need to come home to their families, come home safe and come home sound.

To those who might have objections to this plan, I would say, is there a better way to end the occupation once and for all? I think the answer is no, there is none.

I ask all of my colleagues on both sides of the aisle to join me. Do what the American people sent us here to do: End the occupation of Iraq, and end it now.

TRIBUTE TO SERGEANT NICHOLAS CARNES

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

Mr. DAVIS of Kentucky. Mr. Speaker, I rise this evening to pay tribute to Sergeant Nicholas Carnes, a citizen soldier who believed in our Nation and acted on that belief to answer the Nation's call to serve.

Nick Carnes was from Dayton, Kentucky. He lost his life on August 26, 2007, in Orgun-e, Afghanistan. Sergeant Carnes served with Alpha Battery, 2nd Battalion, 138th Field Artillery Regiment in the Army National Guard in Carrollton, Kentucky.

Nick Carnes was a lifelong Kentuckian who grew up in Dayton and graduated from Dayton High School in 2000. Nick joined the Army National Guard at 17 and began working at BB Riverboats. Shortly before his deployment in October 2006, he became a riverboat captain and married his sweetheart, Terri Bernstein Carnes. Sergeant Carnes was due back in Kentucky this month to celebrate his first anniversary with his wife.

I was at the sendoff for Alpha Battery in October of 2006. We saw the families. We saw the motivated soldiers who were ready to go and answer the call of service. I had the great honor and privilege to see Nick, to meet him and talk with him while I was there. And I was impressed with him. The one thing that this old soldier can say is I know a good noncommissioned officer, the backbone of our military, representing the character of our Nation, when I see one, and he clearly showed me that.

A man or a woman is the product of many things. First, Nick's mom, Wray Jean, and dad, Gove, you gave the Nation a great young man. You gave our community a great young man. And that was reflected in a letter that he sent to Terri on November 11, 2006, a few weeks after the unit had activated. He wrote this:

''Dear Terri:

''Hello, beautiful. I hope this letter finds you in good spirits. Also, I hope you are coping well with my absence. You mean the world to me, my beautiful wife. I am so sorry that my decisions in life have forced me to be away from you. Unfortunately, I can't change those decisions. Even if I could, I believe that I would sacrifice time with you to be part of helping another country and defending our own. If the other soldiers who came before me did not stand up for freedom, then we would not have freedom. So I feel that I am obligated to stand up for freedom to ensure that everyone else after me has the same freedoms we do today.

''I am not going to Afghanistan to kill Afghans. I am going there to help them stand up to the Taliban and regain control of their country. As people, sometimes we need help. Afghans happen to need help. Yes, helping the Afghans may put me in harm's way, but I have been well trained and will continue to receive training for the rest my military career.

''Everything will be fine. I feel confident and will do everything within my power to bring myself home safely. You need not worry, baby doll. I will go and do the job that is asked of me and return myself to your arms. I love you. Nick.''

The greatest value of our citizens serving is not simply their military proficiency, but the amazing character of a free people, embodied in the life of a young man like Nick Carnes, who understood the call that he was accepting and saw the higher good and the greater purpose.

Tonight, Mr. Speaker, I ask that we honor Sergeant Carnes and his service to our great Nation. Sergeant Carnes was a brave soldier, dedicated husband, loving son, who was taken from us all too quickly fighting for a cause that he truly believed in. I honor his bravery. I honor his legacy. My thoughts and prayers are with his friends and family during this solemn time.

Mr. Speaker, it is fitting to rise and honor this young man who laid down his life for the defense of our Nation on Constitution Day. As I stand here tonight, we talk about the Constitution as one of the great cornerstones of the form of government that we have as a free people. Yet, its preservation will not occur unless there are young men and women like Nick Carnes to come forward in every generation to answer that call, to be willing, as he said, to place himself in harm's way to preserve the ideals that he believed in.

As we look tonight, I am reminded of the words of Jesus in John 15:13, who

declared, ''No one has greater love than this, that he lay down his life for his friends.''

To you, Nick, I say thank you. Thank you for the example of your life. To his comrades in Alpha Battery who are here in this country now and also back in the theater, I say thank you for carrying on the mission. Thank you for honoring the flag, the highest ideals of service and what we represent as Americans.

Four special people in his life also need to be thanked, because as much of our country does not know, serving in the military is a family business that only 1 percent of our population responds to.

To Terri, I bear condolences for you, as I shared with you at the funeral home on behalf of a grateful Nation. Despite political differences that fly in the air, the backbone of our freedom is founded in sacrifices like your family has made, and I thank you for lending us Nick for a time. To Wray Jean and Gove, Nick's mom and dad, I say thank you for your son's service and for the example of his character. To his father-in-law Alan, thank you for your example and work. Raising a young leader who impacted our community, his duty and honor to country represent the best and greatest aspects of our national character. His sacrifice is not in vain.

RECOGNIZING THE CONTRIBUTIONS OF MINORITIES IN THE MEDIA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Mr. Speaker, today I rise to recognize the contributions of minorities in the media and encourage greater media diversity.

The past year marked a breakthrough for Latinos in the media. Just last night, America Ferrera won the Emmy award for best actress in a comedy series for her work on ABC's ''Ugly Betty.'' In her portrayal of Betty Suarez in ''Ugly Betty,'' Ms. Ferrera portrays an intelligent, caring young Latina professional trying to break into the field of publishing. Her character has a strong connection to her family, while at the same time she is dedicated to her work.

America Ferrera is the daughter of Honduran immigrants. Through her work on ''Ugly Betty'' and in films, including ''Real Women Have Curves,'' she is a role model for many young Latinas and women of color everywhere.

We need to improve the image of American Latinos and Latinas as portrayed by the media. We can do this by increasing the number of American Latinos employed in all facets of the media industry.

''Ugly Betty'' is one of the few programs on broadcast television that portrays a Latino family and main characters. The show has waded into tough issues like immigration by portraying the struggle of Betty's father to successfully navigate the immigration process.

In describing her Emmy last night, America Ferrera said the win, ''Symbolizes the wonderful blessings of the past year. I am so happy and humble to be on a show that is not only fun, but is making a difference and inspiring people and changing the way we look at prejudice and diversity.''

Other Latinos also have important roles to play as well in the media. Characters such as Dr. Callie Torres, portrayed by Sara Ramirez on ''Grey's Anatomy,'' and Gabrielle Solis, portrayed by Eva Longoria on ''Desperate Housewives,'' portray dynamic Latinas in television.

Behind the scenes, Selma Hayek, a premier actress herself, is also producer of the ''Ugly Betty'' show. Another new program called ''Cane,'' featuring a Latino family in Florida involved in the sugar business, is premiering this fall on CBS.

This is important because the characters that Americans see on television can help shape their view of the world and attitudes toward different groups of different backgrounds. In fact, 40 percent of American youth ages 19 and under are children of color, and very few of those faces that we see on television actually represent the races and cultural heritage here in America.

With increasing positive portrayals of minorities and programs, television can reflect a broader majority of hardworking American families, families that are indeed diverse. We should not stifle diversity of voices in the news and entertainment that consumers see, hear and read. The success of programs like ''Ugly Betty'' and the recognition of actresses like America Ferrera show that the American public is paying attention and wants to see more quality and diverse programming.

In this new and exciting time, minority performers and programs are not only increasing, but are also being honored. I look forward to working with my colleagues and the FCC and media companies to promote diversity in the media.

Again, I want to congratulate America Ferrera on her Emmy win and commend America and everyone on the cast of ''Ugly Betty'' for breaking down those stereotypes of Latinas. I hope that this is one of the first in a long line of successes for minority performers and that programs that retain positive minority characters will flourish. Working together, we can provide diversity, promote it, and have a better understanding here in our country.

□ 1945

DEMOCRATS SEEK TO USE AMT AS WEDGE

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. Mr. Speaker, nobody wants tax increases, and a tax increase right now would be detrimental to the economy of the United States. In fact, the Treasury Secretary thinks it would be disastrous. It would put the economy into a tailspin.

Chairman RANGEL of the Ways and Means Committee recently tried to use as a wedge the AMT, the alternative minimum tax, as a way to create a new system down the road that would raise billions and billions of dollars in new taxes across this country. As a matter of fact, they would raise the top tax rate on capital gains to 36 percent. On people making over $200,000 a year, it would raise their tax rate to 36 percent; and these tax increases would be absolutely devastating to the people of this country and to the economy of this country.

Chairman RANGEL in 1996 had an opportunity to vote against the alternative minimum tax, but he voted for it. And now he is saying he is against it, and he is using it as a wedge to get other taxes increased, which over the long term, over the next 10 years, will result in billions and billions of dollars of new tax increases for the people of this country.

Tonight, I would like to enter into the RECORD some statements made by Grover Norquist and Bob Novak in a column he wrote, so that the people of this country will be aware of what is coming about. Explaining all of these tax changes is very difficult in 5 minutes. It is very difficult for the people of this country to understand. But I want the people of this country to know that the Democrats are planning to use the AMT as a wedge so they can raise taxes across the board and hit everybody. And it is going to hurt the economy of this country and hurt every American taxpayer.

All I would like to say is that the American people need to know this. I hope everybody reads this. Everybody wants to do away with the alternative minimum tax on our side of the aisle, but we want to do it cleanly in one fell swoop. At least we ought to reduce it over a period of time so it goes away, but they are using it as a wedge so they can raise taxes in the next 10 years. And it will be very detrimental to the American economy.

[From the New York Sun, Sept. 7, 2007.]

RANGEL'S PRIORITY IS REPEALING THE AMT

(By Russell Berman)

WASHINGTON.—Amid mounting opposition to a proposed tax hike on the managers of hedge funds and private equity firms, the chairman of the House Ways and Means Committee, Rep. Charles Rangel, is making clear that his first priority is fixing the widely reviled alternative minimum tax.

Congressional Democrats have zeroed in on private equity taxation in their search for new revenue sources to pay for expanded health care and other domestic spending priorities. Mr. Rangel convened a marathon hearing yesterday to delve into an array of tax ''fairness'' issues.

''It has not been the goal of this committee to target any tax provisions other than the AMT,'' the Harlem Democrat said at the outset of the hearing, which featured 20 witnesses. ''However, it is fair to say that since the AMT is such an expensive revenue loser—because the revenue it brings in was never expected—that naturally we have to look at the entire tax code.''

Created in 1969 to ensure that the wealthiest Americans assumed at least a minimum tax burden, the AMT, because it is not adjusted for inflation, increasingly is affecting middle-income taxpayers and has drawn criticism from both sides of the political aisle. More than 23 million Americans could be subject to it this year.

''It's the perfect storm of bad tax policy,'' the director of the Urban Institute's Tax Policy Center, Leonard Burman, told lawmakers yesterday, adding that the AMT is ''hideously complex.''

Yet the cost of repealing the AMT is estimated at more than $800 billion over the next decade, leading to the proposed tax hike on private equity. A bill sponsored by Mr. Rangel and Rep. Sander Levin of Michigan would more than double the tax rate that hedge fund and private equity managers would pay on their investment gains, known as ''carried interest.'' Carried interest is currently subject to the capital gains rate of 15 percent, but the proposed change would treat it as income subject to the marginal rate of as much as 35 percent.

Citing annual incomes for managers as high as $500 million, one Democrat, Rep. Artur Davis of Alabama, made no secret of his view that the party should look for revenue from ''individuals who are making massive amounts of money,'' saying they ''frankly won't really miss the difference.''

Economists and tax lawyers testifying yesterday debated the likely impact of the tax increase on the financial sector and the economy, as Republicans on the committee pressed them on whether it would drive investment overseas or whether managers would shift the burden to investors by charging higher rates.

A Republican congressman from Virginia, Eric Cantor, said Democrats were on a ''hunt'' for new revenues and that the private equity proposal ''targets one of the most innovative sectors of the economy.''

In a prepared opening statement, the ranking Republican on the committee, Rep. James McCrery of Louisiana, warned that the proposal ''will move us backward while the rest of the world moves forward to improve their competitive position.'' He added: ''I seriously doubt this proposal will become law during the 110th Congress.''

The debate over the taxation of hedge funds and private equity has raged on Capitol Hill amid heightened scrutiny of the $2 trillion industry and of the vast profits the firms have taken in.

The effort to raise the tax rate on carried interest faces opposition from the private equity industry, and more recently from the U.S. Chamber of Commerce and a coalition of minority and women business groups.

As he did at a Senate committee hearing in July, Bruce Rosenblum, the chairman of the industry's lobbying group, the Private Equity Council, warned that a tax hike on carried interest could discourage investment and hurt American competitiveness.

The proposal has divided New York's two senators. Following her top Democratic rivals in the presidential campaign, Senator Clinton has come out in favor of the tax hike. Senator Schumer, the third-ranking Democrat in the Senate, has signaled his opposition, citing the potential harm to Wall Street and New York's competitiveness worldwide. He also has said targeting partnerships only in the financial sector would be unfair, suggesting that a similar increase be considered for partnerships in the oil and gas industries. Mayor Bloomberg, meanwhile, has mostly stayed silent on the issue.

The Senate Finance Committee held its third hearing on the issue of carried interest yesterday, focusing on pensions.

[September 10, 2007]

CONFRONTING HIS MONSTER

(By Grover Norquist)

The House Ways and Means Committee, chaired by Rep. Charles Rangel, held a hearing this month supposedly about simplifying the tax code for middle income families. What it really was about was a monster Mr. Rangel created, fed, defended, and now has turned on its master: the Alternative Minimum Tax. This tax was changed around a bit throughout the 1970s, and found its modem form in 1982. That year, Mr. Rangel voted for an AMT rate of 20 percent, which still only affected several thousand taxpayers.

In 1986, he voted to raise the AMT rate to 21 percent, and several thousand more taxpayers were affected. Mr. Rangel did not vote for an increase in the top rate to 24 percent that followed.

In 1999, Mr. Rangel voted against repealing the AMT beast and slaying it forever. Had that bill become law, the AMT would have been permanently repealed on December 31, 2007—this year. Instead, Mr. Rangel is forced to deal with a monster of his own creation. The monster has gotten hungry. According to official estimates, failure to restrain the AMT will lead to 27 million taxpayers having to pay this tax. A tax that would be dead, gone and buried this year if not for President Clinton and Mr. Rangel.

The irony is almost poetic. The typical AMT taxpayer lives in a state like Mr. Rangel's New York, Nancy Pelosi's California, and Robert Menendez's New Jersey. They have a jumbo mortgage, sky-high state income taxes, a couple of kids, and a six-figure income. For the most part, these are the inner-suburb-urbanite, center-left voters who supported the AMT authors in the first place. It is unlikely that there is a thousand dollar contributor who is not paying the AMT.

Now there is considerable pressure on Mr. Rangel to help these constituents. So, he has been supporting a plan to eliminate the AMT—and raise taxes on everyone else to pay for it.

He has to find a way to ''pay'' for AMT repeal because of the return of PAYGO rules with the new Democrat majority. You can't cut any taxes, according to these bizarre rubrics, without raising other ones.

If Mr. Rangel can't find enough tax increases to kill the AMT, he can try a ''patch'' that will keep the AMT-paying households at ''only'' several million taxpayers. This requires fewer tax increases, all of which will be permanent, in order to pay for only one year of this AMT ''patch.''

There is a better way. Senator Grassley, the ranking member on the tax-writing Senate Finance Committee, has a good way of describing the AMT: It's a mistake. It is not doing what it was intended to do. Instead, thanks to proper care and feeding by zookeepers, the AMT beast is threatening to ensnare tens of millions of American families.

To paraphrase Mr. Grassley, ''you don't 'fix' a mistake, or 'patch' a mistake—you correct the mistake.'' In this case, that means a clean kill of the AMT. Revenue losses shouldn't be counted, since the AMT mistake is yielding a windfall of income never intended by policymakers.

There is legislation to do just that in both chambers of Congress. This legislation is not sponsored by the likes of Mr. Rangel, who ostensibly wants to help AMT taxpayers, but by conservative Republicans who want to kill the AMT because it's the right thing to do. Phil English of Pennsylvania, and has 54 cosponsors. In the Senate, it's sponsored by none other than Mr. Grassley as S. 55. Quite simply, it would fully and totally repeal the AMT immediately.

Some prefer a more incremental approach, which is also fine. Forty percent of the AMT problem would be eliminated if Congress were to simply repeal the Clinton AMT that Mr. Rangel supported. That is, Congress could simply undo the AMT tax hike that was part of the 1993 Clinton tax increase. Doing that would take the top AMT tax rate from the current 28 percent to a lower 24 percent.

The ''AMT Rate Reduction Act of 2007'' does just that and reduces the current top rate of 28 percent to 24 percent. It's sponsored by Rep. Ed Royce of California and Eric Cantor of Virginia in the House as H.R. 2253 and has 20 cosponsors. In the Senate, it's sponsored by Senator Specter as S. 734.

In politics, you have to wear bifocals—long and short sight. Repealing the Clinton AMT may be the best we can do this year, so supporters of full AMT repeal should also be supporters of Clinton AMT repeal.

In any event, taxpayers should see through Mr. Rangel's bluster. He's not riding in on a white horse, saving the middle class from the AMT. Rather, he's desperately running through the countryside, trying to get everyone to forget that the Frankenstein monster was one he helped create.

IRAQI REFUGEES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, I have a conflict making it impossible for me to remain for the very important hour that the Congressional Black Caucus has taken on Iraq. I am about to go to the Senate floor tomorrow, though, as there is a test on whether there will be a filibuster on the D.C. voting rights bill even as D.C. residents are on the ground in Iraq fighting, even as I have gone to funerals at Arlington Cemetery because of this war.

We have a President who has announced a token drawdown at the same time he is Koreanizing the war, making sure we remain there at least as permanently as we have been in some parts of the world, like Korea and Germany already. He wants to make a piggy bank of the Congress of the United States, and the test is whether we are willing to go along with these now-clear goals of the President.

I want to devote my 5 minutes to asking a question that really needs to be asked. We are looking at the battle. I want to ask, is there really still an Iraq? Three million refugees have left the country since 2003. Another 3 million have been internally displaced. Some have called it ethnic cleansing. I believe it is involuntary ethnic cleansing, because in a civil war you want to win, not chase the other people out. We

didn't want the Southerners to go; we just wanted to win the Civil War.

There is a kind of ethnic cleansing going on in Iraq, and let me show it and urge Members to focus on it. Thousands leave every month, and 95 percent remain in the Middle East. What kind of a cauldron are we making in the Middle East?

Syria has been best in taking them, and they are full up. Iraqis are the leading nationality seeking asylum in industrialized countries. Three hundred Iraqis returned after the fall of Saddam Hussein. So encouraged were they that they came back to their land, many of them from Iran.

By 2006, hundreds of thousands of new refugees were fleeing the country, and last week we heard there is less violence? Sure, those people that are leaving. They are being driven out of their own country as a result of a civil war.

What is most shameful as I looked at the data was to find who was taking the refugees. We know who is responsible for them leaving. We know who invaded their country. Well, the U.K. has taken 22,300, a much smaller country than we. Australia has taken 11,000, and the United States has taken 6,000. And they say if we leave, there will be a major fratricide. So why aren't we taking some of these people? Why are our allies willing to take them, even though they had less to do with the fleeing in the first place.

The number of people displaced internally is shocking. It has risen in 2006 alone by 50 percent. Let me show you how we are failing in our duties. In 1992, 1993 and 1994, we were taking over 4,000 Iraqi refugees and settling them. Now in 2005, we report settling 200. This is a moral failing when you invade somebody else's country and you won't take their refugees and you insist upon staying there and fomenting violence when 80 percent say they want you out of the country.

Let me read from an independent journalist. I don't think you can say Iraq exists any more. There has been very effective systemic ethnic cleansing of Sunnis from Baghdad, of Shias from areas that are now mostly Shia, but the Sunnis especially have been a target, as have mixed families. With a name like ''Omar,'' a person is distinctly Sunni. It is a very Sunni name. You can be executed for having the name ''Omar'' alone, and Baghdad is now firmly in the hands of sectarian Shiite militias, and they are never going to let it go.

The refugee story alone is reason enough to begin the exodus from Iraq tomorrow. That is what they want. That is what the majority of the American people want. That's what we must see happen before we leave this Congress this year.

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

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

CONSTITUTION RATIFIED 220 YEARS AGO

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

Mr. FRANKS of Arizona. Mr. Speaker, today marks the 220th anniversary of the ratification of one of the greatest documents written in the history of man.

In fact, Mr. Speaker, it is safe to say that other than the Bible and our Declaration of Independence, no other document has so impacted the course of human history and freedom throughout the world.

That is because 220 years ago, the Framers of our Constitution did something singular in the long account of tyrannies, governments, and institutions invented whereby man sought to govern his fellow man.

A small courageous set of soldiers, farmers, aristocrats and tradesmen banded together and forever threw off the yoke of the crown of England to ''secure the blessings of liberty to themselves and their posterity.''

Their resolve was ratified with the Declaration of Independence that was in fact a promise to future generations to never again subject our children to the unchecked tyranny of arbitrary human government.

In those tumultuous days, there was perhaps no better or more justifiable case for establishing a permanent monarchy than under the noble and flint-like leadership of General George Washington. Many urged the general to do just that. But, Mr. Speaker, instead those first Americans took it upon themselves to do something completely revolutionary. Those men, who had seized for themselves potentially unlimited power over a nascent state completely vulnerable to the dictates of tyranny, chose instead to place immovable checks and limitations upon their own power and upon all those in government who would follow them.

The European model of life said that God gave authority to kings and a government of kings who would hold the rights of men in their hands. The American model encapsulated the divine message of human dignity: We hold these truths to be self-evident, that all men are created, that they are all equal, and that they are all endowed by their creator with certain inalienable rights and that government exists to secure those rights.

Mr. Speaker, those first Americans understood that all men were individually accountable to God and that he first gave each of them the right to live. Without this first right of life firmly secured and clearly understood, they knew that all other rights would become meaningless; but with it, all other rights would follow.

They were right, Mr. Speaker. The Constitution of the United States built upon the Declaration of Independence and its proclamation of a self-evident truth that all men are created equal, and laid upon that foundation the rights of freedom of all kinds, of speech and religion, the right to own property, the right of individuals to bear arms, and the right to choose a government of the people, for the people, and by the people.

Mr. Speaker, the Constitution of the United States is a statement of eternal truths as much as it is a statement of principles that govern a nation. Now more than ever as we take this day to commemorate the framing and establishment of that Constitution that for 220 years has served as the archetype of free democratic nations and governments all over the world, it is absolutely incumbent upon all of us to desperately remember the meaning of those words and to renew our commitment to guard against every erosion of that document and the liberties it embodies. But most importantly, the protection of the right to live.

Daniel Webster's admonition to all of us is so appropriate. He said: ''Hold on, my friends, to the Constitution and to the Republic for which it stands. Miracles do not cluster and what has happened once in 6,000 years may never happen again. If the American Constitution should fall, there will be anarchy throughout the world.''

Mr. Speaker, Senator Webster's voice no longer sounds in these Chambers, but I pray that we hear his message anew in our hearts, and I hope we can renew our own oath to uphold and defend the Constitution of the United States, that miraculous document that has so valiantly and nobly served the cause of humanity for 220 years.

□ 2000

OPPOSE PERU AND PANAMANIAN FREE TRADE AGREEMENTS

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

Mr. HARE. Mr. Speaker, I rise today in opposition to the pending Peru and Panama free trade agreements. Over 3 million American manufacturing jobs, one out of every six jobs, have been lost during the fast-track era. How many more manufacturing jobs will be lost with the passage of these two trade deals? How many more?

My district in particular has suffered the loss of 1,600 jobs when NAFTA forced Maytag to leave Galesburg, Illinois, for Sonora, Mexico. Every aspect of that town was hurt: its spirit, the

economy, the schools, and the small businesses that supplied goods to Maytag.

Now Galesburg is trying to rebuild its identity.

The November 2006 election showed that most Americans understand our past trade policies, which gave us NAFTA and the WTO, have failed; yet President Bush continues to bring more flawed trade agreements to this Congress.

Mr. Speaker, on May 10, Chairman RANGEL of the Ways and Means Committee reached a landmark deal with the Bush administration to include labor and environmental protection in free trade agreements. The deal requires our trading partners to adopt, maintain and enforce in their laws and practice the five basic international labor standards: freedom of association, right to collective bargaining, elimination of forced labor, abolition of child labor, and elimination of discrimination.

As positive as this deal was, I have absolutely no faith that this President will enforce any labor provisions included in any trade deal. In a statement released on May 11, AFL–CIO president John Sweeney reminded us of the Bush administration's enforcement failure in past agreements by saying, ''The Bush administration's consistent unwillingness to enforce trade violations against nations like Jordan and China reminds us that there is no guarantee that this executive branch will enforce any new rights workers may gain through these negotiations.''

This administration can't even enforce OSHA regulations here at home. How can we expect this President and this administration to enforce laws in these two countries? Recently, I received a letter from two Peruvian labor federations concerned about the labor provisions in the pending FTA between the United States and Peru. In reference to the May 10 announcement, the letter states, ''These changes are important. Nevertheless, in order for there to be real progress that does not only exist on paper, it is necessary that the administrations of President Bush and Garcia adopt significant change that they do not appear willing to do.''

Mr. Speaker, no one seems to have faith in this President or the Peruvian Government to enforce the law. The problem is that those who support the FTA in Peru are the same people that oppose labor reform in Peru.

Mr. Speaker, our trade policies must start to serve the interests of American working families and workers around the globe. I urge all of my colleagues, Republicans and Democrats alike, to say ''no'' to President Bush's trade agreement with Peru. We have a moral responsibility to save the manufacturing jobs that this Nation has lost and to try to regain those jobs that we have outsourced.

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.)

PERU FREE TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I would like to follow on Mr. HARE's remarks this evening and also oppose the pending Peru Free Trade Agreement, which we think is scheduled to come up on this floor in early October.

My question really is: With the United States trade deficit galloping out of control, this year it is likely to hit a trillion dollars in the red, as we continue to outsource jobs across this country. Recently, Ford Mazda in Monroe, Michigan, just north of our district, announced another 2,000 to 3,000 jobs gone. Those are not counting all the supplier jobs outsourced. So why would we be considering another NAFTA-like trade agreement here in this Congress?

The trade deficit with Mexico after NAFTA's passage has gotten worse every single year, going deeper and deeper and deeper into debt, more of our jobs outsourced to that country. Right before NAFTA's passage, there was a positive balance and they tried to make it look good to convince Congress it is getting better. Then we fell into heavy deficit every single year.

We are already in deficit with Peru. In fact, every year it has been getting worse and worse and worse with that nation. So we are even in worse shape with Peru than we were with NAFTA when that was signed. Why would we want more of the same based on that trade model?

Now, one can ask what is happening down there that we have to do this now, with the communities across this country, some of them like my own with over 8 percent unemployment, and why should we sacrifice more U.S. jobs to these flawed trade agreements.

I think I put my finger on it with Peru. There is something called the Camisea Natural Gas Project. In 2004, that country started exporting through this mega gas project exports to our country and other places in the world. Two pipelines started to deliver natural gas from the Amazon River basin at that time. One of the problems with this project is the number of spills and the environmental degradation that is occurring in that region due to this pipeline.

With America so energy dependent, rather than using our power to become energy independent here at home, we are getting ourselves involved in these trade agreements to try to bring more and import more power to this country rather than investing those dollars here. The price of that import of power is a loss of more of our jobs. That is not a trade-off this Member is willing to make.

In addition to that, the Peru Trade Agreement, as we understand it, has several really terrible provisions in it. First of all, the privatization of social security. In Peru, under their system, the agreement would allow private companies like Citibank or other U.S. investors to sue Peruvian taxpayers if Peru itself tries to reverse the partial privatization of the social security system that occurred in that country in the last decade. What a terrible, terrible provision to have for the people of Peru. We believe in the integrity of our Social Security system. Why should we impact theirs?

In addition to that, the Peru agreement as proposed would affect the access to generic medicines to people who live in a very impoverished country like Peru where over half of the people are poor. A number of nongovernmental organizations based in the United States and Latin America have confirmed that this agreement would reduce access to essential medicines by the poor population of Peru and that the agreement's provisions far exceed international standards established by the WTO. Why would we want to do that to the people of Peru?

Moving on to food safety, why would we want to harm the people of our country, because the agreement does not address serious food safety issues that currently plague our relationship with Peru. Indeed, it is one of the 20 top exporters of shrimp to the United States market, and FDA inspectors have consistently rejected seafood from Peru for numerous reasons, including filth, adulteration, misbranding, and presence of various dangerous food pathogens.

There has been poisonous swordfish, salmonella in shrimp, dangerous histamines in mahi-mahi. Shipment after shipment of dried, canned, frozen and fresh fish products from Peru have proven to be damaged. Why would we want to encourage more of that?

Let me also say one of my concerns about this Peru agreement, as with Mexico, it has no adjustment policies for the poorest of the poor. In other words, the Peru Free Trade Agreement does not take into account many farmers in Peru who are going to be displaced because, as other First World agricultural products flood in there, there are no provisions in the agreement to take care of the poor farmers who will be displaced. Why would we do this to our continent?

Mr. Speaker, there are many other reasons to oppose the Peru Free Trade Agreement which I will put in the RECORD and come to the floor in future days to discuss.

IN PRAISE OF RENAMING THE DEPARTMENT OF EDUCATION HEADQUARTERS BUILDING IN HONOR OF PRESIDENT LYNDON BAINES JOHNSON

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to pay tribute to President Lyndon Baines Johnson. We have the honor today of having his name placed on the building of the United States Department of Education. I was not able to attend because of a health crisis in one of my middle schools in Houston. I believe that President Johnson would understand.

As an original cosponsor of the legislation and certainly proud of him as a Texas President on the educational issues that he worked on, I am here today to call him the greatest education President in the history of our Nation.

It is appropriate this day when we honor our Constitution, which begins in this little book by saying, ''We have organized to form a more perfect union,'' to be able to salute the education President. It is by no exaggeration that we watched the legislative history of President Johnson and have seen his commitment to education. He truly understood the importance of providing opportunities for those from prekindergarten to postgraduate school. It makes perfect sense, therefore, to name the headquarters building of the U.S. Department of Education in his honor. I congratulate my colleague Congressman GENE GREEN for leading on this legislation.

Lyndon Baines Johnson is one of the leading figures of the 20th century. He started as a teacher at San Marcos State College, and he then became President of the United States. He also was lieutenant commander in the United States Navy during World War II, and served in both Houses of Congress and as Vice President of the United States and as the 36th President of the United States as well.

He put his words into deed, making him a valuable asset to the education of our young people in America. He was known as ''Landslide Lyndon'' because of the narrow win that he achieved in 1948. He put that behind him and went forward to approve the Higher Education Facilities Act in 1963 as President, which authorized a 5-year program of Federal grants and loans for construction or improvement of public and private higher education academic facilities.

He laid the groundwork for prioritizing as important to Americans the education of its young people. The legislation was the largest education program enacted by Congress since the National Defense Education Act of 1958. It was a broad education bill enacted in post-World War II, a period that was not tied to national defense.

In 1964, Lyndon Johnson signed the Library Services Act to make high quality public libraries more accessible to both urban and rural residents, and today our children are able to go to our urban and rural libraries where those who don't have an access not only to books but now the Internet can participate in the Nation's libraries.

We know President Johnson as well through the era of the Civil Rights Movement, a very turbulent movement, a tough time, a time when he stood back and then he stood up. He signed the 1964 Civil Rights Act. He signed the 1965 Voting Rights Act and created opportunities for southerners and all Americans to vote and allowed for the redistricting to create the district in Atlanta for Andy Young and the district of Barbara Jordan in Texas.

We are delighted as well that he was instrumental in the Elementary and Secondary Education Act that allowed the furtherance of secondary and elementary education. This was the first general aid to education program ever adopted by Congress. He started in 1965 Project Head Start, where we have seen now the reauthorization of a very important and very needed head start to our young people.

Just this week, I participated in a newly opened Head Start program, the legacy of President Lyndon Baines Johnson, the opportunity for low income families, low income children to have the jump-start that they need, creating the next presidents and astronauts and teachers.

In 1968, he signed the Elementary and Secondary Education Act amendments establishing bilingual education programs for non-English-speaking children and providing more funds for special education for disabled children.

He continued, even after his leaving the White House, the organization of his own library, to focus on education. Certainly he was one of the strong supporters and encouragers of the Honorable Barbara Jordan, who then became a Member of Congress in 1972 pursuant to the Civil Rights Act and the Voter Rights Act of 1975.

I would be remiss if I did not acknowledge Claudia Alta Taylor, who became affectionately known as Lady Bird, his wife, who then started our great Capitol Beautification Project, the Society for a More Beautiful National Capital, and worked, of course, to beautify America. They made a good partnership. As they continued in their life, they never forgot education; they never forgot beautification.

President Johnson is someone who understood power, but he understood compassion. I am very delighted today, Mr. Speaker, to salute Lyndon Baines Johnson, who today now has his name on a very important building, the U.S. Department of Education. We salute you, we thank you to the late Lyndon Baines Johnson, President of the United States of America.

Mr. Speaker, earlier today the headquarters building of the United States Department of Education was renamed in honor of President Lyndon Baines Johnson. As an original cosponsor of the legislation and as a proud Texan, I rise today to commend this action and to pay tribute to Lyndon Baines Johnson, the 36th President of the United States and the greatest ''Education President'' in the history of our nation.

President Lyndon Baines Johnson was a consequential president. It is no exaggeration to say, Mr. Speaker, that Lyndon Baines Johnson's record of extending the benefits of education to all Americans in every region of the country, of every race and gender, irrespective of economic class or family background, remains unsurpassed. Lyndon Johnson recognized that the educated citizenry is a nation's greatest economic asset and most powerful guardian of its political liberties.

Mr. Speaker, Lyndon Johnson did more than any single American, living or dead, to make the federal government a partner with states and localities in the vitally important work of educating the people of America, from pre-kindergarten to post-graduate school. It makes perfect sense, therefore, to name the headquarters building of the U.S. Department of Education in his honor.

Mr. Speaker, Lyndon Baines Johnson was one of the leading figures of the 20th century. The teacher from San Marcos State College who became a president served his country in numerous, distinguished ways, including as Lt. Commander in the U.S. Navy during World War II, as a Member of both houses of Congress, as Vice President of the United States, and as the 36th President of the United States.

Lyndon Baines Johnson was born on August 27, 1908, in Stonewall, Texas. In 1927, he enrolled in Southwest Texas State Teachers College at San Marcos, Texas (Texas State University-San Marcos). He took a leave of absence for a year to serve as principal and teach fifth, sixth, and seventh grades at Welhausen School, a Mexican-American school in the South Texas town of Cotulla. He graduated with a Bachelor of Science degree in August 1930. After graduation he taught at Pearsall High School in Pearsall, Texas, and taught public speaking at Sam Houston High School in Houston, Texas. In the spring of 1931, his debate team won the district championship.

In a special election in 1937, Johnson won the U.S. House of Representatives seat representing the 10th Congressional District of Texas, defeating nine other candidates. He was re-elected to a full term in the 76th Congress and to each succeeding Congress until 1948.

After the bombing of Pearl Harbor on December 7, 1941, Johnson became the first Member of Congress to volunteer for active duty in the armed forces (U.S. Navy), reporting for active duty on December 9, 1941. Johnson received the Silver Star from General Douglas MacArthur for gallantry in action during an aerial combat mission over hostile positions in New Guinea on June 9, 1942. President Roosevelt ordered all Members of Congress in the armed forces to return to their offices, and Johnson was released from active duty on July 16, 1942.

In 1948, after a campaign in which he traveled by ''newfangled'' helicopter all over the state, Johnson won the primary by 87 votes and earned the nickname 'Landslide Lyndon',

and in the general election was elected to the U.S. Senate. He was elected Minority Leader of the Senate in 1953 and Majority Leader in 1955. He served in the U.S. Senate until he resigned to become Vice President in January 1961.

Lyndon Johnson became the 36th President of the United States on November 22, 1963, after the assassination of President John F. Kennedy.

During his administration, education was one of the many areas where President Johnson blazed new ground. He pursued numerous education initiatives, and signed many landmark education bills into law.

In 1963, President Johnson approved the Higher Education Facilities Act (P.L. 88–204) which authorized a five-year program of federal grants and loans for construction or improvement of public and private higher education academic facilities. This legislation was the largest education program enacted by Congress since the National Defense Education Act of 1958, and it was the first broad education bill enacted in the post-World War II period that was not tied to national defense.

In 1964, Johnson signed the Library Services Act (P.L. 88–269) to make high quality public libraries more accessible to both urban and rural residents. The funds made available under this Act were used to construct as well as operate libraries, and to extend this program to cities as well as rural areas. Later that year, President Johnson signed the Civil Rights Act (P.L. 88–352), which among its landmark provisions authorized federal authorities to sue for the desegregation of schools and to withhold federal funds from education institutions that practiced segregation.

In 1965, President Johnson signed the Elementary and Secondary Education Act (P.L. 89–10) at the former Junction Elementary School in Stonewall, Texas, where he first attended school. Sitting beside him as he signed the bill was his first teacher, Mrs. Kathryn Deadrich Loney. This legislation was the first general aid-to-education program ever adopted by Congress, and it provided programs to help educate disadvantaged children in urban and rural areas. Later that year, he also signed the Higher Education Act (P.L. 89–329), which was the first program approved by the U.S. Congress for scholarships to undergraduate students.

In 1965, President Johnson launched Project Head Start, as an eight-week summer program, to help break the cycle of poverty by providing pre-school children from low-income families with a comprehensive program to meet their emotional, social, health, nutritional, and psychological needs. Recruiting children from ages three to school-entry age, Head Start was enthusiastically received by education and child development specialists, community leaders, and parents across the nation. Currently, Head Start continues to serve children and their families each year in urban and rural areas in all 50 States, the District of Columbia, Puerto Rico, and the U.S. Territories, as well as many migrant children.

In 1966, President Johnson signed the International Education Act (P.L. 89–698), which promoted international studies at U.S. colleges and universities.

In 1968, he signed the Elementary and Secondary Education Act Amendments of 1967 (P.L. 90–247), establishing bilingual education programs for non-English speaking children, and providing more funds for special education for disabled children. Later that year, he also signed the Handicapped Children's Early Education Assistance Act (P.L. 90–538), which authorized experimental programs for disabled children of pre-school age.

After leaving office, Lyndon Johnson returned to his native Texas and continued his involvement in public education. His presidential papers are housed at the Lyndon Baines Johnson Library and Museum at the University of Texas, which in 1970 established the Lyndon Baines Johnson School of Public Affairs, The ''LBJ School,'' as is commonly known, pioneered what was then regarded as a novel approach to training for public service. Because of her respect and admiration for President Johnson, the late Barbara Jordan, the first woman and African American to represent the citizens of the Eighteenth Congressional District of Texas, joined the LBJ School upon her retirement from Congress and was one of its most distinguished faculty members from 1979 until her death in 1996.

The curriculum combined courses in theory with courses that took students into government agencies to work and conduct research; the faculty included academics from various disciplines as well as practitioners from various levels of government; public service programs included an academic publishing program as well as workshops for government officials. This blend of the academic and the practical remains the distinguishing characteristic of the LBJ School and this highly effective approach to training for public service is today an accepted model for public affairs graduate programs across the country.

Mr. Speaker, Lyndon Baines Johnson, who died January 22, 1973, will be remembered not only as a great President and Member of Congress, but also as the greatest champion of accessible and affordable quality education for all. President Johnson truly understood the importance of leaving no child behind, and he didn't.

Mr. Speaker, I would be remiss if I failed to note one of President Johnson's greatest achievements and that was winning the hand and heart of Claudia Alta Taylor, affectionately known by all simply as ''Lady Bird.'' As First Lady, Lady Bird Johnson started a capital beautification project (Society for a More Beautiful National Capital) to improve physical conditions in Washington, D.C., both for residents and tourists. Her efforts inspired similar programs throughout the country. She was also instrumental in promoting the Highway Beautification Act, which sought to beautify the nation's highway system by limiting billboards and by planting roadside areas. She was also an advocate of the Head Start program. Throughout his life, Lady Bird was LBJ's most trusted advisor and confidant. And our nation is better for it.

Robert A. Caro, author of ''Path to Power,'' the Pulitzer Prize winning biography of Lyndon Johnson, has written that what set Lyndon Johnson apart from nearly every other politician of his era is that he alone possessed a ''natural genius for politics.'' LBJ understood that politics was the art of the possible but he knew how to transform possibilities into realities. That is why we have a Civil Rights Act, a Voting Rights Act, Head Start, Public Broadcasting Systems, Higher Education assistance. That is why Thurgood Marshall was nominated and confirmed as a member of the Supreme Court. That is why the first African American to head a Cabinet department, Dr. Robert C. Weaver, was nominated by Lyndon Johnson.

For all these reasons, Mr. Speaker, it is most appropriate that the headquarters building of the Department of Education located at 400 Maryland Avenue Southwest in the District of Columbia will now and forevermore be known as the ''Lyndon Baines Johnson Department of Education Building.''

COMMUNICATION FROM THE HONORABLE JERRY LEWIS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JERRY LEWIS, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 7, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued in the U.S. District Court of the Southern District of California, for testimony and documents in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

JERRY LEWIS.

COMMUNICATION FROM THE HONORABLE ROY BLUNT, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable ROY BLUNT, Member of Congress:

CONGRESS OF THE UNITED STATES,
Washington, DC, September 12, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued in the U.S. District Court for the Southern District of California, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

ROY BLUNT,
Member of Congress.

COMMUNICATION FROM THE HONORABLE NORM DICKS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable NORM DICKS, Member of Congress:

CONGRESS OF THE UNITED STATES,

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the

Rules of the House of Representatives, that I have been served with a subpoena, issued in the U.S. District Court for the Southern District of California, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

NORM DICKS,
Member of Congress.

COMMUNICATION FROM THE HONORABLE JOHN T. DOOLITTLE, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN T. DOOLITTLE, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 14, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued in the U.S. District Court for the Southern District of California, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

JOHN T. DOOLITTLE,
Member of Congress.

COMMUNICATION FROM THE HONORABLE J. DENNIS HASTERT, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable J. DENNIS HASTERT, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 17, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued in the U.S. District Court for the Southern District of California, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

J. DENNIS HASTERT,
Member of Congress.

COMMUNICATION FROM THE HONORABLE PETER HOEKSTRA, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable PETER HOEKSTRA, Member of Congress:

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
September 13, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued in the U.S. District Court for the Southern District of California, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

PETER HOEKSTRA,
Ranking Republican.

COMMUNICATION FROM THE HONORABLE DUNCAN HUNTER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable DUNCAN HUNTER, Member of Congress:

SEPTEMBER 14, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued in the U.S. District Court for the Southern District of California, for testimony and documents in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

DUNCAN HUNTER,
Member of Congress.

COMMUNICATION FROM THE HONORABLE DARRELL E. ISSA, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable DARRELL E. ISSA, Member of Congress:

SEPTEMBER 7, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued in the U.S. District Court for the Southern District of California, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

DARRELL E. ISSA,
Member of Congress.

COMMUNICATION FROM THE HONORABLE JOE KNOLLENBERG, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable *Joe Knollenberg,* Member of Congress:

SEPTEMBER 17, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives, The Capitol, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued in the U.S. District Court for the Southern District of California, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

JOE KNOLLENBERG,
Member of Congress.

COMMUNICATION FROM THE HONORABLE JOHN P. MURTHA, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN P. MURTHA, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 14, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued in the U.S. District Court for the Southern District of California, for testimony and documents in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

JOHN P. MURTHA.

COMMUNICATION FROM THE HONORABLE SILVESTRE REYES, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable SILVESTRE REYES, Member of Congress:

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, September 11, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued in the U.S. District Court for the Southern District of California, for testimony and documents in a case, U.S. v Wilkes.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

SILVESTRE REYES,
Member of Congress.

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COMMUNICATION FROM THE HONORABLE IKE SKELTON, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable IKE SKELTON, Member of Congress:

HOUSE COMMITTEE ON ARMED SERVICES,
Washington, DC, September 13, 2007.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to Rule VIII of the Rules of the House of Representatives, I write to notify you formally that I have been served with a subpoena. The subpoena was issued in the U.S. District Court for the Southern District of California in relation to ongoing prosecutions related to former Congressman Randy ''Duke'' Cunningham and requests my testimony as a potential witness and the production of documents.

After consultation with counsel, I have determined that compliance with the subpoena may be inconsistent with the precedents and privileges of the House.

Sincerely,

IKE SKELTON,
Chairman.

COMMUNICATION FROM THE HONORABLE JERRY WELLER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JERRY WELLER, Member of Congress:

SEPTEMBER 12, 2007.

Hon. NANCY PELOSI
Speaker, House of Representatives
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued in the U.S. District Court for the Southern District of California, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

JERRY WELLER,
Member of Congress.

IRAQ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentlewoman from Ohio (Mrs. JONES) is recognized for 60 minutes as the designee of the majority leader.

Mrs. JONES of Ohio. Mr. Speaker, I am so happy to have the opportunity and the honor to rise this evening to lead the Special Order of the Congressional Black Caucus. We are going to be talking about Iraq.

I want to recognize first for comment the Chair of the Congressional Black Caucus, my colleague and good friend, the gentlelady from Detroit, Michigan, Congresswoman CAROLYN KILPATRICK, and to thank her for her leadership of her wonderful caucus.

Ms. KILPATRICK. Mr. Speaker, Members of the Congress and Americans across the world, thank you. Thank you very much, Congresswoman Madam Chair STEPHANIE TUBBS JONES, for accepting the responsibility for leading the Special Order. Thank you very much.

We need a new direction in America. We need a plan, one we never had 4 years, 5 months ago as this country struck a sovereign nation, Iraq. We need a plan. I would say a new plan, but we never had an old plan. So a plan is what this country must have. President Bush wants the same ''no plan'' to go forward. It is time for change: over 3,800 Americans dead, over 28,000 Americans wounded in battle. Members of the Congressional Black Caucus, 43 members from 21 States, we represent over 40 million Americans. And to a person, all over our districts, they want a change. They want a new direction with this war in Iraq. Eighteen of our members represent less than 50 percent African Americans. Several of our members represent less than 15 percent African American. We represent the American people, almost 300 million in our country, 40 million represented by the members of our caucus. We represent Latino Americans, Native Americans, Asian Americans, European Americans, Indian Americans, and African Americans. The entire multi-ethnic society are represented by members of the Congressional Black Caucus.

So when we start our Special Order tonight to talk about the war in Iraq, a war we never should have fought, a war that has lasted longer than World War I, World War II, the Civil War, and the war continues, you might remember, America, last spring they were all saying wait until September. We sent a bill with benchmarks to the Senate, to the House, passed the House, went to the Senate. The President vetoed it. We sent him another one. They say, okay, we won't do another one; we will wait until September. Well, now General Petraeus is saying not September 2007; let's now give them until March 2008. No new plan.

They are going to ask for $200 billion in the next several weeks. Already have spent $565.4 trillion of your tax dollars on a war we never should have fought.

America wants a change; we want a new direction, Mr. President. We want to bring our troops home in the most orderly possible plan that we can put together. And I hope and the American people hope this administration as well as our military leaders will come up with a plan. It is your responsibility to do that.

We support our troops. We support the veterans all over this country as well as those veterans who are fighting this war. The mental health needs that our country will have as a result of this war, we yet do not know. There will be significant needs for mental health services. This supplemental has very little money that is coming through. And this is a supplemental that we spent this year, 2007 and 2008. Understanding, again, we have already spent $565.4 trillion. Repeat that: $565 trillion in this war.

We must bring our troops home. We must have a new direction. And as members of the Congressional Black Caucus, we will say it over and over again: set a plan in motion. Change direction for our country.

Benchmarks. You heard also, benchmarks. What about these benchmarks that Congress, the President, and President Maliki put together earlier this year? It is really between President Bush's administration and the administration in Iraq, 18 benchmarks that they said they would meet by September. The General Accounting Office reported to this Congress last week they have met three of them. They are not sustaining their own government. They go on vacation, and they want us to fight their war.

Our people tell us to bring our soldiers home. We hear it across the country, Republicans and Democrats as well as independents: bring our troops home. It is unconscionable that this Congress would consider as an appropriator and as a Member of this body as well as a citizen of this country 200 billion new dollars for this ill-advised war in the next several months.

Rise up, America. Thank you for protesting over this last week. Keep the protests up. If you can't come to Washington, have them in your own State, in your own city. Let us hear your voices. It is too silent out there. This is a better country than that.

So as we come to you tonight as Members of this United States House of Representatives, 110th Congress, where there have been 110 African Americans elected and voting in this Chamber over these many years, we are proud to have that responsibility and we will remain the conscience of the Congress. Bring our troops home. End this ill-advised war. Rebuild America from the ground up. Our children deserve more. Our seniors who built this country need more.

There is no reason why we can't have top-quality education, good health centers, good environment, good infrastructure, bridges that don't collapse. But, you see, you can't spend $565 trillion of your money in a war that we should not be fighting and at the same time invest in America's future.

So as one of 43 members of the Congressional Black Caucus, we say to you, America, become engaged. Speak out. Ask that we bring our troops home. Ask for a new plan. Ask for a change of direction. Our theme for 2007 and 2008 is change course, do something different. Join. Volunteer. Work for a better America. Confront the crisis of the war, of education, of health care, of infrastructure needs. And then for us to continue the legacy, not just members of the caucus but all Americans, continue the legacy of people who have built this country, who have laid down their lives. And, for us, so many of our ancestors and forebears who fought the

civil rights movement who speak out today for a just America.

So my brothers and sisters, American citizens, rise up, change course. Fight to end this war today so that your grandchildren will have a better America tomorrow.

Mr. Speaker: One of the costs of the war in Iraq that is often overlooked is the waste of tax dollars that could be used to fund programs and facilities that would improve our quality of life. America's families want access to well-paying jobs, affordable health care, and quality education. The War in Iraq presents a threat to our military readiness and the development of communities across our country. We must reinvest in programs that address the priorities of America's families to preserve the safety, security and stability of Americans everywhere.

I was against the War in Iraq from the beginning I will continue to stand strong for the citizens of the 13th Congressional District of Michigan and America. We must take America in a new direction. Let us work together to ''Change Course, Confront Crises, and Continue the Legacy.''

IT'S TIME TO CHANGE COURSE

The citizens of the 13th Congressional District of Michigan have collectively spent $555.4 million in Iraq. For this much money, we could have provided, right here to citizens in the 13th Congressional District: 190,892 people with health care; 7,747 more elementary school teachers; 83,268 more places with Head Start; 379,635 children with health care; 4,477 more affordable housing units for working class people and senior citizens; 50 new elementary schools; 60,288 scholarships for college students; 7,670 music and arts teachers; 12,009 police officers, fire fighters and emergency medical technicians; 780,628 homes with renewable energy options; or 8,403 port container inspectors. [Progressive Congressional Caucus, 9/10/07]

IT'S TIME TO CONFRONT CRISES

On September 7, 2007, the non-partisan General Accounting Office concluded that the Iraqi government ''met three, partially met four, and did not meet 11 out of 18 benchmarks. Overall, key legislation has not been passed, and it is unclear whether the Iraqi government will spend $10 billion in reconstruction funds.'' [GAO–07–1230T]

As of September 10, 2007, 3,759 U.S. troops have been killed and more than 27,770 have been wounded in the Iraq war since it began in March 2003. [Department of Defense, 9/10/07]

IT'S TIME TO CONTINUE THE LEGACY

The Iraq Study Group stated that the use of the military in Iraq has passed; it is time for diplomacy to take place. Regrettably, diplomacy has not been seriously considered by the President, and internecine warfare and outright civil war has filled the vacuum of this viable option in Iraq. [Iraq Study Group, December 6, 2006].

Out of four million Iraqis who are refugees, the United States has taken in a total of 687 between April 1, 2003, and February 28, 2007. [Congressional Research Service, March 23, 2007]. 78 percent of Americans believe the U.S. should withdraw some or all of our troops from Iraq. [New York Times, 9/10/07]. 60 percent of Americans say the U.S. should set a timetable to withdraw our forces from Iraq and should ''stick to that timetable regardless of what is going on in Iraq.'' [USA Today. 9/10/07].

IT'S TIME FOR CHANGE

As of September 2007, U.S. troops have been in Iraq for four years and six months. The Revolutionary War lasted eight years and two months. The American Civil War lasted four years. The Spanish-American War lasted five months in 1898. World War I lasted four years and just under five months. The U.S. role in World War II started in December of 1941; it ended in 1945. U.S. involvement in Vietnam lasted more than a decade; until Saigon fell to North Vietnam in April 1975.

WHEN WILL ENOUGH BE ENOUGH? FUNDING A FIASCO: THE COST OF THE WAR IN IRAQ

We have spent, as Americans, more than half a billion dollars in Iraq since March 2003. The President is expected to request another $200 billion. FY 2003—$53 billion; FY 2004—$75.6 billion; FY 2005—$84.7 billion; FY 2006—$101.7 billion; FY 2007—$135.2 billion; FY 2008—$116.3 billion; TOTAL—$566.8 billion.

According to the non-partisan Congressional Budget Office, the U.S. spends about $10 billion per month in Iraq. That's $3,816 per second; $228,938 per minute; $329,670,330 per day, or $2,307,692,380 per week.

IRAQ BY THE NUMBERS

Amount, in billions of dollars, that has been spent in Iraq—$565; Amount, in billions of dollars, that the war has cost the State of Michigan—$11.9; Number of wounded U.S. troops—27,770; Number of U.S. troops that have lost their lives—3,759; Percent of Americans who believe we should withdraw some or all of our troops from Iraq—78; Percent of Iraqis that want U.S. forces and our coalition allies to leave their country immediately—47; Years we have been at war in Iraq—4.5; Number of the 18 benchmarks the Iraqi government has met—3.

Mrs. JONES of Ohio. In conjunction with what my colleague has already said, can you imagine that of the amount of money we spend in Iraq, we could put in place 4,072,709 additional housing units nationwide? In Ohio, we could put 142,849. Imagine this, right in the city of Cleveland where we have 2,185 homeless, we could take care of them and they would not have to be homeless.

Mr. Speaker, it gives me great pleasure to yield time to my colleague and good friend who has been at the forefront of issues around this war, the Congresswoman from California, Congresswoman BARBARA LEE. And I yield to her 5 minutes.

Ms. LEE. Mr. Speaker, first I would like to thank the gentlelady from Ohio, who is the Chair of our House Ethics Committee, for yielding and for her tremendous leadership on so many issues, and for her consistent, and I mean consistent, opposition to this war from day one.

Also I would like to thank the Chair of our Congressional Black Caucus, Congresswoman CAROLYN KILPATRICK, for your outstanding leadership and also for your commitment in changing the President's failed policy on Iraq and for making sure that the Congressional Black Caucus speaks in one voice. Thank you, Congresswoman KILPATRICK.

Let me also salute all of our colleagues from the Congressional Black Caucus who have opposed this war from the start, including Congresswoman MAXINE WATERS who actually boldly started the Out of Iraq Caucus. If our voices had been listened to, we would not have embarked upon this unnecessary, immoral war. I once again stand here as the daughter of a 25-year veteran who fought in two wars. It is past time to end this war.

Mr. Speaker, last week the President once again took to the air waves to make his case for the same old ''stay the course'' strategy. He said that he will return the number of troops in Iraq to pre-surge levels by July of 2008. He wants us to believe that by getting back to where we were last January sometime next summer, he wants us to think that that is progress. The American people aren't buying that. They know how to count. It is the same song and dance from the people who told us that there were weapons of mass destruction, who assured us that we would be greeted as liberators, who declared ''mission accomplished,'' and said really it is mission impossible but he declared mission accomplished and who said we were turning the corner and that the insurgency was in its last throes.

The fact is that the Bush ''stay the course'' strategy put us on the path for 10 years of occupation in Iraq at the minimum. It is time to call this what it is. It is really the President's plan to run out the clock on his failed policy, to move the goal post once again so that he could sneak out the back door and leave the American people holding the bag after he leaves the White House.

Well, let me ask you, how many of our troops should die so the President can save face? How many Iraqis must die to convince the President that the occupation is bringing disaster to hundreds of thousands of Iraqis? How much of our tax dollars should we spend so the President can avoid admitting that his policy failed? We are now spending $12 billion a month in Iraq. For the price of 1 month in Iraq, we could be paying for 1.5 million children to go to Head Start for a year. For the price of 1 month in Iraq, we could have hired 200,000 new school teachers for a year. For the price of 1 month in Iraq, we could have insured 7 million of the 8.7 million children living in this country without medical insurance for a year. Mr. Speaker, that is just the cost of 30 days in Iraq, and the President thinks we should be staying yet another 10 years. That is far too high a price to pay for him to save face.

All the talk about military progress in Iraq is a distraction. It is a smoke screen that only serves to obscure the basic fundamental fact that there is no military solution to the situation in Iraq. Our brave troops are trapped in a

civil war and an occupation. Our continued presence there is not only challenging our military; it is undermining our national security and our efforts to fight international terrorism. That is why every member of the Congressional Black Caucus really cosponsored a resolution which we sponsored banning military bases and control, at least U.S. control, of the Iraqi oil.

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This resolution passed this body on a very large bipartisan vote, and, in fact, it sent a strong message that we do not intend to occupy Iraq, at least this House doesn't intend to have that as our policy.

Despite this administration's, though, efforts to frame this as an issue of victory and defeat, the fact remains that redeployment of United States troops from Iraq is really a precondition; it's a precondition to restoring our national security and our efforts to fight terrorism and putting us on a path toward a foreign policy that provides real solutions for global peace and security. Redeployment is a precondition, a precondition for engaging Iraq's neighbors and the international community in a regional stability plan.

We have a moral obligation to help build Iraq. We bombed the country and we, for the most part, destroyed it. But neither Iraq's neighbors nor the international community will truly engage in a regional stability plan as long as they believe that the United States intends to maintain an indefinite occupation. Redeployment is a precondition for any successful effort to combat global terrorism.

The United States' occupation of Iraq has become a rallying point for terrorist recruitment, training and fundraising, a factor that actively undermines our antiterrorism efforts.

Congress has the power to end the Bush administration's failed policy in Iraq. But it means, it really means that Members of Congress are going to have to make a choice. Are we going to stand with the President for an open-ended occupation that sacrifices our troops' lives so he can save face, or are we going to act to bring this disastrous policy to a conclusion? The choice is simple.

Congress should not provide another dime, not another dime for the President's failed policy. We should provide the money necessary to fully fund the safe, timely and responsible redeployment of troops and contractors from Iraq. And let me tell you, the American people support this.

In closing, Mr. Speaker, let me remind you that members of the Congressional Black Caucus saw this disaster coming and tried to stop it. If you recall, we had an amendment when the authorization to use force came before this body, it was my amendment, that would have allowed the United Nations inspectors to complete their inspection process for weapons of mass destruction. Congress then, however, voted to go to war. Members of the Congressional Black Caucus voted for that resolution. Members of the Congressional Black Caucus continue to oppose the occupation and work day and night to bring our young men and women home. And we will continue to be that voice that reminds our country that we truly, we really, we honestly, we do support and love our troops, and the best way that we can demonstrate that, the only way that we can demonstrate that, is by bringing them home and making sure that they have their economic security, their health care, and their mental health care and the resources they need to take their lives back.

Thank you, Congresswoman KILPATRICK, for your leadership and for calling us together tonight. Thank you, Congresswoman STEPHANIE TUBBS JONES, for pulling us together and making sure we all stay on time and for your leadership on so many issues.

Mrs. JONES of Ohio. Thank you, Congresswoman BARBARA LEE.

Quick statistics. Of the young men and women who have been killed in Iraq, total 3,734, 885 were less than 22; 1,013 were between 22 and 24; 1,007 between the age of 25 and 30; 445 between the age of 31 and 35; and older than 35, 445.

It gives me great pleasure at this time to yield to my good friend and colleague from the great State of California, the Chair of the Out of Iraq Caucus, Congresswoman MAXINE WATERS for such time as she may consume.

Ms. WATERS. Mr. Speaker, I'd like to thank Congresswoman STEPHANIE TUBBS JONES for the leadership that she's providing this evening, having taken out the time on the floor to have the members of the Congressional Black Caucus engage this body on this issue of the war in Iraq. I thank you for your leadership, and I'm proud to work with you to help bring our Congress to the conclusion that we must get out of Iraq.

Last week, President Bush and his White House propaganda machine made another attempt at misleading the Nation. Yet again, unsubstantiated anecdotal claims of progress were used to support a continued occupation of Iraq.

However, the President's claims of progress ran contrary to multiple independent reports recently published, including, from the Government Accountability Office, General Jones, and the National Intelligence Estimate. These reports painted a bleak picture of Iraq: continued high levels of violence, a dysfunctional Iraqi government, and sectarian influence that continue to plague the Iraqi security forces.

President Bush's vision of an enduring relationship with Iraq amounts to an endless and unlimited military occupation. Instead of a significant change of policy, the President has reaffirmed his commitment to a dangerous continuation of a failed policy in Iraq.

Deepening sectarian divisions in Iraq make the American military presence increasingly obsolete. In fact, our presence may actually be making the situation worse as Iraqi political leaders hide behind our troops and refuse to make the necessary compromises.

Meanwhile, we continue to train and equip Iraqi security forces and so-called volunteer Sunni sectarian militias across Iraq. Experts suggest that we're merely training different sides of a violent civil war, and losing track of over 190,000 weapons meant for the security forces is surely only adding fuel to the fires raging in Iraq. That is why my colleagues and I recently introduced H.R. 3134, the Responsible Security in Iraq Act. This legislation will halt the dangerous practice of training and equipping of Iraqi security forces, at least until the Iraqi Government matures.

At the cost of precious American lives, the President seeks only to disguise the fact that he has no exit strategy for Iraq. It becomes increasingly clear that George Bush seeks only to protect his own legacy and saddle the next President with the mess he's created in the Middle East.

Let us not forget that, in addition to almost 3,800 troops who have died, 800 of those troops who have died in Iraq have died since the surge was announced in January, including 16 troops since General Petraeus came to Congress to testify just last week.

I know that the media, many in the media have blamed the wonderful, wonderful support group of the Democratic Caucus and people who want to get us out of Iraq for attacking General Petraeus. But I join with them, not in an attack on General Petraeus, but in telling the truth about what has been happening.

Moveon.org need not be ashamed of its advocacy. They need not be a shame of its ads. They are telling the truth, and we need to speak truth to power on this issue.

President Bush sought to appease those who oppose the war by announcing that 5,700 troops will be coming home this year, and another few brigades will possibly return by summer of next year. But these reductions were scheduled to occur with or without Bush's consent. Deployment limits are being reached, and the military has no trained and ready troops to replace the ones leaving.

As the New York Times stated, it's like George Bush dropping an object and then taking credit for gravity.

Regardless, these planned reductions would merely lower our troop levels to 130,000 by summer of 2008. It is absolutely unacceptable that our military presence in Iraq by next summer will still be the same as pre-surge levels.

I'm delighted for the families of the troops who will be leaving Iraq. Many of these troops will be returning from a second, third or even fourth deployment. However, without a significant change in strategy, the President is

signaling that these troops should not get too comfortable at home. President Bush will surely have them deployed back to Iraq as soon as possible.

As Chair of the Out of Iraq Caucus, I, along with my colleagues, have been advocating for a different direction for years now. In stark contrast to the direction of the President, we understand that the only acceptable option for Iraq is a fully funded withdrawal of all of our troops and military contracts.

The other day, my friend, Congressman JOHN MURTHA said, and I quote, ''Yes, many Iraqis consider us the occupiers. But it is also true that Iraq is really occupying us.'' We couldn't be more right. He couldn't be more right.

Let's bring our troops home to their families as soon as possible and refocus this country's resources on the issues that matter the most to the American people. It is time to end this war in Iraq.

And to those who are getting a little bit disgusted with the fact that we don't seem to be making as much progress as we should here in the Congress of the United States, I would like to encourage them not to give up.

I know that it appears that Petraeus and the President organized a presentation and tried to win over the hearts of Americans by putting a general out there, just as he put Colin Powell out when Colin Powell went up to the U.N. and pointed to the buildings where weapons of mass destruction were being manufactured. Colin Powell has said since that time, it was perhaps the worst thing that he could have done in his career. And of course, people respect generals, and they respect Petraeus because he has a long history of having made sacrifice and having been a good warrior.

But ladies and gentlemen, he's wrong on this one. We don't have to back up. We don't have to shy away from this fight. We don't have to give in and think somehow we're going to be thought of as unpatriotic. Patriotism is to stand up for what is right, what is right for the security of this Nation.

We're at greater risk now than we were before we went in to invade Iraq. As a matter of fact, this President and this war has unsettled the entire Middle East. We know that since we've been there, not only have we created a civil war and all of the sectarian violence, we also know that we have pulled in to this war Iran, and we also know that we are on the verge of pulling in Syria to this war. We also know that this entire Middle East is unsettled because of our occupation.

Despite the fact that the President of the United States said we would be welcomed with open arms, they want us out of Iraq. They want to end the occupation.

Yes, we have some responsibilities there. Yes, we should help to rebuild Iraq, but first, we must bring our soldiers home. We must stop the carnage. We must stop the killings. We must bring our soldiers home.

And I join with BARBARA LEE and LYNN WOOLSEY and members of the Congressional Black Caucus who support the idea that we will vote for funding to bring the troops home safely and securely. We will not vote for funding to continue this war.

We know that the President of the United States has made another request in a supplemental. I will not be voting for any funding to continue the war. And for those of us who really, really believe in what we're saying, for those of us who are committed to the proposition that we can end this war, we will not give him another dime to continue the war.

Mrs. JONES of Ohio. I'd like to thank Congresswoman WATERS for her statement.

For the RECORD, I have a statement from Congresswoman EDDIE BERNICE JOHNSON to be submitted for the RECORD.

Listen to these statistics. Of the percentage of persons serving in the military, 60 percent are white, 23 percent are African American, 10 percent are Hispanic, 3 Asian American Pacific. Of those serving in the Navy, 62 percent are Caucasian, 19 percent are African American. Those serving in the Air Force, 72 percent are Caucasian, 15 percent are African American, in the Marine Corps, 66 percent are Caucasian, 12 are African American.

Let's look at the statistics with regard to deaths as a result of this Iraq war. Of the 3,734 who have been killed in this war, 40 are American Indian or Alaska Native, 69 Asian, 350 African Americans, 405 Hispanic, Hawaiian or Pacific Islander 440.

□ 2045

Totally in 2007, Caucasian, a total of 3,734.

Mr. Speaker, it gives me great pleasure at this point to yield to my colleague and good friend from the great State of Texas, Congresswoman SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank the distinguished chairwoman of the Ethics Committee, but also our leader on the Special Order hour tonight.

What a timely hour that you have allowed us to participate in. I add my appreciation as well to the chairwoman of the Congressional Black Caucus and as well the leaders of the Out of Iraq Caucus and the Progressive Caucus, of which I am a member.

And so I raise the question tonight, where do we go from here? And I have standing in alongside of me the growing numbers of those fallen in battle from the 18th Congressional District and surrounding areas. Those faces represent families. They are husbands, wives, sisters and brothers, mothers and fathers. They have left grandmothers and grandfathers. They have left family and friends. And it is interesting, as I look at a headline in the Houston Chronicle, it says: ''America Has No Exit Strategy But Our President Does.'' And the gist of the article is that the exit strategy for President Bush is his retirement. For it is evident from his remarks last week that this administration has no exit strategy other than to say, I will not have the exiting of our troops. I will not cease the loss of lives until I leave the White House. I will not have the legacy of the book being written to say that I worked with the United States Congress, the American people, listened to their voices, understood that this was a political solution and not a military solution, but I will not sit down and reconcile with my Congress, with the American people, and bring our troops home as heroes. No, I am going to stay to the end and leave this to the next President.

A GI who died had criticized the war in Iraq. Seven soldiers signed a letter. Shortly thereafter, the soldier from Texas, Sergeant Omar Mora, died, one of his other fellow signers of the letter asking why are we here. Criticizing the war in Iraq. Soldiers on the battlefield. It is interesting that what is represented is that there is one mind in Iraq of these soldiers, but these soldiers are patriots who want to ask the question based upon their constitutional rights. Tragically, as the picture will show, this young man lost his life, and a fellow soldier who signed the letter likewise lost his life.

Another headline: ''Texas City Sergeant Dies in Iraq Accident.'' Even in the last 24 hours, we are finding that those contractors, paid-for contractors, American contractors, one of our defense contractors, if you will, wound up killing 10-or-so Iraqis under the allegation that they were attacking a State Department envoy. We want those envoys to be protected, officials traveling around, but what they wind up doing is bringing Black Hawk helicopters. And these are private contractors making $100,000 a year shooting up innocent Iraqis, creating then a greater target of our own military personnel. What is going on in Iraq?

So, Mr. Speaker and Madam Chairwoman, I rise today to suggest that it is time to declare a military success. This is not a question of agreeing with the ''Mission Accomplished'' of the President of the United States. This is to separate the political reconciliation that must be done by the Maliki government and surrounding Mid East states to resolve the conflict between Shias, Sunnis, and Kurds to the work of our soldiers. Our soldiers have done their job.

So H.R. 930, the Military Success Act of 2007, wants to declare a military success. Saddam Hussein is no longer there. We have had an election where we have elected a democratic government. And so all that our military has been asked to do, they have done it.

We have even gone further with the surge and collaborated with Sunnis and created a peaceful area in Anbar, but yet the sheik was assassinated. Why? Because you must have political reconciliation. And while we stand here on

the floor tonight, soldiers are dying. These faces are growing.

Mr. President, do you understand that the American people have spoken? And this is not cut and run, but this is recognizing that we are spending $10 billion a month, which translates into $329,670,330 per day, $13,736,264 per hour, $228,938 per minute, and $3,816 per second.

I believe that we should move to the floor of the House, declare our soldiers victorious in the work they were assigned to do, and bring our troops home.

It is important to note that any false representation that bringing home troops in December is a reflection of the voices of the American people is not true. Having 130,000 troops in 2008, July, does nothing to bring our troops home. It is a reduction of the surge.

And so I am asking that our troops be brought home in a safe and secure manner so that our equipment can be brought out and that the announcement that the troops will begin to redeploy begins.

This is not a situation of fight them there or fight them here. This is not typographing this to the enemy. The enemy is well aware of everything we do. The President knows that General Petraeus said that al Qaeda was not there when Saddam Hussein was there. They were not there when we entered Iraq. They got there in 2005. And, therefore, it is important for the Shias, Sunnis, and Kurds to join together to fight al Qaeda. Everyone knows that Iraq is a place that is a training ground for al Qaeda.

So I think it is important, as I close, to be able to again offer our hand of reconciliation to the President, sit down with the leadership of this Congress. As Speaker PELOSI said, don't let this be a 10-year war. It is already longer than World War II. Save the lives of these valiant soldiers, rebuild our military, and let the political process in Iraq work so that peace and reconciliation can be brought forward.

It is a tragedy, and I offer my greatest sympathy to those who have fallen in battle; those who have been injured, some thousands, 22,000, 25,000, and growing. We must bring our troops home. We must listen to the voices of the American people. These are our heroes. The heroes are still standing in Iraq. Bring them home with yellow ribbons. Bring them home with celebration. It is time to vote and pass H.R. 930, the Military Success Act of 2007. Our soldiers have been successful in duty.

Ms. JACKSON-LEE of Texas. Mr. Speaker, may I also thank my colleagues in the Congressional Black Caucus (CBC) for gathering on the floor tonight to discuss this important topic. This Congress will not, as the previous Republican Congress did, continue to rubber stamp what we believe to be an ill-conceived war. As we continue to receive reports on the situation in Iraq, it is important that we continue to look forward, to the future of Iraq beyond a U.S. military occupation.

Despite the multitude of mistakes perpetrated by President Bush and former Defense Secretary Rumsfeld, our troops have achieved a military success in ousting Saddam Hussein and assisting the Iraqis in administering a democratic election and electing a democratic government. However, only the Iraqi government can secure a lasting peace. Time and time again, the Iraqi government has demonstrated an inability to deliver on the political benchmarks that they themselves agreed were essential to achieving national reconciliation. Continuing to put the lives of our soldiers and our national treasury in the hands of what by most informed accounts, even by members of the Bush Administration, is an ineffective central Iraqi government is irresponsible and contrary to the wishes of the overwhelming majority of the American people.

Our nation has already paid a heavy price in Iraq. Over 3770 American soldiers have died. In addition, more than 27,660 have been wounded in the Iraq war since it began in March 2003. June, July, and August have marked the bloodiest months yet in the conflict, and U.S. casualties in Iraq are 62 percent higher this year than at this time in 2006. This misguided, mismanaged, and misrepresented war has claimed too many lives of our brave servicemen; its depth, breadth, and scope are without precedent in American history. In addition, the U.S. is spending an estimated $10 billion per month in Iraq. This $10 billion a month translates into $329,670,330 per day, $13,736,264 per hour, $228,938 per minute, and $3,816 per second.

Mr. Speaker, we are here today because the Congress has listened to the American people, and demanded accountability, oversight, and competence. We saw fit to demand benchmark reports because the American people lost confidence in the Rubber Stamp Republican Congress and the Bush-Cheney team. The American people want a new strategy for success in Iraq.

The Foreign Affairs Committee, of which I am proud to be a member, has recently heard a string of reports from military and civilian officials about the political, military, social, and economic situation in Iraq. Two weeks ago, the Government Accountability Office (GAO) informed the Congress that the Iraqi government has met only three of the eighteen legislative, economic, and security benchmarks. Despite the surge, despite increasing U.S. military involvement, the Iraqi government has not made substantial progress toward stabilizing their country.

President Bush rationalized his surge, over opposition by myself and other House Democrats, by arguing it would give the Iraqi government ''the breathing space it needs to make progress in other critical areas,'' bringing about reconciliation between warring factions, Sunni and Shia. However, non-partisan assessments, such as last week's GAO report, have illustrated that escalating U.S. military involvement in Iraq is instead hindering that nation's ability to move beyond the devastation of war and death, to build a successful new government, and to create a stable and secure environment. In the seven months since the surge began, increased American military presence has not been able to end the relentless cycles of sectarian violence that continue to plague Iraq. Nor have larger numbers of U.S. troops been successful in unifying and strengthening the Iraqi government.

Instead, the security situation continues to deteriorate. Sectarian violence remains high, and even the Bush Administration has noted the unsatisfactory progress toward political reconciliation. The Sunni-led insurgency continues, with insurgents conducting increasingly complex and well-coordinated attacks. The August 2007 National Intelligence Estimate cited ongoing violence, stating, ''the level of overall violence, including attacks on and casualties among civilians, remain high; Iraq's sectarian groups remain unreconciled.'' The report went on to note that al-Qaeda in Iraq (AQI) ''retains the ability to conduct high-profile attacks,'' and ''Iraqi political leaders remain unable to govern effectively.''

The ever-increasing sectarian violence is causing immense daily challenges for Iraqis. Millions have been displaced, and an Iraqi Red Crescent Organization has reported an increase of nearly 630,000 internally displaced persons from February 2007 to July 2007. The same organization predicts an additional 80,000 to 100,000 persons are displaced each month. The UN High Commissioner for Refugees has estimated that 1.8 million Iraqis are now refugees, with an additional 40,000 to 50,000 fleeing to neighboring countries each month. Iraq has become a humanitarian disaster, and one that continues to get worse every day.

We are not here today to debate whether there has been some decrease in violence in Baghdad. The United States military is a skilled and highly proficient organization, and where there are large numbers of U.S. troops, it is unsurprising that we see fewer incidents of violence. However, it is our responsibility to take a longer-term view. The United States will not and should not permanently prop up the Iraqi government and military. U.S. military involvement in Iraq will come to an end, and, when U.S. forces leave, the responsibility for securing their nation will fall to Iraqis themselves. And so far, we have not seen a demonstrated commitment by the Iraqi government.

In addition, evidence suggests that not only is increased U.S. military presence in Iraq not making that nation more secure, it may also be threatening our national security by damaging our ability to respond to real threats to our own homeland. The recently released video by Osama bin Laden serves to illustrate that President Bush has not caught this international outlaw, nor brought him to justice. Instead, he has diverted us from the real war on terror to the war of his choice in Iraq.

The former chairman and vice chairman of the 9/11 commission, Thomas H. Kean and Lee H. Hamilton, share this view. In a recent op-ed, Kean and Hamilton note that our own actions have contributed to a rise of radicalization and rage in the Muslim world. Kean and Hamilton write that ''no conflict drains more time, attention, blood, treasure, and support from our worldwide counterterrorism efforts than the war in Iraq. It has become a powerful recruiting and training tool for al-Qaeda.''

Mr. Speaker, our troops in Iraq did everything we asked them to do. We sent them overseas to fight an army; they are now caught in the midst of an insurgent civil war and political upheaval. I have, for some time now, advocated for Congressional legislation declaring a military victory in Iraq, and recognizing the success of our military. Our brave

troops have completed the task we set for them; it is time now to bring them home. Our next steps should not be a continuing escalation of military involvement, but instead a diplomatic surge.

This is why I introduced H.R. 930, the ''Military Success in Iraq and Diplomatic Surge for National and Political Reconciliation in Iraq Act of 2007.'' This legislation would make diplomacy and statecraft tools of the first, rather than the last, resort. We must seek constructive engagement with Iraq, its neighbors, and the rest of the international community, as we work to bring resolution to this calamitous conflict that has already gone on far too long.

Democrats in Congress will not continue to rubber stamp the President's ill-conceived war effort. Last November, the American people spoke loudly and clearly, demanding a new direction to U.S. foreign policy, and we here in Congress are committed to seeing that change be brought about. We are working to see the extensive funds currently being spent to sustain the war in Iraq go to important domestic programs and to securing our homeland against real and imminent threats.

President Bush and Vice-President CHENEY have been given numerous chances and ample time by the American people and the Congress to straighten out the mess in Iraq. They have failed. It is pure fantasy to imagine that President Bush's military surge has created the necessary safety and security to meet economic, legislative, and security benchmarks. It is time for a new strategy, a new plan that will encourage Iraqis to take charge of their own destiny, seek constructive and sustained regional engagement, and substitute the ill-advised military surge for a thoughtful diplomatic one. It is time to be realistic and pragmatic, to recognize that our troops achieved what they were initially sent in for and that continued U.S. military engagement is not bringing about the desired results.

Mrs. JONES of Ohio. Thank you, Congresswoman SHEILA JACKSON-LEE of Texas.

Did you know that there are proportionately more African American and proportionately fewer white servicemen in the military than in the comparable civilian workforce? In other words, there are greater numbers of African Americans serving in the military than in the workforce of the United States of America. That presents a problem.

I will go on with other statistics as the hour goes along, but it gives me great pleasure to yield to my colleague and friend from the great State of Georgia, the gentleman, DAVID SCOTT.

Mr. SCOTT of Georgia. Thank you very much. It is indeed a pleasure to be on the floor with you, gentlelady and good friend from Ohio. You are doing a wonderful job in leading this hour.

To the Congressional Black Caucus and the leadership of the Congressional Black Caucus, America must take its collective hats off to the Congressional Black Caucus for from the very beginning it has been the Congressional Black Caucus that has provided the leadership in speaking out on this war in Iraq and in speaking out from a standpoint of what is wrong with it. And I am proud to be on the floor with you this evening.

I thought that I might come at this from the perspective of where I sit in the Congress. I was not here when the actual vote took place 6 years ago to commit our forces to Iraq. I was a part 5 years ago coming into Congress with that first class that came in after 9/11, and it was an extraordinary time. But I think it's very good for us, as we look at this situation in Iraq, to be able to reflect from it. My father always would tell me, Son, the best way for you to get out of a problem is to remember how you got into it in the first place. And it might be good for us to do that.

I happen to serve on the Foreign Affairs Committee. I am the vice chairman of our Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and International Trade. I also am a member of the NATO Parliamentary Assembly, and I am the co-chairman of our Democratic group on National Security. I mentioned those positions that I work with here in the Congress so that you can understand the perspective from which I come to this very important issue of Iraq. And let me just state at the very beginning, as I said, it's good to know how you got into a situation.

There is one profound fact that happened on 9/11. On the very day of 9/11 after a conference in the White House between our Vice President CHENEY, Defense Secretary Rumsfield, and Deputy Defense Secretary Wolfowitz, collectively they said these words: Iraq must pay for this. That's very profound. On the day of the 9/11 attack, the basic architects of this policy said, without one iota of evidence, without one iota of anything, Iraq must pay for this. Not even knowing it was al Qaeda, but automatically.

Now, I mention that simply because, as I said, we have got to know how we got into a situation to know how we get out of it. That's very profound. The reason I mention that is that from the very beginning there has been a line of direct effort by some, the major architects of this most misguided foreign policy, to equate Iraq with the war on terror. A colossal mistake and the history books will reflect that. We then prepared to go in and attack a country that did not attack us.

I am on the Foreign Affairs Committee, and last week I sat with great admiration and I truly believe I have great admiration for General David Petraeus. He's a general, he's a soldier's soldier, and he is doing and has done a remarkable job, as have all of our military. But as I sat there and I watched him, this general, my mind went back to another general at the beginning of this by the name of Colin Powell. Here was the same situation. After 9/11 we sat there and a general was put in front of us to sell us on going to war with Iraq, with information and intelligence that many in the administration knew was not true. The books that are pouring out now by the bushel tell us that everybody, from the CIA to the Defense Department to so many who were saying this, in other words, that the intelligence books were cooked. Not a single person from Iraq came over to us and asked us, Come over to our country and turn us into a democracy.

No, this was a war of choice based upon lies and deceit, and that is why this will go down in history as the biggest foreign policy blunder in the history of these United States. Make no mistake about it.

So the question has to be now, why? Here we are in Iraq on lies and misinformation that are out now by the book loads; so we can't deny it.

□ 2100

And the American people know it. And they are expecting this Congress of the United States to stand up to this White House and say, ''No more.''

Let me tell you something, folks; I've been over there to Iraq, three times I've been over there. I have met with our soldiers, I have eaten with them. But the most important part of my trips over there was not to Camp Victory or to the Green Zone or to Baghdad. Even my meetings with General Casey, General Abizaid, all of them, which I cherish and I have pictures and all of that, and even the meeting I had with one soldier from Georgia who came up to me and hugged me with tears streaming down his eyes, tears streaming down my eyes, and he said to me, Congressman SCOTT, when I'm hugging you, it's like I'm hugging a piece of home. I can't tell you how I felt.

But ladies and gentlemen, let me just tell you the most significant parts of these trips was on the way back. Each stop that I went over to go to Ramstein Air Base, Landstuhl, that's the hospital, that's the medical center. That's where they come, the injured come when they are injured in down country, as they call it, in Afghanistan and Iraq. That's where they are. You want to know about this war, you want to know why this war needs to be ended, that's the story, to look into these 18- and 19- and 20- and 21-year-old kids' eyes, half their heads blown off, arms missing, blind, and they ask the question, why? Why? Why are we here?

I'm telling you, somebody's going to have to answer that question. On the bleached bones of many past great civilizations and nations are written those pathetic words, ''Too late.'' They moved too late to correct a great wrong. I beg and I hope that this Congress has the resolve in it to not move too late now. The whole world is depending on us.

One of the things that President Bush did, and we've got to understand it, what he did in sending General Petraeus up is the same he did in sending Colin Powell up. And history is going to write it, not DAVID SCOTT, not Mrs. TUBBS JONES, not this Congress, history is going to write that this President will go down in history as being a President that highly used and

misused our military. That is one of the greatest shames coming out of this Iraq situation.

And now, here we are in Iraq. I don't think the American people know that over one-half of our entire combat capacity is involved in Iraq. If I'm China, if I'm Russia, if I'm Iran, which they are, they're sitting back fat and happy, anxious to see us continue to run our military in the ground in this fruitless effort in Iraq. Soldiers, many of them on their third and fourth tours of duty. Fifteen months they've extended it to, not even giving an equal amount of time for rest because they know that the military is at the breaking point. No way we can continue this war. It will run our military into the ground.

And now let me just say one word about the President's move here. What this is is the President is saying to us, I'm not going to end this. It's not going to be on my watch. Even out of his own mouth he says we will hand this enduring relationship in Iraq over, as he says it, to my successor. That's what he said, to his successor.

So the American people have nixed that. The President is out of the picture, but we here in Congress are in the picture. It's up to us to not move too late. We must correct the direction we're headed, and the first order of business is to end this war in Iraq.

Mrs. JONES of Ohio. I would like to thank my colleague from Georgia (Mr. SCOTT) for his statement.

GENERAL LEAVE

For the RECORD, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order today.

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

There was no objection.

Mrs. JONES of Ohio. I want to thank my colleague, the newest Member of the Congressional Black Caucus, who has joined us in the House, Congresswoman LAURA RICHARDSON, from the great State of California, who has joined us on the floor this evening, for her support. I also want to thank my staffer, Aaron Wasserman, for his work and research.

Let me close out this Special Order with a few more statistics and a couple of statements. Can you imagine this: The amount of money that we've spent on the Iraq war so far, 270,850,440 children could benefit from receiving health insurance for 1 year. In addition, a Census Bureau news release stated that 8.7 million uninsured children in 2006 could be insured for 31 years with the amount of money that has been used in the Iraq war. The number of 4-year scholarships that could be provided, 21,927,497 scholarships could be provided to the children of the United States nationwide if we used the money from Iraq.

And let's talk about, for a moment, the cost to the people of Iraq. A recent article by the Washington Post has said that Iraq needs 10,000 megawatts of electricity per day, but they're only producing 4,110. In civilian casualties, since April of 2004, the average number of Iraqis killed per day has grown from just over 20 to over 100. The total number of Iraqi casualties is estimated to be between 70,264 and 150,000 people.

I am so pleased and honored to have an opportunity to be on the floor leading this Special Order on behalf of the Congressional Black Caucus. I personally am opposed to any permanent U.S. military bases in Iraq, and no control by the U.S. of Iraqi oil. I am opposed to the surge. The benchmarks not being met are, the GAO says three of 18 were not met, and I am opposed to continued funding for the surge.

There is no military solution to this war, and only political and diplomatic solutions will actually work. We should not arm Iraqi security forces when the United States leaves, and we should not leave behind weapons that can be used to perpetuate violence. We have a moral obligation to help with Iraqi national reconciliation and reconstruction.

I've been a Member of Congress now for 9 years, and I never thought when I ran for Congress that I would have the responsibility or obligation of attending deployments or attending funerals of my constituents, but as a Member of Congress I see it as my obligation. I'm so happy that even though I oppose this war, that I have a chance to go and meet with many of the Army Reservists and National Guards who have been deployed from my congressional district, and go to them with their families and say to them that I pray for their safe return, that when they return from their mission over in Iraq and Afghanistan, that they all come back.

I remember one of the deployments I took a flag that I had flown over the Capitol and gave it to these young men. And I said, I pray that you will bring my flag back. I want you to fly it every day, but when you come back, bring it back, but bring every member of your group back with you. And you know what? They brought me my flag back, and every one of the members of that troop came back home. It was a wonderful thing. But I've witnessed the death of a 19-year-old, Officer Sloan. I've witnessed the death of a 38-year-old. I've witnessed the death of so many young men and women as a result of this particular war.

And I say to the American people who are listening to our Special Order this evening, the Congressional Black Caucus believes and argues to the American people that you need to step up your protests. If you believe that this war is not correct and that our troops need to come home, you need to tell somebody. You just can't sit in your chair and be an armchair quarterback. You can't sit back and not say anything. The people, the Congress, the U.S. House of Representatives and the Senate needs to hear from you. The President needs to hear from you to let him know that we do not support his continued effort over in Iraq.

I am pleased, as I said, to be a part of this Special Order. I am pleased to represent the finest congressional district in the United States of America, the 11th Congressional District of Ohio. And I thank all of my constituents for writing, calling, e-mailing, faxing and saying to me, Congresswoman, it is your job to stand up and oppose this war. And ladies and gentlemen of Cleveland and northeast Ohio, that is what I'm doing.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today on behalf of the people of America who want a new way forward in Iraq and expect Congress to act accordingly.

My constituents in North Texas continue to grieve the loss of their sons and daughters in Iraq and voice their utmost concerns for our troops' safety. They deserve answers from me and from our government regarding the consequence of the monetary and casualty cost of the Iraq war.

Operation Enduring Freedom and Operation Iraqi Freedom have affected the lives of countless Americans. There are over 3,000 troops from the great state of Texas that have been wounded during duty and many thousands more from across the United States.

Despite the struggles our soldiers face both on the field and the home front, they are thankful for the support they have been receiving from their fellow Americans. They share their concerns none of which are for themselves, but of their fellow comrades and families. If given a chance, they are willing to return to the field and fight for this nation. I stand here today, humbled by these men and women.

The current administration has recently submitted data reflecting that violence in Iraq has decreased, but this data has been skewed. The data does not reflect the truth. Violence in Iraq has increased.

It is our responsibility to care for the best interest of our soldiers. It is our responsibility to protect our troops from unnecessary harm. Our men and women in uniform are owed a debt of gratitude for their courageous efforts. A failure to bring about democracy in Iraq rests solely on the shoulders of the President and his Administration.

Mr. Speaker, a great American military cannot be a substitute for a weak Iraqi government. Americans want a new direction in Iraq. The best way to support our troops serving in Iraq is to bring them home.

Mr. CONYERS. Mr. Speaker, tonight members of the Congressional Black Caucus stand with the American people to tell the President once more: it is time to end the war in Iraq. As co-chairs of the Out of Iraq Caucus, two of my fellow CBC members, Representatives MAXINE WATERS and BARBARA LEE, are among the preeminent leaders in Congress in the fight to end this misbegotten war. I want to thank them for their leadership and for their tireless efforts to bring our troops home.

Last week's much-anticipated testimony, report and "new plan" were just more of the same. Once again refusing to heed the facts on the ground and the wishes of the American people, President Bush simply reiterated his

stubborn commitment to continue his failed policy in Iraq.

The ''progress'' reported by the Administration is arguable. But what is not subject to debate is this: there is no such thing as ''winning'' an occupation. We cannot have a military ''victory'' in Iraq. The only way out of this quagmire is a political solution. And after more than four years, there has been no political progress in Iraq. The President seems to believe that another 10 years of occupation, to the tune of trillions of dollars and thousands more American lives, is worth wagering on this disastrous conflict. The American people and the Congressional Black Caucus disagree.

The White House and its emissaries continue to urge the Congress and the American people to view the disastrous conflict in Iraq through rose-colored glasses. But we know better. No independent assessment of the situation in Iraq aligns with the picture presented by the White House. The Government Accountability Office reports that the Iraqi government has failed to meet 15 of the 18 benchmarks for success in Iraq as articulated by the President himself. The Jones Commission concludes that the Iraqi National Police force that we have spent millions of dollars training and equipping is 'dysfunctional,' riddled with sectarianism, corruption and inefficiency, and should be disbanded altogether. The consensus of the nation's intelligence community, in the latest National Intelligence Estimate, is that the 'level of overall violence, including attacks on and casualties among civilians remains high' and 'Iraq's sectarian groups remain unreconciled.'

Furthermore, the Administration's use of statistics to reinforce its claims of success is problematic. According to a report in the Washington Post, U.S. military leaders and the White House are 'cherry-picking' data to bolster their claims that the President's failed war strategy is working. In order to support this claim, military and Administration calculations are based on a system of categorizing and excluding statistics that 'selectively ignored negative trends' and 'puzzled' senior intelligence officials and the nation's chief auditor and head of the Government Accountability Office. For example, people who were killed by a shot to the back of the head are included as 'sectarian' casualties, but those killed by a shot to the front of the head are not counted because they are assumed to be dead from 'criminal' activity, according to an intelligence analyst quoted in the article.

In fact, the death toll in Iraq is rising. The Associated Press reports that while the President's escalation has succeeded in bringing violence in Baghdad down from peak levels, the death toll from sectarian attacks around the country is running nearly double the pace from a year ago. The AP counted 1,809 civilian deaths in August, making it the highest monthly total this year. Though the administration continually cites a reduction in violence in Anbar province as evidence of the surge's success, in fact, the Marines had already established ties to local Sunni leaders long before the 'surge' strategy was even announced. June, July and August 2007 marked the bloodiest summer so far for U.S. troops in Iraq, with 264 soldiers killed.

This grim picture is further reflected in Iraqi public opinion. A BBC/ABC News poll conducted in August concludes that Iraqi opinion is at its gloomiest since the polls began in February 2004. According to this latest poll, between 67 and 70 percent of Iraqis say the escalation has made things worse in the key areas of security, the conditions for political dialogue, reconstruction and economic development. A majority (57 percent) of Iraqis believe that attacks on coalition forces are acceptable, including 93 percent of Sunnis and 50 percent of Shia.

The token drawdown of troops proposed by General Petraeus and endorsed by the President, in which nearly a year would pass before troop strength returns to pre-escalation levels, is neither a political compromise nor a ''new plan.'' In fact, this drawdown has been scheduled to take place since the beginning of the ''surge,'' because to do otherwise would stretch our military beyond the breaking point. So, in effect, the President is offering nothing at all in response to the demand of the American people and the Congress to bring our troops home—except another 10 years of war and occupation.

The President continues to ask our troops to referee a civil war whose outcome depends entirely on the actions of politicians in Baghdad. As General Petraeus himself has pointed out, the conflict in Iraq cannot be solved militarily; only a political settlement by Iraq's leaders can bring this conflict to an end. Yet, despite the fact that Iraqi politicians have made virtually no progress toward this goal in four years, the President insists on a continuing American military involvement, with no end in sight. The American people understand that this policy has failed, and this Congress will continue to fight to bring an end to this disaster and to bring our troops home.

EDUCATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from New Jersey (Mr. GARRETT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARRETT of New Jersey. I appreciate the opportunity to be able to come to the floor this evening to speak on a topic that I, quite honestly, am quite passionate about, and that is the education of our children, of my children, of the children in our communities and the children of all the parents across this great country. It's an issue that I have been involved with for some time, first and foremost as a father with my own children at home, obviously from the very beginning days as educating them as a parent before they went off to school, and then later as they are in school now, both at home and off in college as well. Obviously, as a parent, we are all intimately involved with those issues. But in another sense as well, in a public official capacity. Before coming to Congress, I had the opportunity to work with the issues of education and public education, serving for 12 years, as I did, in the State government and serving on the Education Committee there.

I come to the floor now tonight to talk about an issue, education, and specifically some legislation that will be coming before this House, and eventually the Senate as well, and perhaps to the President's desk, and that is something called NCLB, No Child Left Behind. Now, as I say, there are numerous issues, and we just heard the other side of the aisle talk about the issue of war, which is often making the press and making the media and is talked about on talk radio quite continuously, as it should be. And the issue of education, public education is perhaps down there on some of the polls and down there as far as talk radio and the media as well. And I have noticed that the issue of the reauthorization of NCLB, No Child Left Behind, also has not been out there in the forefront of people's debate. But rest assured, it shall be in the days and weeks ahead, as first the full committee in this House will consider legislation and has already drafted legislation, which I will talk about shortly, as the committee begins to consider that and hopefully have a number of public hearings on that and eventually come before this entire House for discussion.

So I think it's important that we get out in front of it, if you will, to talk about NCLB, and maybe a little bit about the history of where we are on public education in this country, how did we get to the point we are right now; NCLB, and what it has wrought to this country over the last half a dozen years that it has been the law of this land, and what could occur if it does get reauthorized.

And finally, at the end, of course, I would like to talk a little bit about what I see as the solution to the problems of public education and their impact upon NCLB. And I will just give you a tad bit of a look at that right now, and that is, I have dropped in some legislation, H.R. 3177, and what H.R. 3177 is is a bill. I call it the LEARN Act, ''Local Education Authority Returns Now.'' And what that acronym simply means is that we really should take a look at education, see where we came from, and realize that in the earliest days of education in this country the idea was that having the parents involved first and foremost, having the teachers, the local principals involved first and foremost, and then the school board or community boards that run education is really the best way to ensure that our young kids will have the best education in their community, that the standards will be the highest possible and obtainable for all the children in their school, that the teachers will be the best and the brightest, that the methodology that we will use in those schools will be the best, and the school books and the programs and what have you will all be as best that we can in our local communities.

□ 2115

That has been the history of public education. That has been the history of private education, as well, and that is really what is at the heart of my piece of legislation, H.R. 3177, to say, can't we return, or can't we move forward, if

you will, to that, once again, to put the control, to put the decision-making, to put the accountability and to put the promise of better education right at home with the parents, the teachers, the principals and the like. That is what H.R. 3177 really does.

But I get ahead of myself here when I talk about what the solution to the problem is before we even spend a little bit of time about looking at what the problem was. Now, NCLB was signed into law, as I said, just a little less than a half a dozen years ago. It is up for reauthorization right now. When the President signed the law into effect, he hailed it as ''an historic new law that will change the culture of American schools.''

Now, at the heart of this change were mandatory new testing, reporting, and accountability requirements. You see, the theory went that schools would raise their standards and strive to make improvements, and then this eventually you might say trickle down and assist the underperforming students that needed the help the most.

But as we now reconsider the reauthorization of No Child Left Behind, I submit that many of the changes brought about by this law were certainly unintended, maybe not unforeseen if they had merely taken the time to try to consider what some of the consequences would be, but they were truly burdensome and unintended consequences that were brought about by it. You see, instead of giving the local school districts the flexibility that they really need to develop their own curriculum to the very best limits that they can, they are instead hampered by NCLB's testing requirements, and they must basically now tailor their classrooms around this standardization to, what is in a way, a schizophrenic standardization, if you will.

I will explain that. On the one hand, the advocates of NCLB and those who you will hear who advocate its reauthorization will say, well, look, NCLB actually gives flexibility to the classroom and to the States inasmuch as they have the ability to set their standards and they have the ability to set their proficiency. Now, that is the one argument that the proponents of NCLB will make. Flip it around, though, and the same proponents will say, well, wait a minute, at the same time we are doing that, we are going to be requiring accountability at that level and a standardization across the board to an extent on this, as well. Obviously, that is a schizophrenic talking out of both sides of your mouth on a point, because, of course, you can't have both.

To the first point of essentially allowing the States the opportunity to set their own standards, well, there is a nod, if you will, to federalism, which is the appropriate way to handle education, that is, at the local level; but think about what has actually occurred. This is it: if you are going to tell the States that you are able to set your own standards, but then, at the same time, tell the States that we are going to tie your funding to your meeting those standards, or exceeding those standards, what is going to be the result? Well, I can tell you what the result has been, and that is the proverbial race to the bottom.

It makes logical sense. If a State were to set the standards to where the parents would like them, perhaps the community would like them, perhaps the business interests and the community interest and everyone else in the State would like them, at a high level in the State, what is potentially going to occur in that State? Well, potentially, what is going to occur is they are not going to achieve what the law requires, which is 100 percent proficiency.

Think about that last term just for a moment. One hundred percent proficiency is being demanded by the Federal Government. I would like to hear from the Department of Education about any of their programs that are being run 100 percent proficiently. For that matter, I would like to hear from any agency of the Federal Government that their agency is being run 100 percent proficiently. Yet, even though the Federal Government can't achieve it, they are going to say that the States have to achieve that 100 percent proficiency level, because that is the requirement of NCLB.

The result is that those bureaucrats in the State who realize that their dollars are going to be tied to whether or not they meet the bar that they themselves have set, they are going to race to the bottom, lowering the standards.

This is just not a hypothetical that I am suggesting. This has been the actual result. This has been the actual result of State after State as they realized during the course of the implementation of NCLB that they have not been able to meet the proficiency standards that they had previously, and so they have lowered them. I believe I have examples of that. One example, of course, was in Michigan where prior to the law they had various standards within their schools as far as math and reading and what have you. Those standards were fairly high. You and I might agree they are appropriate levels for the schools. But they realized that they were not going to be able to meet those standards on a 100 percent proficiency level. So what did they do? They did really the logical thing for the best interests, I guess, for the people who run the schools, the bureaucrats and what have you in the State, but certainly not necessarily in the best interests of the students. They lowered the standards.

Now, by lowering the standards, suddenly, magically, if you will, they have now met their new lowered standards and they are in compliance with NCLB. There are obviously, not obviously, but there are clearly additional examples of this. I can give you some additional examples.

But I see I have been joined by several of my colleagues here on the floor, and I will turn the floor over now to Ms. FOXX who is quite equally interested, and I would say concerned, and dare I say equally passionate about the issue of education for our children and making sure that the standards are as high as completely possible and that the area of control remains appropriately where it should be, and that is with the parents and the local school community.

Ms. FOXX. Mr. Speaker, I really appreciate Representative GARRETT putting together this Special Order tonight.

While I missed the very beginning of it, I know we often share Special Orders when we are dealing with the Constitution, and I think it a bit ironic that we are here on Constitution Day dealing with this issue which we often talk about in terms of the Constitution and the role of the Constitution and the Federal Government in dealing with education.

Let me say, first of all, you have been here a bit longer than I have and have worked on some of these issues longer than I have, and you have excellent credentials. But I want to say, to sort of establish my credentials a bit, that I come from a background of education serving on the school board of Watauga County for 12 years. I was an administrator at Appalachian State University, I was an instructor, and I was a community college president. My doctorate degree is in curriculum and teaching in higher education, so this is an issue I am very passionate about and have been all of my life.

I understand the importance of education. I understand the importance of an excellent education for helping people break the cycle of poverty and for unleashing talents and skills. I know that No Child Left Behind is not the answer to what we need to be doing in this country in terms of unleashing the tremendous potential that exists with young people in this country.

I want to thank you for introducing H.R. 3177, the Local Education Authority Returns Now, the LEARN Act, which would allow States to opt out of the costly and burdensome No Child Left Behind law and return the control to the locals where it belongs. I am proud to be one of the 33 cosponsors of this bill. Again, let me go back to the fact that we are here on Constitution Day and remind people, which I think we need to do on a fairly regular basis, of what the Constitution says about the role of the Federal Government in education.

Amendment 10 of the Constitution says: ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or the people.'' Now, I read the Constitution fairly regularly, and I find no mention of education being a responsibility of the Federal Government.

I have established my credentials a little bit, and I will establish somewhat

my historical credentials. I was on the school board of Watauga County not too long after the ESEA bill was passed. This was part of Lyndon Johnson's Great Society. There has been a great deal of debate about that bill since then. Of course, most people have lost sight of the fact that No Child Left Behind was, I believe, the eighth reauthorization of that bill. So No Child Left Behind has its origins in the War on Poverty, good intentions, trying to increase spending at the local school level, help children in poverty to do better. But the record of the Elementary and Secondary Education Act has been very spotty at best. And No Child Left Behind has also been very spotty at best.

What we need to do, again, is go back to the basics, in my opinion, where the role of the Federal Government is reduced in education and the role of the local school board, the local teachers, the local parents is increased. We need to make sure that we are not tying the hands of teachers and principals at the local level. That is what we have been doing with No Child Left Behind. We have been trying to mandate from Washington the way to handle education.

I find almost no support for this program in my district. I have had forums with teachers, principals, superintendents, and school board members. Many people complain bitterly about No Child Left Behind and the detrimental effect it has had on their system.

Now, we found out in talking with them that much of what they are concerned about is not really in No Child Left Behind, but it is in other legislation that the Federal Government has imposed. But, again, what we need to do is unleash the potential that is there for teachers to work with children at the local level.

I want to make a few comments, again, about my own experiences with this law and with other iterations of the ESEA Act of 1965 and throw out some things that we know about and have known about for a long time which make this emphasis on Federal funding so frustrating to those of us who pay attention to the research, pay attention to history and know what has been happening. There are thousands, literally thousands, of studies to show that there is absolutely no correlation between how much the government spends on schools and how much students learn.

□ 2130

So the more spending we have guarantees nothing in terms of learning. What we do know is that what makes an effective school and what makes good learning are excellent principals and involved parents, and No Child Left Behind actually mitigates against both of those things because of so much emphasis on testing and so much emphasis again on the cookie-cutter approach.

Let me say also that no research has ever established that the quality of individual schools is a cause of the gap in test scores among groups of students. What is important is the safety of the neighborhood, income, books in the home, whether there are a mother and a father in the home, how much TV the child watches and what is the level of the mother's education.

Education cannot control these factors. We cannot, through our educational systems, make those things different for children. We are going to see gaps in education as long as we see lots of children coming from single-parent homes where the mother doesn't have a good education. We are going to see lots of problems with groups of children when children don't live in safe neighborhoods or when they don't have a lot of books in their homes.

We know that schools and school quality contribute little to the emergence of test score gaps among children. Again, government-run schools simply are not going to be able to bridge the gap between what children need to know and what they are currently learning.

What we need to be doing, again, is to reduce the role of the Federal Government in the education process and help those teachers who are out there on the line every day dealing with a tremendous range of children in their classrooms, trying to teach the tests so they won't be considered failures.

One of the saddest things we have done, I think, with No Child Left Behind is label so many classrooms as failures, so many schools as failures, when people are working very hard doing a lot of good things. We are actually discouraging people from going into teaching and wanting to use their talents and skills on behalf of others.

So, I would say that we need very much to go back to local accountability in education, local control in education, and stop letting the 7 percent of the funding that goes into the public schools from the Federal Government be the tail that wags the dog, because so much more of the money is coming in at the local level. Those people know what their schools need, and we need to let the folks there hold their systems accountable.

Again, I want to compliment you on the LEARN Act and for bringing this up to folks, presenting the facts, so that people are not being misled by the propaganda that is put out about these things.

People would like to control our lives totally from the Federal level, but it is not possible to do. Our framers of the Constitution understood that. They were very wise in it. We need to go back to those principles which gave us fairly good educational systems in the past but are failing us right now in the attempt to control everything from the Federal level.

Mr. GARRETT of New Jersey. Mr. Speaker, I thank the gentlewoman for your commitment to this issue, your commitment to our children and their education now and in the future, and for your past work as far as you set out as far as your experience in the area of education.

I was listening closely to the points you made, and you made a number of good ones. You started off, of course, this being Constitution Day, talking about the Constitution. You are correct. We ignore the Constitution at our peril, and those who would be willing to give greater power over education to the Federal bureaucracy are, in essence, sowing the seeds of freedom's destruction here in this country.

Madison in the Federalist Papers, No. 47, said ''the accumulation of power in a small number of hands,'' in this case by Federal bureaucrats, ''the accumulation of power in a small number of hands is the very definition of tyranny.''

That is really what we are leading to here when we take away the parents' rights to control their child's upbringing and education and we take away the local community's rights of dictating how their schools should be run.

One of your last points, it is interesting that you bring it up, you were citing the fact that there are other factors that go into the performance of children on tests and on schools and the like. I was sitting back in the cloakroom just before coming on here tonight and talking about education. I would commend you to take a look at this article in the Weekly Standard. The headline is ''No Child Left Alone.'' By that, they mean the fact that the Federal Government is coming around, and the little poor child is looking at adults on either side of him.

In the article, it raises an element of the point you have, that we would like to think when we are elected officials that we are in control of the situation; that if there is a problem on the nightly news or the front page of the newspaper, just come to us, whether in State government or in the Federal Government, and we will drop a bill in and that will solve it.

When it comes to education we would like to think all we need to do is spend a little more money, which was the last plan I was going to get to that you raised, spend a little more money, tweak the system here or there, and we are going to increase the output, if you will, of the school, as if we are producing widgets in those schools, that there is no difference than the factory or what have you. But different from the factory, these are human beings. These are little lives that are coming from an environment that the schoolhouse has absolutely no control over.

These are the other factors I think you are alluding to; the fact that this youngster over here might come from the traditional nuclear family of a loving mom and dad, where only one of the parents works outside of the home and the other parent stays inside the home and takes care and is watching over the child all the time and educating, making sure that that child is doing their homework, following up on

activities, going out to museums and the like.

In another family, in another environment, you may have different demographics. You may have a single parent, or no parent whatsoever. You may have a crime-ridden area. You may have no one watching over that child after school. There may be no after-school activities whatsoever. There may be no museums or what have you for that child to go to. On and on the list goes. Those are all factors that the school, and things like NCLB and all that the Federal Government does with regard to education, are not going to be impacting upon directly. Yet we like to think that just by changing an education law, we are going to fix it.

Which brings me to one of your middle points which I think really needs to have the point reemphasized, and that is the spending issue. I brought a couple of charts to illustrate this.

Ms. FOXX. Before you go to that chart, I want to ask you if you would yield to a question.

Mr. GARRETT of New Jersey. Absolutely.

Ms. FOXX. I also had the opportunity to review that article tonight from The Weekly Standard and was very struck, particularly by the review of the book by Mr. LIEBERMAN. I hope that at some point you will call attention to that a little bit. I intended to do that in my comments. But I think it would be excellent if we were able to enter particularly the review of his book into the record, because he makes many of those same points that I was making about the educational structure. I think he has done a very good service. So I would hope that you would be able to do that at some point in the effort here tonight.

Mr. GARRETT of New Jersey. Sure. I appreciate that. Before I get to the gentleman from Georgia, let me just bring back to the point of spending in our schools and where it goes to.

When you are talking about spending in schools, there are two elements to it. There is instructional spending and noninstructional spending. Instructional spending is what you and I would normally think about as far as spending for schools. That is paying for the teachers' salary, that is for paying for the books, the papers and pencils that they may have in the classrooms and that sort of thing. The other is noninstructional. That would include the items such as the building itself, maybe the school bus and bussing the kids into there, and other things outside of the classroom.

The numbers that we have here, and, by the way, you have to give credit for being able to bring this tonight to Dr. Anthony Davies of the Donahue Graduate School of Business at Duquesne University, who collected a lot of this data.

What we see is on these two charts, sort of interesting, the little blue dots and the red dots. The blue dots on the top portion of the chart are eighth graders. The red ones are the fourth graders. The first chart I will look at is instructional. The next chart makes a similar point with noninstructional spending per pupil.

Across the bottom of the chart is how much we are spending on these kids, and it goes from $2,500 up to $7,500. That is the x-axis. The y-axis, you have the NAEP scores. These are basically educational scores, actually started during the Reagan Administration, actually trying to come up with a uniform testing of all schools in the country. These are NAEP scores.

So let's take a look at eighth graders for instructional spending. You would think when you move from left to right, from the $2,500 per child over to $7,500 over on the far right, that you would see an increase of performance by the students.

What do we see? All of the little dots representing the students are in the same band here, from the 520 to 560 band all the way across. The same thing with the fourth graders. You would think intuitively, or at least by the propaganda of the education establishment, that the more money on instructional spending we would spend for the fourth graders on their NAEP scores, on the testing scores, would increase. But what do we see instead? They are all again right in the same bandwidth, meaning that as you spend more dollars, we are not seeing an improvement in test scores.

Let's take a look at the next chart. Very briefly, this confirms what we were talking about with noninstructional, things outside of the classroom. It is slightly different numbers because the dollars you spend on that is sometimes greater. From $3,000 on the left to $6,500 all the way to the right. Again, the blue is the eighth-grader kids and the red are the fourth grade children. Again this is the NAEP scores.

Again, what do we see? There are no increases, as you would intuitively think there should be, at least by the propaganda you would think there should be. For the eighth graders, it stays constant. On the fourth graders, it equally stays constant.

So, both charts make the point of Ms. FOXX that what we do on the Federal level with regard to saying we are going to provide funding for these specific programs or what have you, whether it is through NCLB or otherwise, really doesn't hit the point. The point really is to make sure that the curriculum and the teachers and the school and everything else is the best that they can possibly have, and making sure that the accountability for those are by those people who have the most interest in it, and that, of course, is the parents and the local community.

I am very pleased that I am joined here this evening by a good friend and colleague, the gentleman from Georgia, to speak on these topics as well.

Mr. PRICE.

Mr. PRICE of Georgia. Mr. Speaker, I thank my good friend from New Jersey, Congressman GARRETT, for organizing this hour, and for your leadership on what truly is one of the most important issues, and that is the education of our children. It is a great privilege to be able to join you tonight and to commend you for the work that you have done in this area.

What could truly be more important, Mr. Speaker, other than the education of our children? I don't know that anything could be more important than the education of our children. What it gets to, when you get right down to the rub though, is who is going to make decisions? Who is going to decide where we are going in the area of education?

I was pleased to hear my friend from North Carolina earlier, Congresswoman FOXX, point out that No Child Left Behind is oftentimes thought of as a new endeavor. In fact, it was the reauthorization of the ESEA, or the Elementary and Secondary Education Act that began back in 1965. You have pointed out so well about the issue of the amount of money and the amount of performance or the quality of performance of children. But the No Child Left Behind Act, which was passed originally in 2002, is up for reauthorization.

I represent a district on the north side of Atlanta, the Sixth District of Georgia. I served on the Education Committee in the State legislature, in the State Senate, and also serve on the Education Committee here in the United States Congress. One of the concerns that I have heard about for the last decade or more that I have been involved in public service is from teachers, and their main concern is that they have remarkable constraints placed upon them in trying to get their children to whatever level it is in whatever subject.

When I was running for Congress initially, I used to tell folks that as a physician, one of the reasons that spurred me into public service, to get involved in elective office, was there were all sorts of folks at the local, State and Federal level that were making decisions about what I could do for and with my patients.

When I would share those stories with my local teachers, they would say, well, you haven't seen anything. You wouldn't believe what the State government is doing to encumber what we are trying to do for our children in our classroom. Then after 2002 with No Child Left Behind, they would say, you wouldn't believe the changes that have occurred that have made my job as a teacher more difficult in trying to educate the children that are entrusted to me.

□ 2145

So I think it is important as we look at the reauthorization as we move forward on the Elementary and Secondary Education Act, now known as No Child Left Behind, what has happened over the last 5 years. The original bill provided for increasing money from the

Federal Government, a 26 percent increase in spending and new programs as it relates to No Child Left Behind.

The problem, as you know, is most folks across this Nation know what the Golden Rule is: Do onto others as you would have them do onto you. But in Washington the Golden Rule is different. In Washington the Golden Rule is: He who has the gold makes the rules. Consequently, what we have seen in our education establishment is that money from the Federal Government, that 26 percent increase in spending from the Federal Government, with it comes strings and those strings are rules and regulations that require more of local folks in the area of education.

And now all of that might be wonderful if we were to have seen over the last 5 years, if not the last 40 years, an increase in the level of achievement of children in our local schools.

Mr. GARRETT of New Jersey. Mr. Speaker, if the gentleman would yield on that point, we can break this down into two elements: first, what has happened since NCLB has been passed; and, secondly, over the longer haul. Before you came to the floor, I was giving a little brief history of where we came from on the whole area of education. As you know, this country started with the idea that education was first and foremost with the family, and after that the local schools and normal schools developed and what have you, and then the education bureaucracy developed on the State level, and a progressive education format began to grow with more rules and regulations. Finally, in the last century, and more specifically you cited it in the 1960s, with Lyndon Johnson with his growth of education.

Prior to that time, you really had very little education laws passed on the Federal level. For the first 176 years of this country, there were only 41 laws in total, total laws passed in the Federal Government for education. Since LBJ passed the legislation, Elementary and Secondary Education Act, 40 years ago, 117 more laws have been added to the books just on the Federal level. So since LBJ came in, there was the idea that the Federal Government is going to have a role. As the gentlewoman from North Carolina (Ms. FOXX) said, an unconstitutional role in education, but be that as it may. Since that time, the Federal Government has been doing two things: funding and setting down requirements and regulations.

So you would think that if this is a good Federal program or agency, we would have something to show for it as far as where our dollars go. I have a couple of charts. This first chart here is labeled Federal Education Spending and Reading Scores. Again, as I referenced before, these are NAEP scores and they are green, yellow and red. Green is the top, 17-year-olds, and the yellow is 13-year-olds, and red is the 9-year-olds. The middle one is how much money we are spending on the Federal level.

Watch what happens here. This starts in 1970. Going across here to 2005, Federal spending starts and flattens out and goes down in the 1980s. The Reagan administration, when they thought they were going to turn control over to the States, began to create block grants; but the Congress, even though it was a Republican Congress, had a different idea. Spending immediately went up dramatically. And this administration brags about the fact that they have seen a 40 percent increase in spending at the end of the chart here.

So what happened with that spending? Look at the lines. Perfectly flat. The scores here, these are the NAEP scores on both sides. Perfectly flat. From 1970 to 2005, the 17-years-old NAEP scores flat; 13- and 9-year-olds, the same thing. This is sort of documenting it.

This presents in a different graphic percentage change from baseline over here. The red this time is our Federal spending on education which starts over here in 1980 to 2004. Look at how it just takes off over here. You would think with all of these extra dollars, the scores on the bottom, these are math scores again for those same age groups, what do they do, perfectly flat all of the way across the bottom. No changes whatsoever as the dollars go up.

That makes the point graphically that throwing the money at it from the Federal level has had no result.

Mr. PRICE of Georgia. You can look at that and realize that the hard-earned taxpayer dollars that we are entrusted with to spend responsibly, and it was the collective wisdom of Congress over that period of time, to spend significantly greater money. You have an increase of nearly 90 percent in spending over that period of time on that chart; and, in fact, little to no change in the achievement of the students in both the areas of math and reading.

That is not to say that kids can't improve. But I think it is to say that the amount of money, it is clearly documented, that the amount of money in and of itself as being a predictor of student achievement just doesn't exist. That is study after study after study.

But I want to spend just a few more moments, because when you think back to your school days, you always were a little anxious about getting your report card. You weren't quite certain whether or not that teacher was going to recognize the wonderful work you had done that would boost you into that next level. But I thought it would be helpful to give a report card on No Child Left Behind, the last 5 years of the authorization.

So I searched around to find an objective report card, and I found the Heritage Foundation, which is a wonderful group of independent thinkers, objective thinkers, not necessarily Republican thinkers by any means, but objective thinkers; and they came up with kind of tracking in four or five different areas. I thought it might be helpful to share with my colleagues tonight a couple areas that they graded as it related to No Child Left Behind, or the reauthorization of the ESEA from 2002 to 2007.

One of the things that they looked at was one of the goals that was cited was to constrain this remarkable Federal spending. As we have discussed, of course, spending increased by $23.5 billion over 2001 to 2007, a significant increase, an increase that is well documented on the graphs here. So they gave the constraint of Federal spending an F. That is failing on constraining Federal spending.

What about streamlining bureaucracy and decreasing red tape, one of the things that we always tout as the latest and the greatest for every Federal program; it is going to streamline the bureaucracy and decrease the red tape. Certainly that is one of the areas that teachers that I talk to back home have the greatest objection to, that it has increased their paperwork and increased their red tape.

In fact, another objective organization, the Office of Management and Budget, has determined that the annual paperwork burden on State and local communities has been 7 million hours, a cost of at least $140 million to the local and State communities in the area of education. So streamlining bureaucracy and red tape, what is the grade? It is another F, a failure.

What about maintaining meaningful State testing? It is not that States haven't tried for decades to increase the performance of the children entrusted to them in the public education system. Many of the States have adopted all sorts of testing; and, in fact, what No Child Left Behind has done is either duplicated or usurped the ability of States to maintain their meaningful testing. So Heritage was relatively kind and gave us, the Federal Government, a C as it related to that.

Finally, the area that I hear the most about, restoring State and local control. All of us know that local teachers and local communities and local administrators and certainly parents know best the kinds of activities that will allow one child and another, all children, the opportunity to achieve and reach their greatest potential. And restoring State and local control, what happened with No Child Left Behind, that is another F. So we can all agree that we ought to increase student achievement. We all believe that ought to occur.

I would just implore my colleagues and respectfully request that we look at the history. Look at the charts. Look at the demonstration. Look at the history that has gone on in terms of Federal spending and student achievement.

I would ask my colleagues to look at the history over the last 5 years of what the increase in regulation and requirements from the Federal Government has been to the local communities. Have they increased student

achievement? I think an objective assessment of the situation would say that in fact they have not. I would ask my colleagues to look at whether or not removing State and local control over the issue of education has assisted in increasing student achievement, and I would suggest candidly it has not.

That is why I am so proud to stand with my colleague from New Jersey tonight who has penned the LEARN Act, the bill that would allow States to opt out of this insanity, opt out of this merry-go-round that apparently by evidence tonight demonstrates that the Federal Government and its role in elementary and secondary education has not been necessarily productive in increasing student achievement, and to allow the States and local communities to recognize and appreciate that they know best how to get our young people to a level of accountability.

All of us want them to achieve. I so strongly support my colleague from New Jersey in his efforts to make it so his State and my State and other States across this Nation, if they so desire, can opt out of the Elementary and Secondary Education Act so that those moneys can go back home to be utilized in the most efficient and effective manner to make it so our children can achieve.

Mr. GARRETT of New Jersey. I thank the gentleman from Georgia for the points you make and for joining me on the floor this evening and joining with me and other Members of Congress who are supporters of the LEARN Act, and who in general believe that we must do all we possibly can to help elevate and raise up the standards and the quality of education in this country.

Sometimes the best way to do that is to allow those people closest to it and those people with the most interest in it, and that is the parents and local school and the teachers, to become involved with it.

The gentleman from Georgia raised a couple of interesting points, and I want to go back and highlight some of them. One is what has been the result so far since No Child Left Behind has been on the books. Now my charts over here have shown that ever since President Lyndon Johnson came into office and made it one of his major legacies, and that is what he said it was going to be, the authorization of the Elementary and Secondary Education Act, which has now been on the books for 40 years, we have seen the result in test scores over the last some-40 years of Federal control and involvement in education, and those results are pretty dismal.

If this was something in business or anywhere else and you saw a flat, no increase with additional spending year after year and additional regulation and modification on the Federal level, you would say something is wrong here. Well, there is because the Federal Government has become involved and has taken away some of the accountability and authority that should rest back at home with the local community.

Since No Child Left Behind passed the first time, the first report came out I believe in the beginning of 2006 with regard to No Child Left Behind and the results from that. In essence, the proponents of NCLB jumped and said it is working. We are seeing a slight improvement, and they said that is all because of NCLB. Then you have to sit back and think: NCLB was passed in 2002 with an effective date of 2003. Portions as far as the implementations didn't begin until 2004 and 2005. Here this report was coming out in the beginning of 2006. So you realize at the end of the day that NCLB wasn't having any of those positive impacts. These were things that were just long in the books already, long in the course of things already that the States had already taken upon.

□ 2200

For example, in certain reading areas, almost two or three dozen States had already instituted a reading program that NCLB later on would say this would be the reading program that they would encourage States to employ. Of course those States that are already doing it were ahead of the game and they skewed the numbers upwards.

So the reports that you read in some of the press reports coming back from NCLB, they say NCLB is working. You have to look—at was it NCLB or something the teachers and parents had already instituted by themselves?

Now, I can speak from personal experience on some of these topics because, as I indicated before, I used to be in State government before I came to Washington. I served on an education committee there. One of the things that we did in the great State of New Jersey was to come up with what we called the CCC, that is the ''core curriculum content'' standards.

So we had already in our State realized that we needed to address some deficiencies in public education in the State, and one of the ways you can do that is by coming up with an entire spectrum, if you will, of topics that we want our kids in our schools to learn, and learn at a good level. So that was the core curriculum content standard.

So we were going to say that all public schools would have this in the great State of New Jersey. They ran the gamut. They were not just math and reading, which is what NCLB is about, but other topics as well. History classes and social studies classes, literature and arts and art classes and technical classes as well. And on and on the list went. Foreign languages and the like. They were things that the people of the State of New Jersey said was important for our kids and our State in a way that we wanted them to be educated in it.

After NCLB came into place, our State had to do what a lot of other States had to do as well, and that is turn from what we said, what our parents, what our community said was important for our children, to what Washington was now saying was important. Washington said that math and reading are important, and they are. You will get no debate with me on that. But when you make just two items the premier and the only topics that you are going to be judged on, and if you only make two areas the only area that you are going to be potentially funded or defunded on, what is the natural inclination of administrators and the like? It is to shift local resources away from these other programs like physical education, health, arts, sciences, history, shift your dollars away from those things, things that the local community might feel are very important and shift them over to what now the bureaucrats in Washington say are the only things that are important.

When you think about it, there is another consequence to it as well. When you make that shift, you do a disservice to some of the children in your school or who are perhaps doing well or just getting by at certain levels as you focus exclusively on one area.

Let me give you a classic example of that. We had a school in our district which was an exceptional school. It has been considered that by the State of New Jersey for many years; it has been considered that by the parents of the children who go to that school. It is a school that all the kids do well on their SATs. I think it has like nearly a 100 percent graduation rate, just about an equal percentage of children going from high school on to college. By anyone's classification, almost anyone's classification, an exceptional school.

NCLB comes along, and because of some difficulties in just a very small area with just a very small select group of children in that school, it rated as not performing as NCLB wanted them to perform. That, therefore, made a problem for the administrators in the school, that they would have to now shift their focus and shift their attention and shift their resources from what had been a successful school in the past to address some of these concerns on the Federal level.

So now what do you do? You leave behind the whole idea of NCLB, No Child Left Behind, and now you are leaving behind the vast majority of children in that school

Let me just take a moment then first to finish on a point I raised earlier, the problem of the race to the bottom that NCLB is causing and then what some of the solutions are. I think I mentioned earlier one example, which was Michigan. Michigan, like New Jersey, had prior to NCLB raised its standards because that is what the parents and the community and teachers all said was appropriate and what they wanted for their children in their school.

Then NCLB came along with their new rubric of how things are going to run. What happened? By the beginning of the 2002–2003 school year, Michigan found itself with more failing schools than any other State. Obviously, if you

have the bar of your standards way up here and all the other States are down here in the middle someplace, you are not going to have 100 percent efficiency up here. So they had more failing schools than any other State.

So NCLB in essence was making Michigan look worse than any other State that had set the bar lower. How did Michigan respond to this embarrassment? By lowering the passing rate on its high school English test from 75 percent to 42 percent, which helped reduce its reported number of failing school from 1,500 schools to 216.

So instead of getting the 75 that is usually like a C average in a school, instead of saying you needed a C in order to be passing in English, they say all you need is a 42 percent. When did you ever go to school and say a 42, which would be a D or E or something like that in school, was passing. That is what Michigan did in response to NCLB.

What did other schools do? They lowered their bars as well. One of them did it in a more clever way. They changed what they call the ''confidence intervals.'' That is when you take a poll. They have a confidence factor or margin of error of 3 or 4 percent. If you raise that percentage point all the way up to the point so the confidence factor is very small, then you can say in essence that you are changing the facts by statistics.

That is what a number of schools did. Kentucky did that. By choosing 99.5 percent confidence, they made it a very narrow range as far as what was within the failing range, and, therefore, all of a sudden their grades as far as NCLB was concerned went up. On the list goes.

How about average yearly progress? I will talk about where that came from in a moment. Some of the schools have decided in order to do average yearly progress, they will treat it like balloon mortgages, something that we know about in the press right now. What that means is instead of saying we will do so much each year, we will only do a little tiny bit the first several years and really do a whole lot at the end. Of course you never get to the end.

So some of those are just some of the classic examples of what are some of the problems with NCLB and the race to the bottom, basically saying that we are not doing what everybody wants. Everyone's high standards, whether you want to call it a national standard, world-class standards in the schools, everybody wants what is the best for their child. But when you have a system in place where the Federal Government is going to be sending out the money in relationship to their standards and allowing the flexibility for the States to have it set those standards, you are, as I said at the very beginning, speaking out of both sides of your mouth with regard to this, and you are going to have a failing system. That is what we have with the Federal Government's involvement here

So what is the solution? Well, one of the solutions is simply this: do whatever you will with NCLB, and you will see a host, probably a hundred bills, right now in Congress to try to tweak it here or tweak it there, increase spending even more, as this chart shows, or take away the accountability here. On and on the list goes. You will see all that come down.

I suggest, however, in addition to whatever Congress throws out on the table as far as their solution to the problem, I suggest this as well: allow the States, if they want to, voluntarily, so that means they are not forced to, to opt out of No Child Left Behind. So if your State says thank you very much, Washington, thank you very much, bureaucrats in Washington and the Department of Education, bureaucrats who have never seen my school building, never saw my child, never saw my county or town, or what have you, we do not need your assistance on how to hire our teachers, buy our books, develop our curriculum, teach our kids. We can do it ourselves. We have the competence as parent, teachers, administrators in the community to do it.

We would have the ability then, if that State so desired, to opt out of No Child Left Behind and keep our own money here in our own State and not send it to Washington any more.

That last point is an important one. Right now, if a State wanted to, it could opt out of No Child Left Behind, as I just described it, and say that we don't need your rules and regulations, thank you very much, Washington. But all the money would still go to Washington and that State would never get any money back.

That is obviously inherently unfair to that State. Why should the taxpayers be sending money to Washington and see absolutely zero benefit from it? It makes no sense.

So what the LEARN Act does, 3177 that I spoke to at the very beginning, simply says this: not only would a State, if it so desired, opt out of NCLB and all the vast red tape and rigamarole that comes with it and all the burdens that comes on the teachers and administrators and the burdens that it places on the kids who are no longer going to have high standards to live up to, not only would be able to opt out, but those taxpayers in that State would be able to in essence keep their money in their own pocket and not send it to Washington any more; keep the money in that State, in the taxpayers' pocket where it belongs so they can decide how that dollar should be spent on the public education in their own respective State.

Now, mind you, some, maybe the vast majority of the States would not want to opt out of No Child Left Behind. Maybe you all live in one of those States that feels that you need Washington and the bureaucrats down in Washington to assist or to tell you how your local schools should be run. Maybe there are States, maybe there are Congress people who represent districts and those districts feel that they are just not able to decide how to run their schools, they are not able to decide what a quality teacher is, they are not able to decide what a violent school is.

Maybe there is some school districts or some congressional district that just can't make a determination of how to set up a curriculum or set testing standards or set levels of accountability. For those congressional districts, they would be able to stay in the system and not opt out. That is the inherent benefit of a voluntary system.

Again, I appreciate my colleagues from the various States who have already signed onto this and my colleagues who joined me on the floor this evening for discussion of NCLB and its reauthorization.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CONYERS (at the request of Mr. HOYER) for today on account of personal business.

Mr. ENGEL (at the request of Mr. HOYER) for today on account of official business.

Ms. HOOLEY (at the request of Mr. HOYER) for today.

Mr. LYNCH (at the request of Mr. HOYER) for today.

Ms. MCCOLLUM of Minnesota (at the request of Mr. HOYER) for today.

Mr. WYNN (at the request of Mr. HOYER) for today.

Mr. YARMUTH (at the request of Mr. HOYER) for today.

Mr. BISHOP of Georgia (at the request of Mr. HOYER) for today on account of official business in the district.

Mr. GERLACH (at the request of Mr. BOEHNER) for today on account of personal reasons.

Mr. KNOLLENBERG (at the request of Mr. BOEHNER) for today on account of personal reasons.

Mr. POE (at the request of Mr. BOEHNER) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. SOLIS) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. HARE, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

(The following Members (at the request of Mr. CONAWAY) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, September 18, 19, 20, 21, and 24.

Mr. JONES of North Carolina, for 5 minutes, September 18, 19, 20, 21, and 24.

Mr. CONAWAY, for 5 minutes, today.

Mr. DAVIS of Kentucky, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today and September 18, 19, and 20.

Mr. FRANKS of Arizona, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. CLEAVER and to include extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $1,924.

ADJOURNMENT

Mr. GARRETT of New Jersey. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 11 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, September 18, 2007, at 9 a.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3285. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Carriage Vessel Overhaul, Repair, and Maintenance [DFARS Case 2007-D001] (RIN: 0750-AF75) received September 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3286. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Labor Reimbursement on DoD Non-Commercial Time-and-Materials and Labor-Hour Contracts [DFARS Case 2006-D030] (RIN: 0750-AF44) received September 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3287. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Berry Amendment Restrictions — Clothing Materials and Components Covered [DFARS Case 2006-D031] (RIN: 0750-AF54) received August 14, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3288. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Food Additives Permitted for Direct Addition to Food for Human Consumption; Glycerol Ester of Tall Oil Rosin [Docket No. 2006F-0225] received September 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3289. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Food Labeling: Safe Handling Statements: Labeling of Shell Eggs [Docket No. 2004N-0382] (RIN: 0910-ZA23) received September 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3290. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Updated Statements of Legal Authority for the Export Administration Regulations [Docket No. 070809455-7478-01] (RIN: 0694-AE12) received September 6, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

3291. A letter from the Chief Counsel, Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule — Cuban Assests Control Regulations, Burmese Sanctions Regulations, Sudanese Sanctions Regulations, and Iranian Transactions Regulations — received August 24, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

3292. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3293. A letter from the Secretary, Department of State, transmitting the Department's joint Strategic Plan along with the U.S. Agency for International Development for FY 2007 to FY 2012; to the Committee on Oversight and Government Reform.

3294. A letter from the Assistant Secretary, Federal Maritime Commission, transmitting a report on the Annual Inventory of Commercial and Inherently Governmental Activities for 2007, in accordance with Section 2 of the Federal Activities Inventory Reform Act of 1998; to the Committee on Oversight and Government Reform.

3295. A letter from the General Counsel, Office of Management and Budget, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3296. A letter from the General Counsel, Office of Management and Budget, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3297. A letter from the General Counsel, Office of Management and Budget, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

3298. A letter from the Under Secretary and Director, Department of Commerce, transmitting the Department's final rule — Changes to Practice for Continued Examination Filings, Patent Applications Containing Patentably Indistinct Claims, and Examination of Claims in Patent Applications [Docket Nos.: PTO-P-2005-0022; PTO-P-2005-0023] (RIN: 0651-AB93; 0651-AB94) received August 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3299. A letter from the Under Secretary and Director, Department of Commerce, transmitting the Department's final rule — Revision of Patent Fees for Fiscal Year 2007 [Docket No. PTO-C-2006-0015] (RIN: 0651-AB81) received August 14, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3300. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Federal Emergency Management Agency (FEMA) Touhy Regulations [Docket ID FEMA-2007-0006] (RIN: 1660-AA54) received August 17, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3301. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 601.105: Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability (Also: Part 1, Sections 704(c); 1.704-3(e)(3).) (Rev. Proc. 2007-59) received September 7, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3302. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 601.602: Tax forms and instructions. (Also: Part 1, 179) (Rev. Proc. 2007-60) received September 7, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3303. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 6332. — Summer of Property Subject to Levy (Rev. Rul. 2006-42) received September 7, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); 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:

Mr. FRANK: Committee on Financial Services. Supplemental report on H.R. 1852. A bill to modernize and update the National Housing Act and enable the Federal Housing Administration to use risk-based pricing to more effectively reach underserved borrowers, and for other purposes (Rept. 110–217 Pt. 2). Ordered to be printed.

Mr. GORDON: Committee on Science and Technology. H.R. 2698. A bill to authorize appropriations for the civil aviation research and development projects and activities of the Federal Aviation Administration, and for other purposes; with an amendment (Rept. 110–329). Referred to the Committee of the Whole House on the State of the Union.

Ms. MATSUI: Committee on Rules. House Resolution 650. Resolution providing for consideration of the bill (H.R. 1852) to modernize and update the National Housing Act and enable the Federal Housing Administration to use risk-based pricing to more effectively reach underserved borrowers, and for other purposes (Rept. 110–330). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 2881. A bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; with an amendment (Rept. 110–331). Referred to the Committee of the Whole House on the State of the Union. Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. RANGEL:

H.R. 3539. A bill to amend the Internal Revenue Code of 1986 to extend financing for the

Airport and Airway Trust Fund, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL:

H.R. 3540. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOYLE (for himself, Mr. PICKERING, and Mr. BOUCHER):

H.R. 3541. A bill to amend the ''Do-not-call'' Implementation Act to eliminate the automatic removal of telephone numbers registered on the Federal ''do-not-call'' registry; to the Committee on Energy and Commerce.

By Ms. HOOLEY:

H.R. 3542. A bill to declare water hoses containing lead to be banned hazardous substances; to the Committee on Energy and Commerce.

By Mrs. MALONEY of New York (for herself, Mr. NADLER, Mr. FOSSELLA, Mr. ACKERMAN, Mr. ARCURI, Mr. BISHOP of New York, Mrs. CAPPS, Ms. CLARKE, Mr. CROWLEY, Mr. ENGEL, Mr. FERGUSON, Mr. FORTUÑO, Mr. GARRETT of New Jersey, Mrs. GILLIBRAND, Mr. HALL of New York, Mr. HARE, Mr. HIGGINS, Mr. HINCHEY, Mr. HOLDEN, Mr. HOLT, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Mr. KING of New York, Mr. KUHL of New York, Mr. LEWIS of Georgia, Mrs. LOWEY, Mr. LYNCH, Mrs. MCCARTHY of New York, Mr. MCHUGH, Mr. MCNULTY, Mr. MEEKS of New York, Mr. GEORGE MILLER of California, Mr. PASCRELL, Mr. RANGEL, Mr. REYNOLDS, Mr. RUPPERSBERGER, Mr. RUSH, Ms. LINDA T. SÁNCHEZ of California, Mr. SERRANO, Mr. SHAYS, Ms. SHEA-PORTER, Ms. SLAUGHTER, Mr. SMITH of New Jersey, Mr. TOWNS, Ms. VELÁZQUEZ, Mr. WALSH of New York, Mr. WEINER, Ms. WOOLSEY, and Mr. WYNN):

H.R. 3543. A bill to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SPACE (for himself, Ms. DEGETTE, Mr. GENE GREEN of Texas, Mr. CASTLE, Mr. COHEN, and Mr. HONDA):

H.R. 3544. A bill to catalyze change in the care and treatment of diabetes in the United States; to the Committee on Energy and Commerce.

By Mr. POMEROY (for himself and Mr. KUHL of New York):

H.R. 3545. A bill to amend the small rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary Education Act of 1965; to the Committee on Education and Labor.

By Mr. JOHNSON of Georgia (for himself, Mr. HOLDEN, Ms. HIRONO, Mrs. BOYDA of Kansas, Mr. MATHESON, Mr. FATTAH, Mr. SCOTT of Georgia, Ms. JACKSON-LEE of Texas, Mr. FARR, Mr. MAHONEY of Florida, Mr. LARSEN of Washington, Mr. WU, Mr. LINCOLN DAVIS of Tennessee, Mr. MCGOVERN, Mr. ELLISON, Mr. COHEN, Ms. LINDA T. SÁNCHEZ of California, Mr. CUMMINGS, Ms. SHEA-PORTER, Mr. ETHERIDGE, Mr. PAYNE, Mr. RAHALL, Ms. ZOE LOFGREN of California, Mr. BAIRD, Mr. ELLSWORTH, Mr. SHULER, Mr. DONNELLY, Mr. LAMPSON, Ms. SUTTON, Ms. WOOLSEY, and Mr. DAVIS of Illinois):

H.R. 3546. A bill to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012; to the Committee on the Judiciary.

By Mr. SCHIFF (for himself, Mrs. BONO, Mr. MCNERNEY, Mr. LAMPSON, Mr. ARCURI, Mr. CHANDLER, and Mr. CUMMINGS):

H.R. 3547. 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 protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for 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 Education and Labor, 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. BRALEY of Iowa (for himself, Mr. AKIN, Mr. BURTON of Indiana, Mr. MCGOVERN, and Mrs. BOYDA of Kansas):

H.R. 3548. A bill to enhance citizen access to Government information and services by establishing plain language as the standard style for Government documents issued to the public, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BURTON of Indiana:

H.R. 3549. A bill to withdraw Federal funds from States and political subdivisions of States that interfere with enforcement of Federal immigration law; to the Committee on the Judiciary, and in addition to the Committee on 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. CONAWAY (for himself, Mr. GARRETT of New Jersey, Mr. AKIN, Mr. ENGLISH of Pennsylvania, Mr. BISHOP of Utah, Mr. BOOZMAN, and Mr. PEARCE):

H.R. 3550. A bill to require every Senator and Representative in, and Delegate and Resident Commissioner to, the Congress to obtain copies of the Constitution of the United States of America and distribute them to their staff and require that they all read such document; to the Committee on House Administration.

By Mr. DAVIS of Illinois:

H.R. 3551. A bill to reauthorize the Merit Systems Protection Board and the Office of Special Counsel, to modify the procedures of the Merit Systems Protection Board and the Office of Special Counsel, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. FOSSELLA:

H.R. 3552. A bill to amend the Immigration and Nationality Act to include within the definition of ''refugee'' spouses of persons who have been forced to abort a pregnancy or undergo involuntary sterilization; to the Committee on the Judiciary.

By Ms. HERSETH SANDLIN (for herself and Mr. BOOZMAN):

H.R. 3553. A bill to amend title 38, United States Code, to extend and improve certain authorities of the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KING of Iowa (for himself, Mr. BRADY of Texas, Mr. GOODE, Ms. FOXX, Mrs. MYRICK, Mr. FRANKS of Arizona, Mr. SALAZAR, Mr. CARTER, Mr. BILBRAY, Mr. WALBERG, Mr. PRICE of Georgia, Mr. AKIN, Mr. DOOLITTLE, Mr. SHADEGG, Mr. FEENEY, Mr. BURTON of Indiana, Mr. GINGREY, Mr. KINGSTON, and Mr. NEUGEBAUER):

H.R. 3554. A bill to amend the Internal Revenue Code of 1986 to clarify that wages paid to unauthorized aliens may not be deducted from gross income, and for other purposes; to the Committee on Ways and Means.

By Mr. PALLONE (for himself, Ms. SOLIS, and Mrs. CAPPS):

H.R. 3555. A bill to prohibit the implementation of policies to prohibit States from providing quality health coverage to children in need under the State Children's Health Insurance Program (SCHIP); to the Committee on Energy and Commerce.

By Mr. RODRIGUEZ:

H.R. 3556. A bill to amend the Family and Medical Leave Act to provide an additional 12 weeks of leave for a family member to care for a member of the Armed Forces who is seriously injured in combat; to the Committee on Education and Labor, and in addition to the Committees on Oversight and Government Reform, and House Administration, 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. WEXLER:

H.R. 3557. A bill to amend the Internal Revenue Code of 1986 to provide for the establishment of, and the deduction of contributions to, homeownership plans; to the Committee on Ways and Means.

By Mr. DAVIS of Illinois (for himself, Mr. SHIMKUS, and Mrs. CHRISTENSEN):

H. Con. Res. 210. Concurrent resolution supporting the goals and ideals of Sickle Cell Disease Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. PAYNE:

H. Con. Res. 211. Concurrent resolution supporting the goals and ideals of World Diabetes Day; to the Committee on Oversight and Government Reform.

By Mr. RANGEL:

H. Con. Res. 212. Concurrent resolution expressing the sense of Congress that Romare Howard Bearden should be recognized as one of the preeminent artists of the 20th century for his artistic genius and visual creativity in the depiction of the complexity and richness of African American life in the United States; to the Committee on Oversight and Government Reform.

By Mr. ENGEL (for himself and Mr. BURTON of Indiana):

H. Res. 651. A resolution recognizing the warm friendship and expanding strategic relationship between the United States and Brazil, commending Brazil on successfully reducing its dependence on oil by finding alternative ways to satisfy its energy needs, and recognizing the importance of the March 9, 2007, United States-Brazil Memorandum of Understanding (MOU) on biofuels cooperation; to the Committee on Foreign Affairs.

By Ms. MATSUI (for herself, Mr. SHAYS, Mrs. MALONEY of New York, Mr. ARCURI, Mrs. CAPPS, Mr. COHEN, Mr. DOGGETT, Ms. JACKSON-LEE of Texas, Ms. ZOE LOFGREN of California, Mr. POE, Ms. SUTTON, Mr. THOMPSON of California, Mr. TOWNS,

Mr. KENNEDY, Mrs. BOYDA of Kansas, Ms. WATSON, Mr. NEAL of Massachusetts, Mr. FILNER, Mr. CARTER, Mr. BERRY, Ms. SLAUGHTER, Mr. CARDOZA, and Mr. MCGOVERN):

H. Res. 652. A resolution expressing the sense of Congress regarding the importance of protecting American cruise ship passengers against crimes on the high seas and ensuring that the perpetrators of such crimes are brought to justice; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCDERMOTT (for himself and Mr. WILSON of South Carolina):

H. Res. 653. A resolution expressing the sense of the House of Representatives that the concept of nonviolence and the teachings of Gandhi remain relevant and instructive in today's world and the United States should take an active role in disseminating the message of nonviolence through education and public awareness; to the Committee on Oversight and Government Reform.

By Mr. PASTOR:

H. Res. 654. A resolution congratulating the Phoenix Mercury for winning the 2007 Women's National Basketball Association (WNBA) Championship; to the Committee on Oversight and Government Reform.

By Mr. RANGEL:

H. Res. 655. A resolution honoring the life and accomplishments of Katherine Dunham; to the Committee on Education and Labor.

By Mr. WALSH of New York:

H. Res. 656. A resolution expressing the sense of the House of Representatives that the Secretary of Veterans Affairs, the Secretary of Defense, and the Congress should take immediate action to implement the recommendations of the President's Commission on Care for America's Returning Wounded Warriors, and other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALZ of Minnesota (for himself, Mr. KIND, Ms. MCCOLLUM of Minnesota, Mr. ELLISON, Mr. PETERSON of Minnesota, Mr. OBERSTAR, Mrs. BACHMANN, Mr. RAMSTAD, Mr. KLINE of Minnesota, Mr. BRALEY of Iowa, Mr. LOEBSACK, Mr. BOSWELL, Mr. LATHAM, Mr. WELLER, Mr. DAVIS of Illinois, Mr. HASTERT, Mr. HARE, Mr. JORDAN, Ms. BALDWIN, Ms. MOORE of Wisconsin, Mr. SENSENBRENNER, Mr. PETRI, Mr. KAGEN, Mr. ROSKAM, and Mr. LAHOOD):

H. Res. 657. A resolution expressing heartfelt sympathy for the victims of the devastating thunderstorms that caused severe flooding during August 2007 in the States of Illinois, Iowa, Minnesota, Ohio, and Wisconsin, and for other purposes; to the Committee on Transportation and Infrastructure.

MEMORIALS

Under clause 3 of rule XII,

196. The SPEAKER presented a memorial of the Legislature of the State of Nebraska, relative to Legislative Resolution No. 37 supporting an immediate review of the current federal ISTEA restrictions imposed on Nebraska; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Ms. FALLIN.
H.R. 74: Mr. STARK.
H.R. 98: Mr. GALLEGLY.
H.R. 138: Mr. KINGSTON, Mrs. BLACKBURN, and Mr. MILLER of Florida.
H.R. 139: Mr. REICHERT.
H.R. 171: Mr. OBERSTAR.
H.R. 223: Mr. MCCOTTER and Mr. PITTS.
H.R. 284: Mr. LATHAM.
H.R. 368: Mr. WEINER and Mr. BISHOP of New York.
H.R. 369: Mr. LEVIN.
H.R. 462: Mr. PETERSON of Minnesota and Mr. WALBERG.
H.R. 468: Mr. GONZALEZ.
H.R. 542: Mr. BERMAN.
H.R. 583: Mr. ALLEN.
H.R. 676: Mr. BACA.
H.R. 690: Mr. JOHNSON of Georgia.
H.R. 743: Mr. KNOLLENBERG, Mr. WELLER, Mr. MICHAUD, Mr. WHITFIELD, Mr. SIMPSON, Mr. REICHERT, and Mr. REYNOLDS.
H.R. 760: Ms. LEE, Mr. CROWLEY, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 768: Mr. SAM JOHNSON of Texas and Mr. JINDAL.
H.R. 819: Mr. GONZALEZ and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 840: Mr. WEINER.
H.R. 891: Mr. ABERCROMBIE.
H.R. 897: Ms. SUTTON, Mr. FILNER, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 962: Mr. WEXLER, Mrs. MALONEY of New York, and Ms. MOORE of Wisconsin.
H.R. 1029: Mr. GORDON, Mr. TIERNEY, Mr. MICHAUD, Mr. COOPER, Mr. WALZ of Minnesota, Mr. WELCH of Vermont, Mr. YOUNG of Alaska, and Mr. POE.
H.R. 1043: Mr. COURTNEY.
H.R. 1046: Mr. MORAN of Virginia.
H.R. 1076: Mr. DAVID DAVIS of Tennessee and Mr. CUMMINGS.
H.R. 1091: Mr. BROWN of South Carolina.
H.R. 1110: Mr. ISRAEL.
H.R. 1125: Mr. MARCHANT, Mr. CANTOR, Mr. ENGEL, Mr. TIAHRT, Mr. REGULA, Mr. UDALL of Colorado, Ms. LEE, Mr. PALLONE, Ms. GIFFORDS, and Mr. CLAY.
H.R. 1142: Mr. COURTNEY.
H.R. 1154: Mr. FILNER, Mr. CARNAHAN, and Mr. LEVIN.
H.R. 1228: Mr. ROSS.
H.R. 1236: Mr. KUCINICH, Mr. LYNCH, Mr. SERRANO, Mr. SPRATT, Mrs. MCMORRIS RODGERS, Mr. LOBIONDO, and Mr. CROWLEY.
H.R. 1275: Mr. GONZALEZ.
H.R. 1279: Mr. PATRICK MURPHY of Pennsylvania, Mr. CARNAHAN, Mr. ROSS, Mr. ELLISON, Mr. WALZ of Minnesota, Mr. MEEKS of New York, Mr. EDWARDS, Mr. SESSIONS and Mr. TOWNS.
H.R. 1280: Ms. HERSETH SANDLIN, Mr. ABERCROMBIE, and Mr. KIRK.
H.R. 1293: Mr. KAGEN.
H.R. 1303: Mr. KLEIN of Florida.
H.R. 1306: Ms. CORRINE BROWN of Florida and Mr. MAHONEY of Florida.
H.R. 1357: Mr. HOEKSTRA, Mr. ISRAEL, Mr. SALI, Mr. HAYES, Mr. HASTERT, Mr. COHEN, and Mr. MEEK of Florida.
H.R. 1376: Mrs. NAPOLITANO.
H.R. 1386: Mr. COHEN, Mr. POMEROY, and Ms. SOLIS.
H.R. 1471: Mrs. DRAKE.
H.R. 1481: Mr. ELLISON.
H.R. 1497: Mr. BAIRD and Mr. BACA.
H.R. 1498: Ms. SUTTON.
H.R. 1514: Mr. AL GREEN of Texas and Mr. MCGOVERN.
H.R. 1518: Mr. SPACE.
H.R. 1537: Ms. JACKSON-LEE of Texas.
H.R. 1567: Mr. GONZALEZ.
H.R. 1576: Mr. CARNEY and Mr. HALL of New York.
H.R. 1647: Mr. HARE.
H.R. 1655: Mr. HONDA.
H.R. 1657: Ms. BORDALLO.
H.R. 1665: Mrs. NAPOLITANO and Mr. SMITH of Washington.
H.R. 1687: Ms. ROYBAL-ALLARD.
H.R. 1713: Mr. WU.
H.R. 1738: Mr. FILNER, Mr. HONDA, Mr. WAMP, and Ms. SOLIS.
H.R. 1746: Mr. FALEOMAVAEGA, Mr. ROHRABACHER, Mr. WEINER, Mrs. LOWEY, Ms. BERKLEY, and Ms. SCHAKOWSKY.
H.R. 1756: Mr. BURTON of Indiana, and Mr. CULBERSON.
H.R. 1772: Ms. SUTTON and Mr. WU.
H.R. 1820: Mr. WAXMAN.
H.R. 1843: Mr. TOM DAVIS of Virginia, Mr. ROTHMAN, Mr. MICHAUD, and Mr. LARSEN of Washington.
H.R. 1881: Mr. HONDA and Mr. FARR.
H.R. 1942: Mr. FOSSELLA.
H.R. 1968: Ms. SLAUGHTER.
H.R. 2014: Mr. SESSIONS.
H.R. 2061: Ms. DELAURO.
H.R. 2064: Mr. FARR, Ms. LINDA T. SÁNCHEZ of California, Mr. FILNER, and Ms. NORTON.
H.R. 2074: Mr. MARKEY and Mr. BRADY of Pennsylvania.
H.R. 2169: Mr. PRICE of North Carolina.
H.R. 2188: Ms. GIFFORDS and Mr. WALZ of Minnesota.
H.R. 2198: Ms. BORDALLO.
H.R. 2234: Mr. ISRAEL and Mr. SAXTON.
H.R. 2265: Mr. FARR.
H.R. 2287: Ms. CARSON.
H.R. 2303: Mr. KELLER.
H.R. 2329: Mr. FRANK of Massachusetts, Mr. ALLEN and Mrs. MCMORRIS RODGERS.
H.R. 2332: Mr. FALEOMAVAEGA, Mr. WEXLER, Mr. SALI, Mr. HAYES, Mr. HASTERT, Mr. COHEN, and Mr. SESTAK.
H.R. 2343: Mr. ALLEN and Ms. SCHAKOWSKY.
H.R. 2405: Mr. ISRAEL.
H.R. 2443: Mr. SCOTT of Georgia.
H.R. 2452: Mr. BAIRD.
H.R. 2464: Mr. HILL, Mr. HASTINGS of Florida, and Mr. MELANCON.
H.R. 2470: Ms. CARSON.
H.R. 2477: Ms. KILPATRICK and Mr. DAVIS of Illinois.
H.R. 2478: Ms. WOOLSEY.
H.R. 2537: Mr. FILNER, Ms. ESHOO, Mr. SMITH of Washington, Mr. BERMAN, Mr. WEINER, Mrs. MALONEY of New York, and Mr. DELAHUNT.
H.R. 2567: Mr. GONZALEZ.
H.R. 2583: Mr. GONZALEZ.
H.R. 2596: Mr. CARNAHAN.
H.R. 2604: Mr. STARK.
H.R. 2606: Mr. LEWIS of Georgia, Ms. DEGETTE, Mr. EMANUEL, and Mr. ABERCROMBIE.
H.R. 2610: Mr. MACK.
H.R. 2702: Ms. ZOE LOFGREN of California, Mr. JOHNSON of Georgia, Mr. PETERSON of Minnesota, Ms. MOORE of Wisconsin, Mr. MICHAUD, Mrs. TAUSCHER, Mr. BUTTERFIELD, Ms. GINNY BROWN-WAITE of Florida, Mr. RAHALL, Mr. BUCHANAN, Mr. MOLLOHAN, Mr. LOBIONDO, and Mr. YOUNG of Alaska.
H.R. 2744: Mr. EMANUEL, Mr. BERMAN, Mr. HONDA, Mr. SPACE, Mr. WALZ of Minnesota, Mr. STARK, Mr. CARNAHAN, Mrs. DAVIS of California, Ms. MATSUI, and Mr. FARR.
H.R. 2746: Ms. SCHAKOWSKY.
H.R. 2757: Mr. GENE GREEN of Texas.
H.R. 2762: Ms. SCHAKOWSKY, Mr. TERRY, Mr. WOLF, Mr. FERGUSON, and Mr. WELCH of Vermont.
H.R. 2779: Mr. SMITH of Washington, Mr. HILL, Mr. BRADY of Pennsylvania, Mr. LAMPSON, Mr. MCINTYRE, Mrs. BOYDA of Kansas, Mr. WYNN, Mr. MOORE of Kansas, Mr. ELLSWORTH, Ms. BEAN, and Ms. HERSETH SANDLIN.
H.R. 2802: Ms. LINDA T. SÁNCHEZ of California.
H.R. 2821: Mr. PETERSON of Minnesota.

H.R. 2827: Mr. BARROW.
H.R. 2833: Ms. CLARKE and Mrs. CAPPS.
H.R. 2842: Ms. CARSON and Mr. CARNAHAN.
H.R. 2896: Mr. SHAYS.
H.R. 2915: Mr. BARROW.
H.R. 2922: Mr. SHAYS.
H.R. 2925: Mr. HASTINGS of Florida.
H.R. 2926: Mr. DICKS and Ms. JACKSON-LEE of Texas.
H.R. 2930: Ms. WATERS.
H.R. 2933: Mr. WICKER.
H.R. 2976: Ms. BERKLEY, Mr. BRADY of Pennsylvania, Mr. BURTON of Indiana, Mr. CROWLEY, Mr. FERGUSON, Mr. GERLACH, Mrs. MYRICK, Mr. NADLER, and Mr. WEXLER.
H.R. 3014: Mr. FALEOMAVAEGA, Ms. HIRONO, Mr. WEINER, and Mr. STARK.
H.R. 3026: Mr. SHULER, Mr. MAHONEY of Florida, Mr. PUTNAM, and Mr. FILNER.
H.R. 3033: Mrs. MCCARTHY of New York.
H.R. 3046: Ms. FOXX and Mr. REYES.
H.R. 3059: Mr. ADERHOLT.
H.R. 3099: Mr. GONZALEZ and Mr. ELLISON.
H.R. 3114: Mr. PATRICK MURPHY of Pennsylvania.
H.R. 3140: Mr. CUELLAR, Mr. REYES, Mr. AL GREEN of Texas, Mr. SNYDER, Mr. GONZALEZ, and Mr. BARROW.
H.R. 3147: Ms. GRANGER.
H.R. 3158: Mr. CARNAHAN.
H.R. 3187: Mr. BOSWELL and Mr. CARNAHAN.
H.R. 3189: Mr. AL GREEN of Texas and Mrs. MALONEY of New York.
H.R. 3195: Mr. ELLISON, Mr. HILL, Mr. CROWLEY, Mr. HALL of Texas, Mrs. DAVIS of California, Mr. ARCURI, Mrs. CAPPS, Mr. SCHIFF, and Mr. WILSON of Ohio.
H.R. 3204: Ms. SCHAKOWSKY.
H.R. 3213: Mr. REHBERG.
H.R. 3219: Mrs. DAVIS of California, Mrs. MCCARTHY of New York, Mr. CROWLEY, Ms. MOORE of Wisconsin, and Mr. DELAHUNT.
H.R. 3257: Mr. SARBANES and Mr. MCINTYRE.
H.R. 3260: Mr. STARK and Mr. BLUMENAUER.
H.R. 3317: Mrs. NAPOLITANO, Ms. CORRINE BROWN of Florida, Ms. KILPATRICK, Mr. HASTINGS of Florida, and Mr. DAVIS of Illinois.
H.R. 3320: Mr. WEINER.
H.R. 3326: Mr. PASTOR.
H.R. 3329: Mr. WELCH of Vermont, Mr. KENNEDY, and Mr. ORTIZ.
H.R. 3337: Mr. TOWNS.
H.R. 3360: Mr. RUSH, Mr. DAVIS of Illinois, Ms. CARSON, and Mr. PAYNE.
H.R. 3372: Ms. MATSUI, Mr. CLAY, Mrs. JONES of Ohio, Mr. FILNER, Mr. WEXLER, Mr. WEINER, and Mr. BRALEY of Iowa.
H.R. 3378: Mr. SMITH of Washington, Mr. GENE GREEN of Texas, Mr. SPACE, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 3381: Ms. JACKSON-LEE of Texas.
H.R. 3386: Mr. JOHNSON of Georgia.
H.R. 3411: Ms. SCHAKOWSKY.
H.R. 3432: Mr. ELLISON, Mr. HONDA, Ms. WATSON, Mr. TOWNS, and Mr. MEEKS of New York.
H.R. 3438: Ms. LEE.
H.R. 3439: Mr. FILNER.
H.R. 3440: Mr. JOHNSON of Georgia.
H.R. 3448: Mr. HODES, Mr. BLUMENAUER, Mr. MARKEY, and Ms. SCHAKOWSKY.
H.R. 3452: Mr. BUCHANAN and Mr. MICA.
H.R. 3457: Mr. BOOZMAN, Mr. TIAHRT, Mr. BOUSTANY, Ms. ESHOO, Mr. SESSIONS, Mrs. JO ANN DAVIS of Virginia, Mr. CROWLEY, Mrs. BLACKBURN, Mr. MCHENRY, Ms. WATSON, Mr. BLUNT, and Mr. ROGERS of Michigan.
H.R. 3480: Mr. LAMPSON and Mr. BRADY of Pennsylvania.
H.R. 3481: Mrs. TAUSCHER, Ms. SCHAKOWSKY, Mr. RANGEL, and Mr. DELAHUNT.
H.R. 3494: Mr. ROGERS of Michigan, Mrs. CAPITO, Mr. DREIER, Mrs. MUSGRAVE, Mr. ROGERS of Alabama, Mr. SAM JOHNSON of Texas, Mr. DEAL of Georgia, Mr. ADERHOLT, Mr. ROSKAM, Mr. RENZI, Mr. PITTS, Mr. PENCE, Mr. CARTER, Mr. GOHMERT, Mr. SHUSTER, Mr. DAVIS of Kentucky, Mr. WHITFIELD, Mr. LEWIS of Kentucky, Mr. BROWN of South Carolina, Mrs. BACHMANN, and Ms. FALLIN.
H.R. 3495: Ms. NORTON, Mr. HASTINGS of Florida, and Ms. JACKSON-LEE of Texas.
H.R. 3502: Mr. PAYNE.
H.R. 3506: Ms. LORETTA SANCHEZ of California.
H.R. 3518: Mr. KLEIN of Florida and Mr. BILIRAKIS.
H.R. 3531: Mr. FEENEY and Mr. SULLIVAN.
H.J. Res. 6: Ms. GINNY BROWN-WAITE of Florida and Mr. YOUNG of Alaska.
H. Con. Res. 28: Mr. MILLER of North Carolina.
H. Con. Res. 32: Mr. GONZALEZ.
H. Con. Res. 83: Mr. SMITH of Texas and Mr. DAVID DAVIS of Tennessee.
H. Con. Res. 111: Mr. GRIJALVA.
H. Con. Res. 122: Mr. OBERSTAR, Mr. GEORGE MILLER of California, Mr. TOWNS, Mr. DONNELLY, Mr. SHULER, Ms. WATSON, Mr. BISHOP of Georgia, Mr. ELLISON, Mr. COSTA, Mrs. CAPPS, Mr. HIGGINS, Mr. ISRAEL, Mr. CROWLEY, Mr. DEFAZIO, Mr. CARNAHAN, Mr. ROSS, Ms. ZOE LOFGREN of California, and Mr. GILCHREST.
H. Con. Res. 193: Mr. GORDON.
H. Con. Res. 200: Ms. WATSON, Mr. ENGEL, Mr. WEXLER, Mr. RYAN of Ohio, Mrs. MALONEY of New York, and Mr. OLVER.
H. Con. Res. 203: Mr. CANTOR, Mr. HARE, Mr. SMITH of New Jersey, Ms. WOOLSEY, Mr. WEXLER, Mr. LYNCH, Mr. RENZI, Ms. ROS-LEHTINEN, Mr. ENGEL, and Ms. BERKLEY.
H. Con. Res. 205: Mrs. JONES of Ohio, Ms. SCHAKOWSKY, and Mr. ORTIZ.
H. Con. Res. 207: Mr. KENNEDY, Mr. BURTON of Indiana, Mr. BILIRAKIS, and Mr. DICKS.
H. Res. 71: Mr. CLEAVER.
H. Res. 111: Mr. PASCRELL, Mr. KENNEDY, Mr. PITTS, Mr. SHIMKUS, Mr. MAHONEY of Florida, Ms. BORDALLO, Mr. OLVER, and Mr. ELLSWORTH.
H. Res. 185: Mrs. MALONEY of New York.
H. Res. 194: Mr. GONZALEZ and Mr. SARBANES.
H. Res. 232: Mr. JORDAN and Mr. INGLIS of South Carolina.
H. Res. 282: Mr. EDWARDS.
H. Res. 530: Mr. STARK.
H. Res. 557: Mr. WEINER.
H. Res. 573: Mr. VAN HOLLEN, Mr. CUMMINGS, Mr. LYNCH, and Ms. LINDA T. SÁNCHEZ of California.
H. Res. 576: Ms. HERSETH SANDLIN.
H. Res. 588: Mr. BAIRD, Mr. HALL of New York, Ms. LEE, and Mr. ENGEL.
H. Res. 590: Ms. BORDALLO, Mrs. BOYDA of Kansas, Mrs. NAPOLITANO, Mr. WEXLER, Mr. HONDA, Mr. RYAN of Ohio, and Mr. ENGEL.
H. Res. 604: Mr. CONAWAY, Mr. FILNER, Mr. SAXTON, Ms. KAPTUR, Mr. DAVIS of Kentucky, Mr. TURNER, Mrs. TAUSCHER, and Mr. SALI.
H. Res. 605: Mr. ISRAEL, Mr. SPRATT, Mr. TANNER, Mr. GONZALEZ, Mr. FILNER, Mr. RANGEL, Ms. WASSERMAN SCHULTZ, Mr. MCCAUL of Texas, and Mr. GENE GREEN of Texas.
H. Res. 607: Mr. LAMPSON, Mr. SESSIONS, Mr. CROWLEY, Mr. KILDEE, Ms. WATSON, Mr. PAYNE, Mr. PALLONE, Mr. LANTOS, Mr. GORDON, Mr. RANGEL, Mr. STEARNS, Mrs. MALONEY of New York, Mr. FILNER, Mr. OBERSTAR, Mr. HONDA, Mr. RUSH, Mr. HOLT, and Mr. MCNULTY.
H. Res. 618: Mr. CLAY.
H. Res. 634: Mr. LAMPSON, Mr. ALLEN, Mr. GILCHREST, and Mr. SKELTON.
H. Res. 635: Mr. KUCINICH, Mr. LAMPSON, Mr. VAN HOLLEN, Mr. CONYERS, Mr. FILNER, and Mr. MCCOTTER.
H. Res. 639: Mr. WEXLER, Mr. LANTOS, Mr. BROWN of South Carolina, Mr. BURTON of Indiana, Mr. POE, Mr. HASTINGS of Florida, and Mr. ROHRABACHER.
H. Res. 641: Mr. REICHERT, Mr. CONAWAY, Mrs. JO ANN DAVIS of Virginia, Mr. RADANOVICH, and Mr. MARCHANT.
H. Res. 642: Mr. FARR, and Mr. TOWNS.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

160. The SPEAKER presented a petition of the City of Takoma Park, Maryland, relative to Resolution No. 2006-44 urging support of H.R. 2003, the Ethiopia Democracy and Accountability Act of 2007; to the Committee on Foreign Affairs.

161. Also, a petition of the City of Key West, Florida, relative to Resolution No. 07-160 urging the President of the United States to sign the Kyoto protocol to the United Nations and calling for immediate local and national action to address global warming; to the Committee on Foreign Affairs.

162. Also, a petition of the City of Pompano Beach, Florida, relative to Resolution No. 2007-232 requesting the Congress of the United States to appropriate funds necessary to bring the Herbert Hoover Dike into compliance with current levee protection safety standards; to the Committee on Transportation and Infrastructure.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1852

OFFERED BY: MR. TIBERI

AMENDMENT NO. 2: Page 17, strike lines 3 through 16 and insert the following:

''(I) AT APPLICATION.—At the time of application for the loan involved in the mortgage, a list of counseling agencies, approved by the Secretary, in the area of the applicant.''.

Page 18, strike lines 20 through 22 and insert the following:

''(i) REQUIREMENT.—The Secretary shall require that the mortgagor shall''.

Page 19, strike lines 4 through 5 and insert the following:

''(I) prior to closing for the loan involved in the mortgage;''.

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PROCEEDINGS AND DEBATES OF THE *110th* CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, MONDAY, SEPTEMBER 17, 2007 *No. 137*

Senate

The Senate met at 2 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the State of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord God, ruler of the nations, we magnify Your Name above all names. Your absolute purity, holiness, and justice illuminate our paths. Your fairness is intertwined with everything You do.

Lord, hasten the day when the Government shall be on Your shoulders and Your kingdom will be established with righteousness and justice. Bring an end to injustice, sin, corruption, violence, and immorality. Use the Members of this body to do Your will on Earth, even as it is done in Heaven. Help them to strive for integrity and faithfulness, for the glory of Your Name. May they persevere in doing what is best for America and our world, knowing You will give them a bountiful harvest.

We pray in Your majestic Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB 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 bill clerk read as follows:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 17, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the State of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WEBB 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, the Senate will be in a period of morning business until 3 p.m. today, with the time equally divided between the two sides.

At 3 p.m. the Senate will resume consideration of H.R. 1585, the Department of Defense authorization measure. There will be no rollcall votes today, which we announced several weeks ago. The managers, though, will be here to deal with the authorization bill at 3 o'clock. Members are encouraged to come to the floor and offer and debate amendments to this bill.

As we all know, this bill is important, to say the least, and there are numerous issues associated with this bill that will require debate. Of course, the issue of Iraq is a matter that has been discussed at some length. I indicated previously I hope we can work out an agreement on how we can proceed as it relates to the Iraq amendments. There are more than 300 Iraq amendments on this bill. We need to proceed in some orderly and structured manner. I will continue to consult with the Republican leader and the two managers on this legislation.

ORDER OF PROCEDURE

Mr. REID. I ask unanimous consent that whatever time I consume now not be counted against the time set for the bill to begin. So if I take 5 minutes or 10 minutes, whatever it is, the 3 o'clock time would slip by that much.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE WEEK AHEAD

Mr. REID. Mr. President, on this day 220 years ago, in 1787, our Founding Fathers gathered at Philadelphia and signed a document that remains today our country's moral compass, our Constitution. The preamble to that Constitution reads:

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

No matter how many times we hear that preamble, it touches a chord in all of our hearts because that is what this country is all about.

The years since that day in Philadelphia, 220 years ago, have not been a perfect journey. In fact, it has been imperfect on some occasions—but more perfect than none. There are times where we have stumbled—we can all think of examples of that: slavery, the Civil War, the internment of Japanese Americans during World War II. But each time our fidelity to the ideals of justice has been tested, America has moved closer to securing the blessings of liberty.

Over the past 6½ years, the Bush administration has challenged that fidelity time and time again. We have suffered through a White House that values secrecy and disdains the separation of powers. The Justice Department served the President rather than the

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people. The pervasive attitude among the administration was that civil liberties are a nuisance rather than an inalienable right.

I spoke to the President's nominee to be Attorney General a short time ago, Judge Mukasey. I told him I admire his willingness to take this job. He has a good background, a good record. We will find out what happens during the time the hearings take place before the Judiciary Committee. But I told him that never in the history of our country have we had a Justice Department in such a state of disrepair, and he realizes that.

But as we turn to the Defense authorization bill this week and likely the next, we in Congress have an opportunity to reassert our allegiance to the Constitution and the core American values for which it stands, values that have made America the world's beacon of freedom for more than two centuries.

Senators will have a chance to show whether they support the inalienable right of habeas corpus, something that is talked about in our Constitution—the right to petition a court to review the grounds for a detention. Senators will have an opportunity to review the cost, both fiscally and morally, in maintaining the Guantanamo Bay detention facility, and whether closing it will do more to further the fight against terrorism and advance America's values, as I believe it would, than keeping it open indefinitely. We hope to debate the administration's use of so-called enhanced interrogation techniques and whether we should bring the practices of intelligence agencies under the same rules that our military believes are proper under the Army Field Manual; in effect, no more torture.

The Defense authorization bill is also our next best chance to continue our efforts to force President Bush to change course in an intractable civil war in which we find ourselves involved in Iraq. Last week the President delivered yet another prime-time address to the Nation on his Iraq policy and once again he announced he has no intention to change his failed war plan. He has given neither a convincing rationale to continue the war nor a plan to end it. Meanwhile, brave American troops continue to be killed and grievously wounded, our Treasury is being depleted at an ever faster rate, the Iraqi Government has made no progress in political reconciliation, and those responsible for attacking us on 9/11 grow stronger, as indicated in the latest video from Osama bin Laden. Today brings news that the President will not even return our troop presence in Iraq to presurge levels next year, meaning that a year from now we will be dug in even deeper than we were a year ago in Iraq.

The President's speech last week made one thing clear, though: He has no intention of changing course. He plans to keep the status quo through the duration of his administration with the hope that if we stick around long enough, something, anything, will start going right; and if it doesn't—and there is no sign it will—he will leave it to the next President to clean things up.

We could start to change course now. The overwhelming majority of the American people and the majority of Congress are ready to do just that. A majority of Senators has voted to send legislation to the President that will force him to change the mission and begin to bring our troops home, but the Republican leadership so far has not allowed the voice of the majority to be heard. By requiring a 60-vote margin on all Iraq-related votes, they have repeatedly filibustered the will of the people and blocked the new direction our troops deserve. As long as our brave soldiers and marines remain mired in the crossfire of another country's civil war, we can continue fighting to responsibly end this war. We all know it will take the courage of our Republican colleagues to stand up to the President. A few have, and I admire and respect them. We know standing up to their President is not easy, but it is the right thing to do. It is long past time for those Republicans who expressed opposition to this endless war to work with us to find a way to end it; otherwise, this is not only Bush's war but the war of the Republican Senators as well, because we all know there has been little support in the House or the Senate by Republicans to change the direction of the war in Iraq.

Next week we will turn our attention back to the Children's Health Insurance Program, known as SCHIP. This remarkably successful program was enacted a decade ago to fill a crucial gap in insurance, the gap between the children of families who often have private health insurance and the children of the very low-income families who are covered by Medicaid. But between the two, millions of children whose families neither qualify for Medicaid nor can afford private insurance were left uninsured—left without medical attention most of the time. Today 6.6 million children have insurance because of this program started 10 years ago. That is a 35-percent reduction in the number of uninsured children of working families. The program has been a remarkable success by any means, and a great example of what the State and Federal Government can do in a tangible way to make peoples' lives better.

Earlier this summer, an overwhelming bipartisan majority in the Senate voted to reauthorize and approve this outstanding program. Next week we will vote on a compromise version between the House and Senate and send it to the President's desk. The bill we send to the President will continue the program and provide insurance for millions more children of working families. For many, it will replace emergency room care with regular checkups; it will mean proper dental care; it will mean preventive medicine.

Study after study shows that kids enrolled in the Children's Health Insurance Program are much more likely to have regular doctor and dental care. The report shows that these children report lower rates of unmet need for care, the quality of care they receive is far better than it was before, and school performance improves. The plan is helping to close a disparity in care for minority children and it has become a major source of care for rural children.

There is no doubt, no question at all, that the Children's Health Insurance Program is good for children, good for families, and it is certainly good for our country. This bill will be the product of real bipartisan cooperation.

I appreciate very much the work of Chairman BAUCUS and Ranking Member GRASSLEY of the Finance Committee, and the work of Senators ROCKEFELLER and HATCH. They have done the right thing for this country.

The President, though, has threatened to veto this legislation. This is pretty surprising because listen to what he said in the 2004 election campaign, a direct quote:

> In a new term, we will lead an aggressive effort to enroll millions of poor children who are eligible but not signed up for the government health insurance programs. We will not allow a lack of attention, or information, to stand between these children and the health care they need.

I take the President at his word and expect he will live up to this promise. I hope before issuing more threats, he will take a real look at what he said before, and the legislation we are sending to him. It has the support of so many Democrats and so many Republicans for a reason. It is an example of Government at its best, lending a helping hand, providing a safety net to children who need a boost to reach their full potential. All too often we hear what Government can't do. The Children's Health Insurance Program is a stellar example of what we can do. I am confident the Senate will not be intimidated by the President's veto threats, especially, I repeat, based on what he told us during the reelection campaign of 2004. For the President to do anything less would be his not keeping his word. So I hope once again we will vote to pass this legislation with strong bipartisan support.

I ask my unanimous consent request also include any statement my friend, the Republican leader, may give.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

NOMINATION OF JUDGE MUKASEY

Mr. MCCONNELL. Mr. President, today the President nominated Judge

Michael Mukasey to be our Nation's 81st Attorney General. He has impressive credentials. I look forward to learning more about his record.

In this regard, the Judiciary Committee should promptly hold hearings on his nomination, carefully examine his record, and vote in a timely manner. For the past several months our Democratic colleagues have told us we need to install new leadership at the Justice Department and that we ''can't afford to wait,'' in their words

A successful nominee, they have told us, is someone with integrity and experience, who respects the rule of law and who can hit the ground running. The senior Senator from New York has assured us that he and his colleagues would not obstruct or impede someone with these qualifications.

Judge Mukasey appears to be just such a nominee. He is a former Federal prosecutor and Federal judge with extensive experience, especially in terrorism-related matters. He served on the Federal trial bench for 19 years, and for the last 6 years of his career he has been the chief judge on the U.S. District Court for the Southern District of New York.

He presided over the 1993 World Trade Center bombing case, in which he was widely respected for his equanimity, intelligence, and deep appreciation for the complex legal issues at stake.

The prosecutor, Andrew McCarthy, recently wrote a compelling first-hand account of Judge Mukasey's conduct in that case for the National Review. I ask unanimous consent to have the article printed at the close of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MCCONNELL. In the article, Mr. McCarthy notes the Second Circuit Court of Appeals, after upholding Judge Mukasey's work, took the highly unusual step of praising his handling of the case. Here is what the court of appeals wrote:

The trial judge, the Honorable Michael B. Mukasey, presided with extraordinary skill and patience, assuring fairness to the prosecution and to each defendant and helpfulness to the jury. His was an outstanding achievement in the face of challenges far beyond those normally endured by a trial judge.

Judge Mukasey has earned the deep respect and admiration of the lawyers who have appeared before him and of the many other public servants who have observed and studied his work. His intelligence, experience, and fair-mindedness would seem to make him an ideal candidate to lead the Justice Department.

At the very least, these qualities warrant timely and fair consideration of his nomination by the Judiciary Committee. Unfortunately, recent press reports, including a Roll Call article from just a couple of hours ago, indicate that at least some Democrats on the Judiciary Committee are more interested in dragging out this nomination than in installing new leadership at the Justice Department.

They have said they might hold Judge Mukasey's nomination hostage in order to extract still more administration documents in the U.S. attorneys matter.

This would be extremely unfortunate. By injecting politics into the confirmation process, committee Democrats would be turning their backs on earlier public comments that installing new leadership at the Department was of critical importance. They would be turning their backs on earlier public assurances that they would not obstruct or impede—again their words—a nominee with Judge Mukasey's qualities.

Now is the chance for our Democratic colleagues to prove they were serious when they cried out for new leadership at the Justice Department by following Senate precedent, weighing the nominee's qualifications, and voting in a timely fashion.

I would hope they would not hold him hostage, forgetting the words of the senior Senator from New York, who has told us:

This Nation needs a new Attorney General and it cannot afford to wait.

In these times, it is especially important that the Senate act promptly. We are at war, and as the distinguished ranking member has noted: Apart from the Defense Department, no department of the executive branch is more important to defending our Nation than the Department of Justice.

We need to act. Now, I understand that Judge Mukasey will begin his courtesy visits tomorrow with Members of the Senate. I am hopeful my colleagues will be able to meet with him so the Senate can begin considering his nomination as soon as reasonably possible.

EXHIBIT 1

JUDGE MUKASEY WOULD MAKE A STELLAR ATTORNEY GENERAL; A GIFTED FORMER PROSECUTOR AND RENOWNED JURIST COULD BE JUST THE RIGHT FIT.

(By Andrew C. McCarthy)

It is not exaggeration to say that the United States Department of Justice is among the handful of our nation's most important institutions. It is the fulcrum of our rule of law.

The department must be above reproach. It must enforce our laws without fear or favor. It must be the place the courts, the Congress and the American people look to without hesitation for the most unflinching recitation of fact and the most reliable construction of law. Creativity is welcome—it is the department's proud boast always to be home for some of the world's most creative legal minds. Defense of executive prerogatives is also essential—for the department is not the servant but the peer of the judges and lawmakers before whom it appears, with its first fidelity to the Constitution. Creativity, however, is not invention, and prerogative is not partisanship.

The department must foremost be the Department of Justice. Its emblem is integrity. We can argue about where the law should take us, in what direction it should evolve. We must first, however, be able to know what it is. For that, we must be able to rely without question on the department and its leader, the attorney general.

President Bush is about to select a new attorney general at a particularly tempestuous time. In today's Washington, even national security has not been spared from our fulminating politics. In the cross-fire, we need stalwart leadership of incontestable competence and solid mooring in the department's highest traditions. Without it, a growing crisis of confidence will grip not only the courts but field prosecutors across the nation.

To address such a crisis, the President is fortunate to have several able candidates. One I know particularly well, though you may not, would instantly restore the department's well-deserved reputation for rectitude, scholarship, vision and sober judgment. He is Michael B. Mukasey.

I had the privilege of appearing before Judge Mukasey for nearly three years, from 1993 into 1996, when, as an Assistant U.S. Attorney in the Southern District of New York, I led the prosecution of Sheikh Omar Abdel Rahman and eleven other jihadists who had waged a terrorist war against the United States—bombing the World Trade Center, plotting to strike other New York City landmarks (including the United Nations complex, the FBI's lower Manhattan headquarters, U.S. military installations, and the Lincoln and Holland Tunnels), and conspiring political assassinations against American and foreign leaders.

The case was bellwether for 9/11 and its aftermath, presenting all the complex and, at times, excruciating issues we deal with today: the obscure lines a free society must draw between religious belief and religiously motivated violence, between political dissent and the summons to savagery, between due process for accused criminals with a right to present their defense and the imperative to shield precious intelligence from incorrigible enemies bent on killing us.

The trial was probably the most important one ever witnessed by . . . nobody. In an odd quirk of history, our nine-month proceeding began at the same time as, and ended a day before, the infamous O.J. Simpson murder trial. While Americans were riveted to a televised three-ring circus in California, Judge Mukasey, in his meticulous yet decisive way, was demonstrating why our judicial system is the envy of the world: carefully crafting insightful opinions on the proper balance between national security and civil liberties, permitting the government to introduce the full spectrum of its evidence but holding it rigorously to its burden of proof and its ethical obligations; managing a complex litigation over defense access to classified information; and developing jury instructions that became models for future national-security cases.

All the defendants were convicted, and the sentencing proceedings, complicated by the need to apply novel federal guidelines to a rarely used, Civil War era charge of seditious conspiracy, ended in the imposition of appropriately lengthy jail terms. No one, however, could contend that the case had not been an exemplar of our system at its best. Indeed, in an unusual encomium, the Second Circuit Court of Appeals, upon scrutinizing and upholding the judge's work, was moved to observe:

''The trial judge, the Honorable Michael B. Mukasey, presided with extraordinary skill and patience, assuring fairness to the prosecution and to each defendant and helpfulness to the jury. His was an outstanding achievement in the face of challenges far beyond those normally endured by a trial judge.''

No one should have been surprised. By the time the Blind Sheikh's trial was assigned to him, Judge Mukasey had already forged a reputation as one of America's top trial judges. (In my mind, he is peerless.) That was so because he was also one of America's most brilliant lawyers. From humble beginnings in the Bronx, he had earned his bachelor's degree at Columbia before graduating from Yale Law School in 1967. As a judge, he tolerated nothing but the best effort from prosecutors because he had, himself, been a top prosecutor. He well understood the enormous power in the hands of young assistant U.S. attorneys, the need to temper it with reason and sound judgment. He grasped implicitly and conveyed by example that the great honor of being a lawyer for the United States Department of Justice is that no one gets, or should expect to get, an award for being honest and forthright. It is a realm where those attributes are assumed.

In 1988, Michael Mukasey left a lucrative private law practice when President Ronald Reagan appointed him to the federal bench. He was exactly the credit to his court and his country that the President had anticipated. Quite apart from terrorism matters, he handled thousands of cases, many of them high-stakes affairs, with skill and quiet distinction. In his final years on the bench before returning to private practice, he was the Southern District's chief judge, putting his stamp on the court—especially in the aftermath of the September 11th attacks. Through the sheer force of his persistence and his sense of duty, the court quickly reopened for business despite being just a few blocks away from the carnage. Indeed, it never really closed—Judge Mukasey personally traveled to other venues in the District to ensure that the court's vital processes were available to the countless federal, state and local officials who were working round the clock to investigate and prevent a reprise of the suicide hijackings.

Characteristically, the judge ensured that the Justice Department was able to do its vital work in a manner that would withstand scrutiny when the heat of the moment had cooled. Judges, himself included, made themselves available, day and night, to review applications for warrants and other lawful authorization orders—no one would ever claim that in his besieged district, crisis had trumped procedural regularity. And as investigators detained material witnesses and scrambled to determine whether they were mere information sources or actual terror suspects, Judge Mukasey made certain that there was a lawful basis for detention, that detainees were represented by counsel fully apprised of that basis, and that the proceedings were kept on a tight leash—under strict judicial supervision, with detainees promptly released unless there was an independent reason to charge them with crimes.

Judge Mukasey's mastery of national security issues, reflecting a unique fitness to lead the Justice Department in this critical moment of our history, continued to manifest itself after 9/11. He deftly handled the enemy-combatant detention of Jose Padilla (recently convicted of terrorism crimes), forcefully endorsing the executive branch's wartime power to protect the United States from an al Qaeda operative dispatched to our homeland to conduct mass-murder attacks, but vindicating the American citizen's constitutional rights to counsel and to challenge his detention without trial through habeas corpus. Later, in accepting the Federal Bar Council's prestigious Learned Hand Medal for excellence in federal jurisprudence, Judge Mukasey spoke eloquently of the need to maintain the Patriot Act's reasonable national security protections. More recently, he has written compellingly as a private citizen with unique insight about the profound challenges radical Islam presents for our judicial system.

At this moment in time, the nation would be best served by an attorney general who would bring the department instant credibility with the courts and Congress, provide a needed shot in the arm for prosecutors craving a reminder of the department's proud traditions, and reassure the public of the administration's commitment to the department's high standards. There are precious few people who fit that bill, and of them, Michael Mukasey may be the least well known nationally. But he is as solid as they come. Our country would be well served if he were asked, once again, to answer its call.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business until the hour of 3:00 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided between the two leaders or their designees.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. 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.

The Senator from West Virginia is recognized.

Mr. BYRD. I thank the Chair.

220TH ANNIVERSARY OF THE UNITED STATES CONSTITUTION

Mr. BYRD. Mr. President, today, September 17, in this year of Our Lord, 2007, marks the 220th anniversary of the signing of the Constitution of the United States. Praise God.

Across the Nation, many students, teachers, and historians are spending at least part of their time today reviewing, learning about, and, most of all, appreciating the U.S. Constitution.

Although not as flashy looking as the American flag on Flag Day, or as bedecked in sparklers and fireworks as the celebration of the Declaration of Independence on the Fourth of July, the workhorse that is our Constitution truly merits a day of appreciation by all citizens.

The Constitution is a living, breathing document, still as full of passion, patriotism, jealousy, and intrigue after 220 years as the star of any long-running soap opera. Perhaps it is because the Constitution, similar to soap operas, deals with the relations between human beings in society.

The Constitution, in its articles and amendments, lays out the roles for its actors: the executive, the legislature, the judiciary, the States, and the rights of individuals.

The script is pretty basic: Run a country and ensure the welfare of its citizens. But being human, people never seem content with playing out their own roles as written. James Madison aptly observed that:

> [T]he essence of Government is power; and power, lodged as it must be in human hands, will ever be liable to abuse.

History is replete with examples of governmental actors who have improvised, seeking to expand their own role and put their name in bigger lights at the expense of the other players. Fortunately, history is also full of examples in which the grasping star's excesses are checked by the concerted actions of the rest of the cast. It is a fascinating read, and well worth one's time. Federal versus States rights, the freedoms of individuals versus the need for order in society, protection from tyranny pitted against a strong executive, declarations of war and peaceful diplomacy—these are some of the great themes, the high dramas written into the Constitution and played out over the course of our Nation's history. Our Founding Fathers truly knew what they were doing when they crafted a document that hoped for the best, most noble instincts in men but guarded against the worst.

As James Madison famously observed, ''If men were angels, no government would be necessary.'' At the same time, however, he also noted that ''All men having power ought to be mistrusted,'' so the foundation of all the checks and balances in the Constitution is the premise that ''ambition must be made to counteract ambition.'' As a result, the Constitution has found itself in a constantly shifting political landscape created by the ebb and flow of Executive power, legislative control, judicial counterbalancing, Federal expansion, and individualism. These great themes are all played out in many smaller scenes each year, from each nomination through each budget submission, authorization, and appropriations bill, and each Supreme Court case.

I have always found this historical drama more stimulating and absorbing than any television reality show. Perhaps it is because the constitutional drama has played such a large role in my own long life. In the 220-year history of this Nation's Constitution, there have been only 1,896 individuals fortunate enough to serve as Senators. I am number 1,579 out of 1,896. I have served in the Senate for one-quarter of the Senate's history—not quite an original cast member but pretty close. Amen. You better believe it.

But whether each citizen has an active role in our Constitution drama or is merely a spectator, the Constitution

plays a large role in the life of every citizen. I encourage everyone, every citizen to read the Constitution—read the Constitution—read the Constitution and to read the Federalist Papers as well as other writings by our Founding Fathers. Read deeply in history; with all thy volumes vast hath but one page. Read deeply in history and biography, and read the newspapers and follow what is happening in Washington.

Do not believe everything you see, do not believe everything you hear, but view it through the prism of the Constitution—the Constitution—the Constitution. Be your own Supreme Court and decide if the arguments put forth by the White House, the Congress, the press, and the pundits are in accordance with the Constitution and with the intent of the immortal Framers. Then and only then will you become the most valuable of all things: a true defender of liberty, an informed citizen.

Mr. President, I close with a poem—a great poem—by Henry Wadsworth Longfellow entitled ''O Ship of State.'' Our Constitution is our ship, the heart and soul of our Nation, and the stalwart vessel that will carry our Nation's liberty into the future. Long, long, long may it live.

O Ship of State,
Thou, too, sail on, O Ship of State!
Sail on, O Union, strong and great!
Humanity with all its fears,
With all the hopes of future years,
Is hanging breathless on thy fate!
We know what Master laid thy keel,
What Workmen wrought thy ribs of steel,
Who made each mast, and sail, and rope,
What anvils rang, what hammers beat,
In what a forge and what a heat
Were shared the anchors of thy hope!
Fear not each sudden sound and shock,
'Tis of the wave and not the rock,
'Tis but the flapping of the sail,
And not a rent made by the gale!
In spite of rock and tempest's roar,
In spite of false lights on the shore,
Sail on, nor fear to breast the sea!
Our hearts, our hopes are all with thee.
Our hearts, our hopes, our prayers, our tears,
Our faith triumphant o'er our fears,
Are all with thee—are all with thee!

Mr. President, I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. 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.

DC VOTING RIGHTS ACT

Mr. McCONNELL. Mr. President, on a hot September afternoon in 1787, 55 men put away their quills after 4 months of hard work in the Pennsylvania statehouse. The U.S. Constitution was finally finished. One of the delegates read it aloud, and then the oldest man in the room rose to speak.

Benjamin Franklin had seen a lot in his 81 years. Now, pointing to an image of the Sun that was painted onto the back of a chair in the convention hall, he saw something else. That Sun, he said, was rising. It was a hopeful metaphor which was meant to put the nervous delegates at ease. When Franklin finished speaking, everyone left the stuffy convention hall and retired to a local tavern for dinner. And then they all went home.

Two hundred twenty years later to the day, we remember the courage and the wisdom of those 55. And we recommit ourselves to the task of upholding and defending the wise and durable document they wrote. As a political document, the U.S. Constitution is without equal in the history of man. And as its political children, we consider it an honor and a sacred duty to defend it. Doing so today does not involve the risk to life and property that it did back then. But it does require a constant vigilance against anything that would erode it, especially from within the government itself. And this is why I rise.

The senior Senator from West Virginia does his country a great service every time he reminds us of the value and the binding nature of the Constitution. It was he who designated by law 3 years ago that September 17 should be recognized and celebrated as Constitution Day. And so I think it is rather fitting that I should fulfill my duty this week as a guardian of that document by voting against a motion to proceed to a bill that constitutes, in my view, a fundamental assault against it.

The bill itself would grant congressional representation to residents of the District of Columbia. And let me make something very clear to my colleagues, to the citizens of my State, and to the rest of the country from the outset: my opposition should in no way be interpreted as opposition to the enfranchisement of any constitutionally eligible American. As the lead Senate Republican cosponsor of the Help America Vote Act, my commitment to the franchise rights of Americans should be clear to everyone in this Chamber.

I have long fought for making it easier to vote and harder to cheat. The right to vote is fundamental, and I will fight any attempt to dilute or impede that right.

My opposition to this bill rests instead on a single all-important fact: it is clearly and unambiguously unconstitutional. It contravenes what the Framers wrote, what they intended, what the courts have always held, and the way Congress has always acted in the past. And to vote for it would violate our oath of office, in which we solemnly swear to support and defend the Constitution. If the residents of the District are to get a member for themselves, they have a remedy: amend the Constitution. But the Members of this body derive their authority from the Constitution. We are its servants and guardians. And we have no authority to change it on our own.

Amending the Constitution would not be necessary, of course, if the framers had intended the District to be treated as a State for purposes of representation. But they clearly did not. As article 1, section 2, states:

> The House of Representatives shall be composed of Members chosen every second Year by the People of the several States.

That is not ambiguous. Every resident of a State, therefore, is entitled under the Constitution to congressional representation. Yet no similar representation is accorded to the residents of areas that are not so designated. One of these areas, in particular, is mentioned explicitly later on in the same article.

In article 1, section 8, the so-called District clause, the Framers gave Congress power over a new Federal district and any other Federal lands purchased by the Federal Government. Article 1, section 8 states:

> Congress shall have power to lay and collect taxes over such District as may, by cession of particular states, and the acceptance of Congress, become the Seat of Government of the United States and to exercise like authority over all places purchased by the consent of the legislature . . .

The Framers clearly envisioned the Federal city as a separate entity from the States, as an entity they themselves would control. James Madison, the Constitution's primary author, explained why in Federalist 43. The seat of government couldn't be in one of the states, he said, because of the potential benefits that would accrue to that State, either material or in reputation, as a result of that distinction.

Moreover, lawmakers themselves should not be dependent on the good favor of any one State or its residents to carry out their business. A third reason, perhaps even more relevant in a time of terrorist threats, is that the District's independence would allow it to relocate if need be.

So the Framers spelled it out explicitly in the original text. They also explained what they meant. The District of Columbia has been many things: a Federal enclave, a Federal city, even, under President Johnson, a Federal agency. But the District of Columbia has never been a State. And for this reason, according to the Constitution, it does not get congressional representation.

This is not a novel interpretation of the text. The historical record is full of proof that Congress and the courts have always interpreted the Constitution as denying congressional representation to residents of the Federal district. When Congress decided to change the way senators are elected in the early 1900s, they did it the right way, through the amendment process. And consistent with article 1, section 2, this amendment understands as eligible for representation only those Americans who reside in a State.

Half a century later, in 1961, the 23rd amendment was ratified, granting residents of the District the right to vote in Presidential elections. It states:

The District constituting the seat of government of the United States shall appoint in such manner as the Congress may direct . . .

Let me stop right there. The District, you will notice, is referred to here yet again not as a State but as, in the words of the amendment, ''the seat of government.'' It continues:

A number of electors of President and Vice President equal to the whole number of senators and representatives in Congress to which the District would be entitled if it were a state . . .

The language here could not be more explicit: to which the District would be entitled, meaning of course that it is not entitled, and if it were a State, meaning, or course, that it is not a State.

Remember the words of article I, section 2:

The House of Representatives shall be composed of Members chosen every second Year by the People of the several States.

This an old debate. It is as old as the Constitution itself. The Framers were fully aware of the implications of article I, section 2 for the residents of the Federal district. Indeed, one of its original authors, Alexander Hamilton, tried but failed to include congressional representation for residents of the Capital city. The rejection of this proposal by the delegates of the Constitutional Convention clearly shows they knew what they were denying residents of the Federal city.

And again, in the late seventies, Congress passed and the President signed a constitutional amendment giving the District congressional representation. After only 16 States ratified it, it failed. Professor Jonathan Turley of the George Washington Law School gave a valuable history lesson on this issue to the House Judiciary Committee. I commend to my colleagues his testimony on H.R. 1433 on March 14, 2007.

Over the years, many other ideas for securing representation for residents of the District have been proposed. Some have proposed what's known as semi-retrocession, or counting District residents as citizens of Maryland for voting purposes. Another idea was full retrocession, which would simply transfer most of the District to Maryland, just as the western half of the original Federal city was transferred back to Virginia before the Civil War. I will let others argue the relative merits of these other remedies. But let me say it again: the remedy we are currently considering is no remedy at all, according to Constitution. The only way to change the Constitution is to amend it.

The process for doing so is clear. We have done it 27 times. Article V states:

The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states . . .

A two-thirds vote in both Houses, ratified by three-fourths of the States. That is the remedy. That is the method the Framers outlined. That is the one we have used every other time we have needed to amend. Any other method to change the Constitution would be, by definition, unconstitutional, which is of course out of the question. The only real question here is whether giving residents of the Federal district the right to vote is a constitutional issue at all. If it isn't, we could confer the right by statute, on our own. If it is, we can't. And in my view, there's no question in looking at the words, the intent of the writers, and the traditional interpretation of the courts and the Congress.

I welcome this debate, because it clarifies the meaning of the Constitution and our lack of authority to change its meaning on our own. If there is a problem, we have a remedy. It may not be the remedy we want. It may not be quick. But it is the remedy we have got. And it is proven to be the most durable one over the years. Indeed, if we were to vote in favor of this bill today, the constitutional tangle we would find ourselves in would throw every subsequent vote decided by the new Members into serious jeopardy.

A Presidential election decided by one or two electoral votes would be nearly impossible to resolve. Better to grant this right on the bedrock of an amendment, as we have always done in the past, beyond the reach of litigators.

If we want to give the residents representation, then we should begin the amendment process. But we cannot, we must not, circumvent the Constitution by arrogating powers to ourselves that it does not give us itself. To do so would be to undermine the law from which all others in this nation derive, the one Lincoln once referred to as the only safeguard of our liberties.

The purpose of the Constitution is to limit, not expand powers. We must always be careful in tampering with that principle. This is the wisdom of the amendment process. Despite the clearly good intentions of the authors of this bill, let's not turn away from a principle that has served us well in remedying injustice in the past.

The question here is not the end we seek, but the means by which it is achieved. And any other means than the one outlined in the Constitution would be by definition unconstitutional.

Let's do what we have always done and follow the Constitution to achieve our good ends. Otherwise, the achievement itself would be unconstitutional. And the supreme law cannot be at war with itself.

The Framers have spoken, prior congresses have spoken, the citizens of the United States have spoken. Now it is time for us, on this Constitution Day, to see the text, listen to these voices, and vote, as we have all sworn, ''to support and defend the Constitution of the United States of America.'' Then we will be able to say with Franklin that the Sun, which lights the way for all of our work in this Chamber, continues even today to rise.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, is the body still in morning business?

The ACTING PRESIDENT pro tempore. The Senate is in morning business, but the Republican time has expired.

Mr. KYL. Mr. President, I ask unanimous consent that I be allowed to proceed in morning business for 10 minutes.

Mr. LEVIN. I have no objection.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOMINATION OF JUDGE MICHAEL MUKASEY

Mr. KYL. Mr. President, I wish to address two topics quickly, and I appreciate the cooperation of the chairman of the Armed Services Committee.

I first wish to speak to the President's announcement this morning that he is going to ask the Senate to confirm Judge Michael Mukasey as the new Attorney General for the United States. I had an occasion to meet with Judge Mukasey this morning, and I have been reading throughout the last several months a great deal of what he has written, particularly on matters of national security and intelligence gathering. I find him to be very thoughtful and a highly qualified person for this position.

I simply wish to make the point to my colleagues that I am looking forward to this confirmation process, first as a member of the Judiciary Committee and then as a matter before the full body.

I think my colleagues will find Judge Mukasey not only highly qualified, being a graduate of Columbia and Yale Law School, but also someone who has an extraordinarily fine reputation on the bench and bar.

After practicing law and serving as a U.S. assistant attorney, Judge Mukasey, nominated by President Ronald Reagan, served 18 distinguished years on the Federal bench in New York as chief of the New York division. During that period of time, he acquired a reputation of the highest order, someone who is tough but fair, someone who is highly respected by his peers and the litigants who appeared before him and, as I said, who has presided over some of the most difficult and high-profile cases to come before the bench, particularly in matters dealing with terrorism.

I am looking forward to the confirmation process. I note that Members on both sides of the aisle have expressed concern that many of the positions in the Attorney General's Office have been vacant. I believe now there

are 9 out of 15 high-level positions in the Department of Justice vacant, including the position of Attorney General. It is clear that we need to get the nominee dealt with as soon as possible.

The average time for confirming an Attorney General is 3½ weeks, and I am hopeful we can use our time wisely to confirm Judge Mukasey within that period of time.

DEFENSE AUTHORIZATION

Mr. KYL. Mr. President, the other topic I wish to address is the subject of the week, the Defense authorization bill, and especially as it relates to the issue of the current ongoing military activity in Iraq. I wish to briefly respond to a couple of comments that have been said recently, particularly comments by General Petraeus and the remarks the President made to us last week.

It seems to me the President said something very important to all of America when he said the success of the surge in Iraq today offers us an opportunity to be united as we have not had for some time. There are people who want us to leave as soon as we can from Iraq. There are people who want us to stay and complete the mission. And what the President said was, regardless of which of these general positions you have supported, there is an opportunity now for us to get together because the reality is that as long as this mission does continue to succeed, we can withdraw more and more troops which, obviously, we would all wish to do. So I hope as time goes on and this surge continues to succeed, we will have the opportunity to continue to withdraw American troops.

I also wish to respond to a couple of comments made about the mission in Iraq because there has been some criticism of the mission and a suggestion that we should change the mission. I wish to make a couple of points.

First, one thing we do not want to do is change the mission by redefining that mission in the Senate based upon what kind of a mission could get 60 votes in the Senate as opposed to what kind of a mission makes sense militarily on the ground. Yet one of our colleagues has even made that point, saying that the mission should be defined to whatever will get 60 votes. That is the wrong thing to do.

The mission should be to secure Iraq, to have a stable country that can be on our side in the war against terror, that has a chance to do what the civilian government there needs to do, and to be secure enough to enable us to withdraw our troops so Iraqi troops can take over. That is the mission.

As the security is being established there, the mission can gradually evolve less to providing security, as that is turned over to Iraqi troops, and more to the continuation of the training of Iraqi troops and focusing on the mission of getting al-Qaida. That clearly is our No. 1 goal there.

But for those who say we can do that with a severely diminished number of troops, General Petraeus himself commented on that point and said you need the combination of troops that we have there today and in fairly large numbers to perform the counterterrorism mission; that it is not simply something you can say we are going to change the mission to one of counterterrorism only and expect you can perform that with just special operations troops.

As he said:

> To do counterterrorism requires conventional as well as all types of special operations forces, and intelligence, surveillance and reconnaissance assets. If the goal is to take away sanctuary from al-Qaeda, Gen. Petraeus said, ''that is something that is not just done by counterterrorist forces per se but . . . by conventional forces as well.''

The point is, those who talk about redefining the mission should be under no illusion that can be done with a different mix of forces than we have right now. It is one of the reasons we are being successful against al-Qaida because we do have the kind of full conventional forces at our disposal that enables us to succeed in that effort.

It will be very dangerous, indeed, for the Senate to define a different mission based on how many votes it could get in the Senate rather than what is necessary on the ground, or, No. 2, to restrict the kind of troops that are available to perform that mission to those that would not succeed. As General Petraeus has pointed out, we need the kind of troops we have there today in order to succeed in the mission we have there.

Finally, the whole question of whether we are going to be in Iraq for a long time, there are some who criticize the prospect of a relationship between the Iraqi Government and the United States Government, as the President discussed in his speech. But the reality is, as he pointed out, the Iraqi leaders have asked for that relationship, and it should be one that we actually support. We need to have a good, strong relationship with another country in the Middle East, a country that can be on our side in the war against the terrorists, that refuses to give sanctuary to the terrorists, and can be a buffer against a nuclear-armed Iran, a fastidious Syria, and others in the region, and whose interests are identical to ours.

This is one reason why it bothers me not in the least that Iraqi leaders would ask to us have an enduring, ongoing relation even after we have pulled out many of our troops, to the point that we may have troops in Iraq for a long time. We have had troops in Germany now for over 60 years, and we have had troops in Korea for over 50 years. There may be a point in having U.S. troops in the region and even in the country of Iraq.

Our hope—and I am sure this is shared by all of us on both sides of the aisle in this body—is that as the troop surge continues to succeed, we can draw down the number of those troops to a point that it is not a strain on the U.S. military and the danger to the troops there is greatly diminished. Clearly, this is the way we seek to resolve our involvement in Iraq.

I hope the President's message, that this offers us an opportunity to be united rather than divided, in fact, comes to pass, because not only would that benefit the people of Iraq, it would help sustain our national security interests and help to bring our country together politically over this most difficult issue as well.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of H.R. 1585, which the clerk will report.

The legislative clerk read as follows:

> A bill (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.

Pending:

> Nelson of Nebraska (for Levin) amendment No. 2011, in the nature of a substitute.
>
> Levin amendment No. 2087 (to amendment No. 2011), to provide for a reduction and transition of United States forces in Iraq.
>
> Reed amendment No. 2088 (to amendment No. 2087), to change the enactment date.
>
> Dodd (for Levin) amendment No. 2274 (to the language proposed to be stricken by amendment No. 2011), to provide for a reduction and transition of United States forces in Iraq.
>
> Levin amendment No. 2275 (to amendment No. 2274), to provide for a reduction and transition of United States forces in Iraq.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Mr. President, I am pleased the Senate today returns to the consideration of the National Defense Authorization Act for fiscal year 2008. This bill contains important benefits for our men and women in uniform, including pay raises, targeted bonuses and special pays, and benefits. It also includes funding and authorities needed to provide our troops the equipment and support they will need.

Prompt Senate action on this bill will send an important message. Regardless of our position on the war in Iraq, we all support our men and women in uniform. The bill was approved by the Armed Services Committee on a unanimous 25-to-0 vote, and it is my hope it will receive a similarly strong endorsement from the full Senate.

We have a lot of hard work ahead of us before that can happen. As of today,

more than 300 amendments have been filed. We are working hard to clear as many of these amendments as possible, but some amendments will inevitably require votes. Where that is the case, I hope my colleagues will work with us to develop appropriate time agreements that protect the interests of everybody involved while expediting consideration of the bill.

Congress has enacted a Defense Authorization Act every year for more than 40 years. I hope we will build on that record and show our strong support for our soldiers, sailors, airmen, and marines by working together to pass this bill.

On a procedural note, I understand the President signed the Honest Leadership and Open Government Act of 2007 into law on Friday. In accordance with the new rules, I am placing into the RECORD a certification that each congressionally directed item in this bill and the accompanying report has been identified through lists identifying the names of the Senator or Senators requesting the item and that this information has been available on the committee's Web site for more than 48 hours.

In addition, the committee is in the process of collecting a certification from each such Senator that neither the Senator nor the Senator's immediate family has a pecuniary interest in the item, and, again, that is consistent with the requirements of the Senate rules now. In accordance with the requirements of the new rules, we will make these certifications available for public inspection on our Web site as soon as practicable.

Mr. President, I ask unanimous consent to have printed in the RECORD my certification of compliance with the requirements of the Honest Leadership and Open Government Act of 2007.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CERTIFICATION OF COMPLIANCE WITH THE REQUIREMENTS OF THE HONEST LEADERSHIP AND OPEN GOVERNMENT ACT OF 2007

SEPTEMBER 17, 2007.

I hereby certify that—

(1) each congressionally directed spending item, limited tax benefit, and limited tariff benefit, if any, in the National Defense Authorization Act for Fiscal Year 2008, as reported by the Committee on Armed Services, has been identified through lists, charts, or other similar means including the name of each Senator who submitted a request to the committee for each item so identified; and

(2) the information described in paragraph (1) has been available on the website of the Committee on Armed Services in a searchable format for more than 48 hours.

CARL LEVIN,
Chairman.

Mr. LEVIN. Mr. President, we are open to amendments. If Senators want to come to the floor now and offer amendments, it will be required we set aside a pending amendment. We are hoping to get unanimous consent to do that. We expect we will be able to get unanimous consent to do that. So Senators who have amendments, if they will come to the floor and discuss and describe their amendments, we will be able to hopefully make some progress, and then at a later time this afternoon hopefully make those amendments in order by a unanimous consent agreement to withdraw the pending second-degree amendment.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. LEAHY are printed in today's RECORD under ''Morning Business.'')

AMENDMENT NO. 2022

Mr. LEAHY. Mr. President, I realize it is not possible, because agreement has not yet been reached, to set aside the pending legislation to bring up the Habeas Corpus Restoration Act as an amendment. As the managers of the bill are not on the floor, I certainly will not take advantage of that and do it. So let me speak about it.

I now am speaking on the National Defense Authorization Act. At an appropriate time, I will bring up amendment No. 2022. I will tell you why I will do this.

Last year, Congress committed an historic mistake by suspending the Great Writ of habeas corpus—not just for those confined at Guantanamo Bay but for millions of legal residents in the United States. The Senate Judiciary Committee's hearing in May on this bill illustrated the broad agreement among representatives from diverse political beliefs and backgrounds that the mistake committed in the Military Commissions Act of 2006 must be corrected. The Habeas Corpus Restoration Act of 2007, S.185, the bill on which this amendment is based, has 30 cosponsors. The Senate Judiciary Committee reported it on a bipartisan basis. I hope Senators will review the committee report on this measure.

Habeas corpus was recklessly undermined in last year's Military Commissions Act. Like the internment of Japanese Americans during World War II, the elimination of habeas rights was an action driven by fear, and it was a stain on America's reputation in the world. This is a time of testing. Future generations will look back to examine the choices we made during a time when security was too often invoked as a watchword to convince us to slacken our defense of liberty and the rule of law.

The Great Writ of habeas corpus is the legal process that guarantees an opportunity to go to court and challenge the abuse of power by the Government. The Military Commissions Act rolled back these protections by eliminating that right, permanently, for any noncitizen labeled an enemy combatant. In fact, a detainee does not have to be found to be an enemy combatant; it is enough for the Government to say someone is ''awaiting'' determination of that status—something detainees cannot even contest when they are held in jail.

The sweep of this habeas provision goes far beyond the few hundred detainees currently held at Guantanamo Bay, and it includes an estimated 12 million lawful permanent residents in the United States today. These are people who work and pay taxes, people who abide by our laws and should be entitled to fair treatment. It is, after all, the American way. It is what we brag about when we go to their countries. But under this law, any of these people can be detained, forever, without any ability to challenge their detention in court.

This is wrong. It is unconstitutional. It is un-American.

Top conservative thinkers, evangelical activists, and prominent members of the Latino community have all spoken out on the need to restore these basic American rights. GEN Colin Powell, like many leading former military and diplomatic officials, has spoken of the importance of these habeas rights. He asked, ''Isn't that what our system's all about?''

Perhaps most powerful for me was the testimony of RADM Donald Guter, who was working in his office in the Pentagon as Judge Advocate General of the Navy on September 11, 2001, and saw firsthand the effects of terrorism. His credibility is unimpeachable when he says that denying habeas rights to detainees endangers our troops and undermines our military efforts.

Admiral Guter testified:

> As we limit the rights of human beings, even those of the enemy, we become more like the enemy. That makes us weaker and imperils our valiant troops, serving not just in Iraq and Afghanistan, but around the globe.

He was right. Whether you are an individual soldier, or a great nation, it is difficult to defend the higher ground by taking the lower road. The world knows what our enemies stand for. The world also knows what this country has tried to stand for and live up to in—the best of times, and the worst of times.

Now, as we work to reauthorize the many programs that compose our valiant armed forces, it is the right time to heed the advice of so many of our top military lawyers who tell us that eliminating basic legal rights undermines our fighting men and women; it does not make them stronger.

I especially want to thank Senator SPECTER and acknowledge his strong and consistent leadership on this issue. Senator SPECTER and I came to this

floor to offer this amendment back on July 10, when this bill was initially being considered, and thereafter. I hope all Senators will now join with us in restoring basic American values and the rule of law, while making our Nation stronger.

It is from strength that America should defend our values and our way of life. It is from the strength of our freedoms, our Constitution, and the rule of law that we shall prevail. I hope all in the Senate, Republicans and Democrats, will join us in standing up for a stronger America, for the America we believe in, and support the Habeas Corpus Restoration Act of 2007.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DURBIN). Without objection, it is so ordered.

AMENDMENTS NOS. 2174, AS MODIFIED; 2175; 2168; 2108; 2015; 2050; 2120; 2056; 2147; 2047; 2117; 2190; 2199; 2203; 2201; 2200; 2112; 2099; 2212; 2222; 2230, AS MODIFIED; 2234, AS MODIFIED; 2272; 2220; 2276; 2257; 2281; 2250; 2254; 2268; 2292; 2305; 2216; 2309; 2308; 2310; 2617; 2313; 2863; 2282; 2210; 2291; 2096; 2315; 2176; 2326; 2263; 2294; 2277, AS MODIFIED; AND 2862 TO AMENDMENT NO. 2011

Mr. LEVIN. Mr. President, I send a series of amendments to the desk which have been cleared by myself and Senator WARNER. I ask unanimous consent that the Senate consider those amendments en bloc, the amendments be agreed to en bloc, and the motions to reconsider be laid on the table. Finally, I ask unanimous consent to have any statements relating to any of these individual amendments printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. No objection. As a matter of fact, we have worked out in a very satisfactory way each of these amendments.

Mr. LEVIN. Mr. President, I understand there are 50 amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 2174, AS MODIFIED

At the end of subtitle B of title I, add the following:

SEC. 115. GENERAL FUND ENTERPRISE BUSINESS SYSTEM.

(a) ADDITIONAL AMOUNT.—

(1) IN GENERAL.—The amount authorized to be appropriated by section 201(1) for research, development, test and evaluation for the Army is hereby increased by $59,041,000.

(2) AVAILABILITY.—Of the amount authorized to be appropriated by section 201(1) for research, development test and evaluation for the Army, as increased by paragraph (1), $59,041,000 may be available for the General Fund Enterprise Business System of the Army.

(3) SUPPLEMENT NOT SUPPLANT.—The amount available under paragraph (2) for the purpose specified in that paragraph is in addition to any other amounts available in this Act for that purpose.

(b) OFFSET.—

(1) RDTE, ARMY.—The amount authorized to be appropriated by section 101(5) for other procurement for the Army is hereby reduced by $29,219,000, with the amount of the reduction to be allocated to amounts available for the General Fund Enterprise Business System.

(2) O&M, ARMY.—The amount authorized to be appropriated by section 301(1) for operation and maintenance for the Army is hereby reduced by $29,822,000, with the amount of the reduction to be allocated to amounts available for the General Fund Enterprise Business System.

AMENDMENT NO. 2175

(Purpose: To modify the requirements on the Defense Science Board Review of Department of Defense policies and procedures for the acquisition of information technology)

On page 246, strike lines 4 through 6 and insert the following:

(G) the information officers of the Defense Agencies; and

(H) the Director of Operational Test and Evaluation and the heads of the operational test organizations of the military departments and the Defense Agencies.

On page 247, between lines 7 and 8, insert the following:

(9) The adequacy of operational and development test resources (including infrastructure and personnel), policies, and procedures to ensure appropriate testing of information technology systems both during development and before operational use.

(10) The appropriate policies and procedures for technology assessment, development, and operational testing for purposes of the adoption of commercial technologies into information technology systems.

AMENDMENT NO. 2168

(Purpose: To express the sense of Congress on the procurement program for the KC–X tanker aircraft)

At the end of subtitle D at title I, add the following:

SEC. 143. SENSE OF CONGRESS ON THE PROCUREMENT PROGRAM FOR THE KC–X TANKER AIRCRAFT.

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

(1) Aerial refueling is a critically important force multiplier for the Air Force.

(2) The KC-X tanker aircraft procurement program is the number one acquisition and recapitalization priority of the Air Force.

(3) Given the competing budgetary requirements of the other Armed Forces and other sectors of the Federal Government, the Air Force needs to modernize at the most cost effective price.

(4) Competition in defense procurement provides the Armed Forces with the best products at the best price.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Air Force should—

(1) hold a full and open competition to choose the best possible joint aerial refueling capability at the most reasonable price; and

(2) be discouraged from taking any actions that would limit the ability of either of the teams seeking the contract for the procurement of KC-X tanker aircraft from competing for that contract.

AMENDMENT NO. 2108

(Purpose: To require a report on the planning and implementation of the policy of the United States toward Darfur)

At the end of title XII, add the following:

SEC. 1205. REPORT ON PLANNING AND IMPLEMENTATION OF UNITED STATES ENGAGEMENT AND POLICY TOWARD DARFUR.

(a) REQUIREMENT FOR REPORTS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the appropriate congressional committees a report on the policy of the United States to address the crisis in Darfur, in eastern Chad, and in north-eastern Central African Republic, and on the contributions of the Department of Defense and the Department of State to the North Atlantic Treaty Organization (NATO), the United Nations, and the African Union in support of the current African Union Mission in Sudan (AMIS) or any covered United Nations mission.

(b) ELEMENTS.—Each report under subsection (a) shall include the following:

(1) An assessment of the extent to which the Government of Sudan is in compliance with its obligations under international law and as a member of the United Nations, including under United Nations Security Council Resolutions 1706 (2006) and 1591 (2005), and a description of any violations of such obligations, including violations relating to the denial of or delay in facilitating access by AMIS and United Nations peacekeepers to conflict areas, failure to implement responsibilities to demobilize and disarm the Janjaweed militias, obstruction of the voluntary safe return of internally displaced persons and refugees, and degradation of security of and access to humanitarian supply routes.

(2) A comprehensive explanation of the policy of the United States to address the crisis in Darfur, including the activities of the Department of Defense and the Department of State.

(3) A comprehensive assessment of the impact of a no-fly zone for Darfur, including an assessment of the impact of such a no-fly zone on humanitarian efforts in Darfur and the region and a plan to minimize any negative impact on such humanitarian efforts during the implementation of such a no-fly zone.

(4) A description of contributions made by the Department of Defense and the Department of State in support of NATO assistance to AMIS and any covered United Nations mission.

(5) An assessment of the extent to which additional resources are necessary to meet the obligations of the United States to AMIS and any covered United Nations mission.

(c) FORM AND AVAILABILITY OF REPORTS.—

(1) FORM.—Each report submitted under this section shall be in an unclassified form, but may include a classified annex.

(2) AVAILABILITY.—The unclassified portion of any report submitted under this section shall be made available to the public.

(d) REPEAL OF SUPERSEDED REPORT REQUIREMENT.—Section 1227 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2426) is repealed.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED UNITED NATIONS MISSION.—The term ''covered United Nations mission'' means any United Nations-African Union hybrid peacekeeping operation in Darfur, and any United Nations peacekeeping operating in Darfur, eastern Chad, or northern Central

African Republic, that is deployed on or after the date of the enactment of this Act.

AMENDMENT NO. 2015

(Purpose: To provide for additional members on the Department of Defense Military Family Readiness Council)

On page 107, between lines 16 and 17, insert the following:

''(D) In addition to the members appointed under subparagraphs (B) and (C), eight individuals appointed by the Secretary of Defense, of whom—

''(i) one shall be a commissioned officer of the Army or spouse of a commissioned officer of the Army, and one shall be an enlisted member of the Army or spouse of an enlisted member of the Army, except that of the individuals appointed under this clause at any particular time, one shall be a member of the Army and the other shall be a spouse of a member of the Army;

''(ii) one shall be a commissioned officer of the Navy or spouse of a commissioned officer of the Navy, and one shall be an enlisted member of the Navy or spouse of an enlisted member of the Navy, except that of the individuals appointed under this clause at any particular time, one shall be a member of the Navy and the other shall be a spouse of a member of the Navy;

''(iii) one shall be a commissioned officer of the Marine Corps or spouse of a commissioned officer of the Marine Corps, and one shall be an enlisted member of the Marine Corps or spouse of an enlisted member of the Marine Corps, except that of the individuals appointed under this clause at any particular time, one shall be a member of the Marine Corps and the other shall be a spouse of a member of the Marine Corps; and

''(iv) one shall be a commissioned officer of the Air Force or spouse of a commissioned officer of the Air Force, and one shall be an enlisted member of the Air Force or spouse of an enlisted member of the Air Force, except that of the individuals appointed under this clause at any particular time, one shall be a member of the Air Force and the other shall be a spouse of a member of the Air Force.''.

AMENDMENT NO. 2050

(Purpose: To require a report on surveys of patient satisfaction at military treatment facilities)

At the end of title VII, add the following:

SEC. 703. REPORT ON PATIENT SATISFACTION SURVEYS.

(a) REPORT REQUIRED.—Not later than March 1, 2008, the Secretary of Defense shall submit to the congressional defense committees a report on the ongoing patient satisfaction surveys taking place in Department of Defense inpatient and outpatient settings at military treatment facilities.

(b) CONTENT.—The report required under subsection (a) shall include the following:

(1) The types of survey questions asked.

(2) How frequently the surveying is conducted.

(3) How often the results are analyzed and reported back to the treatment facilities.

(4) To whom survey feedback is made available.

(5) How best practices are incorporated for quality improvement.

(6) An analysis of the impact and effect of inpatient and outpatient surveys quality improvement and a comparison of patient satisfaction survey programs with patient satisfaction survey programs used by other public and private health care systems and organizations.

(c) USE OF REPORT INFORMATION.—The Secretary shall use information in the report as the basis for a plan for improvements in patient satisfaction surveys at health care at military treatment facilities in order to ensure the provision of high quality healthcare and hospital services in such facilities.

AMENDMENT NO. 2120

(Purpose: To require an additional element in the management plan for the Joint Improvised Explosive Device Defeat Fund)

On page 415, between lines 2 and 3, insert the following:

(C) activities for the coordination of research technology development and concepts of operations on improvised explosive defeat with the military departments, the Defense Agencies, the combatant commands, the Department of Homeland Security, and other appropriate departments and agencies of the Federal Government.

AMENDMENT NO. 2056

(Purpose: To provide support and assistance for families of members of the Armed Forces who are undergoing deployment)

At the end of subtitle G of title V, add the following:

SEC. 583. FAMILY SUPPORT FOR FAMILIES OF MEMBERS OF THE ARMED FORCES UNDERGOING DEPLOYMENT, INCLUDING NATIONAL GUARD AND RESERVE PERSONNEL.

(a) FAMILY SUPPORT.—

(1) IN GENERAL.—The Secretary of Defense shall enhance and improve current programs of the Department of Defense to provide family support for families of deployed members of the Armed Forces, including deployed members of the National Guard and Reserve, in order to improve the assistance available for families of such members before, during, and after their deployment cycle.

(2) SPECIFIC ENHANCEMENTS.—In enhancing and improving programs under paragraph (1), the Secretary shall enhance and improve the availability of assistance to families of members of the Armed Forces, including members of the National Guard and Reserve, including assistance in—

(A) preparing and updating family care plans;

(B) securing information on health care and mental health care benefits and services and on other community resources;

(C) providing referrals for—

(i) crisis services; and

(ii) marriage counseling and family counseling; and

(D) financial counseling.

(b) POST-DEPLOYMENT ASSISTANCE FOR SPOUSES AND PARENTS OF RETURNING MEMBERS.—

(1) IN GENERAL.—The Secretary of Defense shall provide spouses and parents of members of the Armed Forces, including members of the National Guard and Reserve, who are returning from deployment assistance in—

(A) understanding issues that arise in the readjustment of such members—

(i) for members of the National Guard and Reserve, to civilian life; and

(ii) for members of the regular components of the Armed Forces, to military life in a non-combat environment;

(B) identifying signs and symptoms of mental health conditions; and

(C) encouraging such members and their families in seeking assistance for such conditions.

(2) INFORMATION ON AVAILABLE RESOURCES.—In providing assistance under paragraph (1), the Secretary shall provide information on local resources for mental health services, family counseling services, or other appropriate services, including services available from both military providers of such services and community-based providers of such services.

(3) TIMING.—The Secretary shall provide resources under paragraph (1) to a member of the Armed Forces approximately six months after the date of the return of such member from deployment.

SEC. 584. SUPPORT SERVICES FOR CHILDREN, INFANTS, AND TODDLERS OF MEMBERS OF THE ARMED FORCES UNDERGOING DEPLOYMENT, INCLUDING NATIONAL GUARD AND RESERVE PERSONNEL.

(a) ENHANCEMENT OF SUPPORT SERVICES FOR CHILDREN.—The Secretary of Defense shall—

(1) provide information to parents and other caretakers of children, including infants and toddlers, who are deployed members of the Armed Forces to assist such parents and caretakers in responding to the adverse implications of such deployment (and the death or injury of such members during such deployment) for such children, including the role such parents and caretakers can play in addressing and mitigating such implications;

(2) develop programs and activities to increase awareness throughout the military and civilian communities of the potential adverse implications of such deployment (including the death or injury of such members during such deployment) for such children and their families and to increase collaboration within such communities to address and mitigate such implications;

(3) develop training for early childhood education, child care, mental health, health care, and family support professionals to enhance the awareness of such professionals of their role in assisting families in addressing and mitigating the potential adverse implications of such deployment (including the death or injury of such members during such deployment) for such children; and

(4) conduct or sponsor research on best practices for building psychological and emotional resiliency in such children in coping with the deployment of such members.

(b) REPORTS.—

(1) REPORTS REQUIRED.—At the end of the 18-month period beginning on the date of the enactment of this Act, and at the end of the 36-month period beginning on that date, the Secretary of Defense shall submit to Congress a report on the services provided under subsection (a).

(2) ELEMENTS.—Each report under paragraph (1) shall include the following:

(A) An assessment of the extent to which outreach to parents and other caretakers of children, or infants and toddlers, as applicable, of members of the Armed Forces was effective in reaching such parents and caretakers and in mitigating any adverse effects of the deployment of such members on such children or infants and toddlers.

(B) An assessment of the effectiveness of training materials for education, mental health, health, and family support professionals in increasing awareness of their role in assisting families in addressing and mitigating the adverse effects on children, or infants and toddlers, of the deployment of deployed members of the Armed Forces, including National Guard and Reserve personnel.

(C) A description of best practices identified for building psychological and emotional resiliency in children, or infants and toddlers, in coping with the deployment of deployed members of the Armed Forces, including National Guard and Reserve personnel.

(D) A plan for dissemination throughout the military departments of the most effective practices for outreach, training, and building psychological and emotional resiliency in the children of deployed members.

AMENDMENT NO. 2147

(Purpose: To authorize the Air University to confer additional academic degrees)

At the end of subtitle D of title V, add the following:

SEC. 555. AUTHORITY OF THE AIR UNIVERSITY TO CONFER ADDITIONAL ACADEMIC DEGREES.

Section 9317(a) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

''(5) The degree of doctor of philosophy in strategic studies upon graduates of the School of Advanced Airpower Studies who fulfill the requirements for that degree in manner consistent with the guidelines of the Department of Education and the principles of the regional accrediting body for Air University.

''(6) The degree of master of air, space, and cyberspace studies upon graduates of Air University who fulfill the requirements for that degree in a manner consistent with the recommendations of the Department of Education and the principles of the regional accrediting body for Air University.

''(7) The degree of master of flight test engineering science upon graduates of the Air Force Test Pilot School who fulfill the requirements for that degree in a manner consistent with the recommendations of the Department of Education and the principles of the regional accrediting body for Air University.''.

AMENDMENT NO. 2047

(Purpose: To specify additional individuals eligible to transportation for survivors of deceased members)

At the end of subtitle D of title VI, add the following:

SEC. 656. ADDITIONAL INDIVIDUALS ELIGIBLE FOR TRANSPORTATION FOR SURVIVORS OF DECEASED MEMBERS TO ATTEND THE MEMBER'S BURIAL CEREMONIES.

Section 411f(c) of title 37, United States Code, is amended—

(1) in paragraph (1) by adding at the end the following new subparagraphs:

''(D) Any child of the parent or parents of the deceased member who is under the age of 18 years if such child is attending the burial ceremony of the memorial service with the parent or parents and would otherwise be left unaccompanied by the parent or parents.

''(E) The person who directs the disposition of the remains of the deceased member under section 1482(c) of title 10, or, in the case of a deceased member whose remains are commingled and buried in a common grave in a national cemetery, the person who have been designated under such section to direct the disposition of the remains if individual identification had been made.''; and

(2) in paragraph (2), by striking ''may be provided to—'' and all that follows through the end and inserting ''may be provided to up to two additional persons closely related to the deceased member who are selected by the person referred to in paragraph (1)(E).''.

AMENDMENT NO. 2117

(Purpose: To revise the authorized variances on end strengths authorized for Selected reserve personnel)

At the end of subtitle B of title IV, add the following:

SEC. 416. REVISION OF AUTHORIZED VARIANCES IN END STRENGTHS FOR SELECTED RESERVE PERSONNEL.

(a) INCREASE.—Section 115(f)(3) of title 10, United States Code, is amended by striking ''2 percent'' and inserting ''3 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2007, and shall apply with respect to fiscal years beginning on or after that date.

AMENDMENT NO. 2190

(Purpose: To designate the positions of Principal Military Deputy to the Assistant Secretaries of the military departments for acquisition matters as critical acquisition positions)

On page 269, line 20, insert after ''management.'' the following: ''The position of Principal Deputy shall be designated as a critical acquisition position under section 1733 of this title.''.

On page 270, line 10, insert after ''management.'' the following: ''The position of Principal Deputy shall be designated as a critical acquisition position under section 1733 of this title.''.

On page 270, line 23, insert after ''management.'' the following: ''The position of Principal Deputy shall be designated as a critical acquisition position under section 1733 of this title.''.

AMENDMENT NO. 2199

(Purpose: To require a Comptroller General assessment of the Defense Experimental Program to Stimulate Competitive Research)

At the end of subtitle D of title II, add the following:

SEC. 256. COMPTROLLER GENERAL ASSESSMENT OF THE DEFENSE EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RESEARCH.

(a) REVIEW.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives an assessment of the effectiveness of the Defense Experimental Program to Stimulate Competitive Research.

(b) ASSESSMENT.—The report under subsection (a) shall include the following:

(1) A description and assessment of the tangible results and progress toward the objectives of the program, including—

(A) an identification of any past program activities that led to, or were fundamental to, applications used by, or supportive of, operational users; and

(B) an assessment of whether the program has expanded the national research infrastructure.

(2) An assessment whether the activities undertaken under the program are consistent with the statute authorizing the program.

(3) An assessment whether the various elements of the program, such as structure, funding, staffing, project solicitation and selection, and administration, are working effectively and efficiently to support the effective execution of the program.

(4) A description and assessment of past and ongoing activities of State planning committees under the program in supporting the achievement of the objectives of the program.

(5) An analysis of the advantages and disadvantages of having an institution-based formula for qualification to participate in the program when compared with the advantages and disadvantages of having a State-based formula for qualification to participate in supporting defense missions and the objective of expanding the Nation's defense research infrastructure.

(6) An identification of mechanisms for improving the management and implementation of the program, including modification of the statute authorizing the program, Department regulations, program structure, funding levels, funding strategy, or the activities of the State committees.

(7) Any other matters the Comptroller General considers appropriate.

AMENDMENT NO. 2203

(Purpose: To express the sense of Congress on family care plans and the deployment of members of the Armed Forces who have minor dependents)

At the end of title X, add the following:

SEC. 1070. SENSE OF CONGRESS ON FAMILY CARE PLANS AND THE DEPLOYMENT OF MEMBERS OF THE ARMED FORCES WHO HAVE MINOR DEPENDENTS.

(a) IN GENERAL.—It is the sense of Congress that—

(1) single parents who are members of the Armed Forces with minor dependents, and dual-military couples with minor dependents, should develop and maintain effective family care plans that—

(A) address all reasonably foreseeable situations that would result in the absence of the single parent or dual-military couple in order to provide for the efficient transfer of responsibility for the minor dependents to an alternative caregiver; and

(B) are consistent with Department of Defense Instruction 1342.19, dated July 13, 1992, and any applicable regulations of the military department concerned; and

(2) the Secretary of Defense should establish procedures to ensure that if a single parent and both spouses in a dual-military couple are required to deploy to a covered area—

(A) requests by the single parent or dual-military couple for deferments of deployment due to unforeseen circumstances are evaluated rapidly; and

(B) appropriate steps are taken to ensure adequate care for minor dependents of the single parent or dual-military couple.

(b) DEFINITIONS.—In this section:

(1) COVERED AREA.—The term ''covered area'' means an area for which special pay for duty subject to hostile fire or imminent danger is authorized under section 310 of title 37, United States Code.

(2) DUAL-MILITARY COUPLE.—The term ''dual-military couple'' means a married couple in which both spouses are members of the Armed Forces.

AMENDMENT NO. 2201

(Purpose: To amend the American Servicemembers' Protection Act of 2002 to repeal the limitations on providing United States military assistance to parties to the International Criminal Court)

At the end of subtitle A of title XII, add the following:

SEC. 1205. REPEAL OF LIMITATIONS ON MILITARY ASSISTANCE UNDER THE AMERICAN SERVICEMEMBERS' PROTECTION ACT OF 2002.

(a) REPEAL OF LIMITATIONS.—Section 2007 of the American Servicemembers' Protection Act of 2002 (22 U.S.C. 7426) is repealed.

(b) CONFORMING AMENDMENTS.—Such Act is further amended—

(1) in section 2003 (22 U.S.C. 7422)—

(A) in subsection (a)—

(i) in the heading, by striking ''SECTIONS 5 AND 7'' and inserting ''SECTION 2005''; and

(ii) by striking ''sections 2005 and 2007'' and inserting ''section 2005'';

(B) in subsection (b)—

(i) in the heading, by striking ''SECTIONS 5 AND 7'' and inserting ''SECTION 2005''; and

(ii) by striking ''sections 2005 and 2007'' and inserting ''section 2005'';

(C) in subsection (c)(2)(A), by striking ''sections 2005 and 2007'' and inserting ''section 2005'';

(D) in subsection (d), by striking ''sections 2005 and 2007'' and inserting ''section 2005''; and

(E) in subsection (e), by striking ''2006, and 2007'' and inserting ''and 2006''; and

(2) in section 2013 (22 U.S.C. 7432), by striking paragraph (13).

AMENDMENT NO. 2200

(Purpose: To prescribe that members of the Armed Forces and veterans out of uniform may render the military salute during hoisting, lowering, or passing of flag)

At the end of subtitle E of title X, add the following:

SEC. 1070. CONDUCT BY MEMBERS OF THE ARMED FORCES AND VETERANS OUT OF UNIFORM DURING HOISTING, LOWERING, OR PASSING OF FLAG.

Section 9 of title 4, United States Code, is amended by striking ''all persons present'' and all that follows through the end and inserting ''those present in uniform should render the military salute. Members of the Armed Forces and veterans who are present but not in uniform may render the military salute. All other persons present should face the flag and stand at attention with their right hand over the heart, or if applicable, remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Citizens of other countries should stand at attention. All such conduct toward the flag in a moving column should be rendered at the moment the flag passes.''.

AMENDMENT NO. 2112

(Purpose: To require studies on support services for families of members of the Active and Reserve components who are undergoing deployment)

At the end of subtitle G of title V, add the following:

SEC. 583. STUDY ON IMPROVING SUPPORT SERVICES FOR CHILDREN, INFANTS, AND TODDLERS OF MEMBERS OF THE ACTIVE AND RESERVE COMPONENTS UNDERGOING DEPLOYMENT.

(a) STUDY REQUIRED.—

(1) STUDY.—The Secretary of Defense shall conduct a study to evaluate the feasibility and advisability of entering into a contract or other agreement with a private sector entity having expertise in the health and well-being of families and children, infants, and toddlers in order to enhance and develop support services for children of members of the Active and Reserve components who are deployed.

(2) TYPES OF SUPPORT SERVICES.—In conducting the study, the Secretary shall consider the need—

(A) to develop materials for parents and other caretakers of children of members of the Active and Reserve components who are deployed to assist such parents and caretakers in responding to the adverse implications of such deployment (and the death or injury of such members during such deployment) for such children, including the role such parents and caretakers can play in addressing and mitigating such implications;

(B) to develop programs and activities to increase awareness throughout the military and civilian communities of the adverse implications of such deployment (and the death or injury of such members during such deployment) for such children and their families and to increase collaboration within such communities to address and mitigate such implications;

(C) to develop training for early child care and education, mental health, health care, and family support professionals to enhance the awareness of such professionals of their role in assisting families in addressing and mitigating the adverse implications of such deployment (and the death or injury of such members during such deployment) for such children; and

(D) to conduct research on best practices for building psychological and emotional resiliency in such children in coping with the deployment of such members.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing the results of the study conducted under subsection (a).

SEC. 584. STUDY ON ESTABLISHMENT OF PILOT PROGRAM ON FAMILY-TO-FAMILY SUPPORT FOR FAMILIES OF DEPLOYED MEMBERS OF THE ACTIVE AND RESERVE COMPONENTS AND RESERVE.

(a) STUDY.—The Secretary of Defense shall carry out a study to evaluate the feasibility and advisability of establishing a pilot program on family-to-family support for families of deployed members of the Active and Reserve components. The study shall include an assessment of the following:

(1) The effectiveness of family-to-family support programs in—

(A) providing peer support for families of deployed members of the Active and Reserve components;

(B) identifying and preventing family problems in such families;

(C) reducing adverse outcomes for children of such families, including poor academic performance, behavioral problems, stress, and anxiety; and

(D) improving family readiness and post-deployment transition for such families.

(2) The feasibility and advisability of utilizing spouses of members of the Armed Forces as counselors for families of deployed members of the Active and Reserve components, in order to assist such families in coping throughout the deployment cycle.

(3) Best practices for training spouses of members of the Armed Forces to act as counselors for families of deployed members of the Active and Reserve components.

(b) REPORT.—The Secretary of Defense shall submit to Congress a report containing the results of the study conducted under subsection (a) not later than 180 days after the date of the enactment of this Act.

AMENDMENT NO. 2099

(Purpose: To extend the date on which the National Security Personnel System will first apply to certain defense laboratories)

On page 354, after line 24, add the following:

SEC. 1070. EXTENSION OF DATE OF APPLICATION OF NATIONAL SECURITY PERSONNEL SYSTEM TO DEFENSE LABORATORIES.

Section 9902(c)(1) of title 5, United States Code, is amended by striking ''October 1, 2008'' each place such term appears and inserting ''October 1, 2011'' in each such place.

AMENDMENT NO. 2212

(Purpose: To authorize the Secretary of Defense to provide for the protection of certain individuals)

At the end of title X, add the following:

SEC. 1070. PROTECTION OF CERTAIN INDIVIDUALS.

(a) PROTECTION FOR DEPARTMENT LEADERSHIP.—The Secretary of Defense, under regulations prescribed by the Secretary and in accordance with guidelines approved by the Secretary and the Attorney General, may authorize qualified members of the Armed Forces and qualified civilian employees of the Department of Defense to provide physical protection and security within the United States to the following persons who, by nature of their positions, require continuous security and protection:

(1) Secretary of Defense.

(2) Deputy Secretary of Defense.

(3) Chairman of the Joint Chiefs of Staff.

(4) Vice Chairman of the Joint Chiefs of Staff.

(5) Secretaries of the military departments.

(6) Chiefs of the Services.

(7) Commanders of combatant commands.

(b) PROTECTION FOR ADDITIONAL PERSONNEL.—

(1) AUTHORITY TO PROVIDE.—The Secretary of Defense, under regulations prescribed by the Secretary and in accordance with guidelines approved by the Secretary and the Attorney General, may authorize qualified members of the Armed Forces and qualified civilian employees of the Department of Defense to provide physical protection and security within the United States to individuals other than individuals described in paragraphs (1) through (7) of subsection (a) if the Secretary determines that such protection is necessary because—

(A) there is an imminent and credible threat to the safety of the individual for whom protection is to be provided; or

(B) compelling operational considerations make such protection essential to the conduct of official Department of Defense business.

(2) PERSONNEL.—Individuals authorized to receive physical protection and security under this subsection include the following:

(A) Any official, military member, or employee of the Department of Defense, including such a former or retired official who faces serious and credible threats arising from duties performed while employed by the Department.

(B) Any distinguished foreign visitor to the United States who is conducting official business with the Department of Defense.

(C) Any member of the immediate family of a person authorized to receive physical protection and security under this section.

(3) LIMITATION ON DELEGATION.—The authority of the Secretary of Defense to authorize the provision of physical protection and security under this subsection may be delegated only to the Deputy Secretary of Defense.

(4) REQUIREMENT FOR WRITTEN DETERMINATION.—A determination of the Secretary of Defense to provide physical protection and security under this subsection shall be in writing, shall be based on a threat assessment by an appropriate law enforcement, security or intelligence organization, and shall include the name and title of the officer, employee, or other individual affected, the reason for such determination, and the duration of the authorized protection and security for such officer, employee, or individual.

(5) DURATION OF PROTECTION.—

(A) INITIAL PERIOD OF PROTECTION.—After making a written determination under paragraph (4), the Secretary of Defense may provide protection and security to an individual under this subsection for an initial period of not more than 90 calendar days.

(B) SUBSEQUENT PERIOD.—If, at the end of the 90-day period that protection and security is provided to an individual under subsection (A), the Secretary determines that a condition described in subparagraph (A) or (B) of paragraph (1) continues to exist with respect to the individual, the Secretary may extend the period that such protection and security is provided for additional 60-day periods. The Secretary shall review such a determination at the end of each 60-day period to determine whether to continue to provide such protection and security.

(C) REQUIREMENT FOR COMPLIANCE WITH REGULATIONS.—Protection and security provided under subparagraph (B) shall be provided in accordance with the regulations and guidelines referred to in paragraph (1).

(6) SUBMISSION TO CONGRESS.—

(A) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a report of each determination made under paragraph (4) to provide protection and security to an individual and of each determination under paragraph (5)(B) to

extend such protection and security, together with the justification for such determination, not later than 30 days after the date on which the determination is made.

(B) FORM OF REPORT.—A report submitted under subparagraph (A) may be made in classified form.

(c) DEFINITIONS.—In this section:

(1) CONGRESSIONAL DEFENSE COMMITTEES.—The term ''congressional defense committees'' means the Committee on Appropriations and the Committee on Armed Services of the Senate and the Committee on Appropriations and the Committee on Armed Services of the House of Representatives.

(2) QUALIFIED MEMBERS OF THE ARMED FORCES AND QUALIFIED CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.—The terms ''qualified members of the Armed Forces and qualified civilian employees of the Department of Defense'' refer collectively to members or employees who are assigned to investigative, law enforcement, or security duties of any of the following:

(A) The U.S. Army Criminal Investigation Command.

(B) The Naval Criminal Investigative Service.

(C) The U.S. Air Force Office of Special Investigations.

(D) The Defense Criminal Investigative Service.

(E) The Pentagon Force Protection Agency.

(d) CONSTRUCTION.—

(1) NO ADDITIONAL LAW ENFORCEMENT OR ARREST AUTHORITY.—Other than the authority to provide security and protection under this section, nothing in this section may be construed to bestow any additional law enforcement or arrest authority upon the qualified members of the Armed Forces and qualified civilian employees of the Department of Defense.

(2) AUTHORITIES OF OTHER DEPARTMENTS.—Nothing in this section may be construed to preclude or limit, in any way, the express or implied powers of the Secretary of Defense or other Department of Defense officials, or the duties and authorities of the Secretary of State, the Director of the United States Secret Service, the Director of the United States Marshals Service, or any other Federal law enforcement agency.

AMENDMENT NO. 2222

(Purpose: To prevent nuclear terrorism, and for other purposes)

At the end of title XXXI, add the following:

Subtitle D—Nuclear Terrorism Prevention

SEC. 3131. DEFINITIONS.

In this subtitle:

(1) The term ''Convention on the Physical Protection of Nuclear Material'' means the Convention on the Physical Protection of Nuclear Material, signed at New York and Vienna March 3, 1980.

(2) The term ''formula quantities of strategic special nuclear material'' means uranium–235 (contained in uranium enriched to 20 percent or more in the U–235 isotope), uranium–233, or plutonium in any combination in a total quantity of 5,000 grams or more computed by the formula, grams = (grams contained U–235) + 2.5 (grams U–233 + grams plutonium), as set forth in the definitions of ''formula quantity'' and ''strategic special nuclear material'' in section 73.2 of title 10, Code of Federal Regulations.

(3) The term ''Nuclear Non-Proliferation Treaty'' means the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (21 UST 483).

(4) The term ''nuclear weapon'' means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for the development of, a weapon, a weapon prototype, or a weapon test device.

SEC. 3132. FINDINGS.

Congress makes the following findings:

(1) The possibility that terrorists may acquire and use a nuclear weapon against the United States is the most horrific threat that our Nation faces.

(2) The September 2006 ''National Strategy for Combating Terrorism'' issued by the White House states, ''Weapons of mass destruction in the hands of terrorists is one of the gravest threats we face.''

(3) Former Senator and cofounder of the Nuclear Threat Initiative Sam Nunn has stated, ''Stockpiles of loosely guarded nuclear weapons material are scattered around the world, offering inviting targets for theft or sale. We are working on this, but I believe that the threat is outrunning our response.''.

(4) Existing programs intended to secure, monitor, and reduce nuclear stockpiles, redirect nuclear scientists, and interdict nuclear smuggling have made substantial progress, but additional efforts are needed to reduce the threat of nuclear terrorism as much as possible.

(5) Former United Nations Secretary-General Kofi Annan has said that a nuclear terror attack ''would not only cause widespread death and destruction, but would stagger the world economy and thrust tens of millions of people into dire poverty''.

(6) United Nations Security Council Resolution 1540 (2004) reaffirms the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts, and directs all countries, in accordance with their national procedures, to adopt and enforce effective laws that prohibit any non-state actor from manufacturing, acquiring, possessing, developing, transporting, transferring, or using nuclear, chemical, or biological weapons and their means of delivery, in particular for terrorist purposes, and to prohibit attempts to engage in any of the foregoing activities, participate in them as an accomplice, or assist or finance them.

(7) The Director General of the International Atomic Energy Agency, Dr. Mohammed ElBaradei, has said that it is a ''race against time'' to prevent a terrorist attack using a nuclear weapon.

(8) The International Atomic Energy Agency plays a vital role in coordinating efforts to protect nuclear materials and to combat nuclear smuggling.

(9) Legislation sponsored by Senator Richard Lugar, Senator Pete Domenici, and former Senator Sam Nunn has resulted in groundbreaking programs to secure nuclear weapons and materials and to help ensure that such weapons and materials do not fall into the hands of terrorists.

SEC. 3133. SENSE OF CONGRESS ON THE PREVENTION OF NUCLEAR TERRORISM.

It is the sense of Congress that—

(1) the President should make the prevention of a nuclear terrorist attack on the United States of the highest priority;

(2) the President should accelerate programs, requesting additional funding as appropriate, to prevent nuclear terrorism, including combating nuclear smuggling, securing and accounting for nuclear weapons, and eliminating, removing, or securing and accounting for formula quantities of strategic special nuclear material wherever such quantities may be;

(3) the United States, together with the international community, should take a comprehensive approach to reducing the danger of nuclear terrorism, including by making additional efforts to identify and eliminate terrorist groups that aim to acquire nuclear weapons, to ensure that nuclear weapons worldwide are secure and accounted for and that formula quantities of strategic special nuclear material worldwide are eliminated, removed, or secure and accounted for to a degree sufficient to defeat the threat that terrorists and criminals have shown they can pose, and to increase the ability to find and stop terrorist efforts to manufacture nuclear explosives or to transport nuclear explosives and materials anywhere in the world;

(4) within such a comprehensive approach, a high priority must be placed on ensuring that all nuclear weapons worldwide are secure and accounted for and that all formula quantities of strategic special nuclear material worldwide are eliminated, removed, or secure and accounted for; and

(5) the International Atomic Energy Agency should be funded appropriately to fulfill its role in coordinating international efforts to protect nuclear material and to combat nuclear smuggling.

SEC. 3134. MINIMUM SECURITY STANDARD FOR NUCLEAR WEAPONS AND FORMULA QUANTITIES OF STRATEGIC SPECIAL NUCLEAR MATERIAL.

(a) POLICY.—It is the policy of the United States to work with the international community to take all possible steps to ensure that all nuclear weapons around the world are secure and accounted for and that all formula quantities of strategic special nuclear material are eliminated, removed, or secure and accounted for to a level sufficient to defeat the threats posed by terrorists and criminals.

(b) INTERNATIONAL NUCLEAR SECURITY STANDARD.—In furtherance of the policy described in subsection (a), and consistent with the requirement for ''appropriate effective'' physical protection contained in United Nations Security Council Resolution 1540 (2004), as well as the Nuclear Non-Proliferation Treaty and the Convention on the Physical Protection of Nuclear Material, the President, in consultation with relevant Federal departments and agencies, shall seek the broadest possible international agreement on a global standard for nuclear security that—

(1) ensures that nuclear weapons and formula quantities of strategic special nuclear material are secure and accounted for to a sufficient level to defeat the threats posed by terrorists and criminals;

(2) takes into account the limitations of equipment and human performance; and

(3) includes steps to provide confidence that the needed measures have in fact been implemented.

(c) INTERNATIONAL EFFORTS.—In furtherance of the policy described in subsection (a), the President, in consultation with relevant Federal departments and agencies, shall—

(1) work with other countries and the International Atomic Energy Agency to assist as appropriate, and if necessary, work to convince, the governments of any and all countries in possession of nuclear weapons or formula quantities of strategic special nuclear material to ensure that security is upgraded to meet the standard described in subsection (b) as rapidly as possible and in a manner that—

(A) accounts for the nature of the terrorist and criminal threat in each such country; and

(B) ensures that any measures to which the United States and any such country agree are sustained after United States and other international assistance ends;

(2) ensure that United States financial and technical assistance is available as appropriate to countries for which the provision of such assistance would accelerate the implementation of, or improve the effectiveness of, such security upgrades; and

(3) work with the governments of other countries to ensure that effective nuclear security rules, accompanied by effective regulation and enforcement, are put in place to govern all nuclear weapons and formula quantities of strategic special nuclear material around the world.

SEC. 3135. ANNUAL REPORT.

(a) IN GENERAL.—Not later than September 1 of each year, the President, in consultation with relevant Federal departments and agencies, shall submit to Congress a report on the security of nuclear weapons, formula quantities of strategic special nuclear material, radiological materials, and related equipment worldwide.

(b) ELEMENTS.—The report required under subsection (a) shall include the following:

(1) A section on the programs for the security and accounting of nuclear weapons and the elimination, removal, and security and accounting of formula quantities of strategic special nuclear material and radiological materials, established under section 3132(b) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2569(b)), which shall include the following:

(A) A survey of the facilities and sites worldwide that contain nuclear weapons or related equipment, formula quantities of strategic special nuclear material, or radiological materials.

(B) A list of such facilities and sites determined to be of the highest priority for security and accounting of nuclear weapons and related equipment, or the elimination, removal, or security and accounting of formula quantities of strategic special nuclear material and radiological materials, taking into account risk of theft from such facilities and sites, and organized by level of priority.

(C) A prioritized diplomatic and technical plan, including measurable milestones, metrics, estimated timetables, and estimated costs of implementation, on the following:

(i) The security and accounting of nuclear weapons and related equipment and the elimination, removal, or security and accounting of formula quantities of strategic special nuclear material and radiological materials at such facilities and sites worldwide.

(ii) Ensuring that security upgrades and accounting reforms implemented at such facilities and sites worldwide using the financial and technical assistance of the United States are effectively sustained after such assistance ends.

(iii) The role that international agencies and the international community have committed to play, together with a plan for securing contributions.

(D) An assessment of the progress made in implementing the plan described in subparagraph (C), including a description of the efforts of foreign governments to secure and account for nuclear weapons and related equipment and to eliminate, remove, or secure and account for formula quantities of strategic special nuclear material and radiological materials.

(2) A section on efforts to establish and implement the international nuclear security standard described in section 3134(b) and related policies.

(c) FORM.—The report may be submitted in classified form but shall include a detailed unclassified summary.

AMENDMENT NO. 2230, AS MODIFIED

Strike section 1215 and insert the following:

SEC. 1215. LIMITATION ON ASSISTANCE TO THE GOVERNMENT OF THAILAND.

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

(1) Thailand is an important strategic ally and economic partner of the United States.

(2) The United States strongly supports the prompt restoration of democratic rule in Thailand.

(3) While it is in the interest of the United States to have a robust defense relationship with Thailand, it is appropriate that the United States has curtailed certain military-to-military cooperation and assistance programs until democratic rule has been restored in Thailand.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Thailand should continue on the path to restore democratic rule as quickly as possible, and should hold free and fair national elections as soon as possible and no later than December 2007; and

(2) once Thailand has fully reestablished democratic rule, it will be both possible and desirable for the United States to reinstate a full program of military assistance to the Government of Thailand, including programs such as International Military Education and Training (IMET) and Foreign Military Financing (FMF) that were appropriately suspended following the military coup in Thailand in September 2006.

(c) LIMITATION.—No funds authorized to be appropriated by this Act may be obligated or expended to provide direct assistance to the Government of Thailand to initiate new military assistance activities until 15 days after the Secretary of Defense notifies the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and Foreign Affairs of the House of Representatives of the intent of the Secretary to carry out such new types of military assistance activities with Thailand.

(d) EXCEPTION.—The limitation in subsection (c) shall not apply with respect to funds as follows:

(1) Amounts authorized to be appropriated for Overseas Humanitarian, Disaster, and Civic Aid.

(2) Amounts otherwise authorized to be appropriated by this Act and available for humanitarian or emergency assistance for other nations.

(e) NEW MILITARY ASSISTANCE ACTIVITIES DEFINED.—In this section, the term ''new military assistance activities'' means military assistance activities that have not been undertaken between the United States and Thailand during fiscal year 2007.

AMENDMENT NO. 2234, AS MODIFIED

At the end of subtitle E of title III, the following:

SEC. 358. AUTHORITY FOR DEPARTMENT OF DEFENSE TO PROVIDE SUPPORT FOR CERTAIN SPORTING EVENTS.

(a) PROVISION OF SUPPORT.—Section 2564 of title 10, United States Code, is amended—

(1) in subsection (c), by adding at the end the following new paragraphs:

''(4) A sporting event sanctioned by the United States Olympic Committee through the Paralympic Military Program.

''(5) Any national or international paralympic sporting event (other than a sporting event described in paragraphs (1) through (4))—

''(A) that—

''(i) is held in the United States or any of its territories or commonwealths;

''(ii) is governed by the International Paralympic Committee; and

''(iii) is sanctioned by the United States Olympic Committee;

''(B) for which participation exceeds 100 amateur athletes; and

''(C) in which at least 10 percent of the athletes participating in the sporting event are members or former members of the armed forces who are participating in the sporting event based upon an injury or wound incurred in the line of duty in the armed force and veterans who are participating in the sporting event based upon a service-connected disability.''; and

(2) by adding at the end the following new subsection:

''(g) FUNDING FOR SUPPORT OF CERTAIN EVENTS.—(1) Amounts for the provision of support for a sporting event described in paragraph (4) or (5) of subsection (c) may be derived from the Support for International Sporting Competitions, Defense account established by section 5802 of the Omnibus Consolidated Appropriations Act, 1997 (10 U.S.C. 2564 note), notwithstanding any limitation under that section relating to the availability of funds in such account for the provision of support for international sporting competitions.

''(2) The total amount expended for any fiscal year to provide support for sporting events described in subsection (c)(5) may not exceed $1,000,000.''.

(b) SOURCE OF FUNDS.—Section 5802 of the Omnibus Consolidated Appropriations Act, 1997 (10 U.S.C. 2564 note) is amended—

(1) by inserting after ''international sporting competitions'' the following: ''and for support of sporting competitions authorized under section 2564(c)(4) and (5), of title 10, United States Code,''; and

(2) by striking ''45 days'' and inserting ''15 days''.

AMENDMENT NO. 2272

(Purpose: To extend and modify the authorities on Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack)

At the end of subtitle E of title X, add the following:

SEC. 1070. MODIFICATION OF AUTHORITIES ON COMMISSION TO ASSESS THE THREAT TO THE UNITED STATES FROM ELECTROMAGNETIC PULSE ATTACK.

(a) EXTENSION OF DATE OF SUBMITTAL OF FINAL REPORT.—Section 1403(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 50 U.S.C. 2301 note) is amended by striking ''June 30, 2007'' and inserting ''November 30, 2008''.

(b) COORDINATION OF WORK WITH DEPARTMENT OF HOMELAND SECURITY.—Section 1404 of such Act is amended by adding at the end the following new subsection:

''(c) COORDINATION WITH DEPARTMENT OF HOMELAND SECURITY.—The Commission and the Secretary of Homeland Security shall jointly ensure that the work of the Commission with respect to electromagnetic pulse attack on electricity infrastructure, and protection against such attack, is coordinated with Department of Homeland Security efforts on such matters.''.

(c) LIMITATION ON DEPARTMENT OF DEFENSE FUNDING.—The aggregate amount of funds provided by the Department of Defense to the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack for purposes of the preparation and submittal of the final report required by section 1403(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as amended by subsection (a)), whether by transfer or otherwise and including funds provided the Commission before the date of the enactment of this Act, shall not exceed $5,600,000.

AMENDMENT NO. 2220

(Purpose: To authorize the payment of inactive duty training travel costs for certain Selected Reserve members)

At the end of subtitle A of title VI, add the following:

SEC. 604. PAYMENT OF INACTIVE DUTY TRAINING TRAVEL COSTS FOR CERTAIN SELECTED RESERVE MEMBERS.

(a) PAYMENT OF TRAVEL COSTS AUTHORIZED.—

(1) IN GENERAL.—Chapter 7 of title 37, United States Code, is amended by inserting after section 408 the following new section:

''§ 408a. Travel and transportation allowances: inactive duty training

''(a) ALLOWANCE AUTHORIZED.—Under regulations prescribed by the Secretary of Defense, the Secretary concerned may reimburse a member of the Selected Reserve of the Ready Reserve described in subsection (b) for travel expenses for travel to an inactive duty training location to perform inactive duty training.

''(b) ELIGIBLE MEMBERS.—A member of the Selected Reserve of the Ready Reserve described in this subsection is a member who—

''(1) is—

''(A) qualified in a skill designated as critically short by the Secretary concerned;

''(B) assigned to a unit of the Selected Reserve with a critical manpower shortage, or is in a pay grade in the member's reserve component with a critical manpower shortage; or

''(C) assigned to a unit or position that is disestablished or relocated as a result of defense base closure or realignment or another force structure reallocation; and

''(2) commutes a distance from the member's permanent residence to the member's inactive duty training location that is outside the normal commuting distance (as determined under regulations prescribed by the Secretary of Defense) for that commute.

''(c) MAXIMUM AMOUNT.—The maximum amount of reimbursement provided a member under subsection (a) for each round trip to a training location shall be $300.

''(d) TERMINATION.—No reimbursement may be provided under this section for travel that occurs after December 31, 2010.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 408 the following new item:

''408a. Travel and transportation allowances: inactive duty training.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2007. No reimbursement may be provided under section 408a of title 37, United States Code (as added by subsection (a)), for travel costs incurred before October 1, 2007.

AMENDMENT NO. 2276

(Purpose: To require a report on the implementation of the green procurement policy of the Department of Defense)

At the end of title VIII, add the following:

SEC. 876. GREEN PROCUREMENT POLICY.

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

(1) On September 1, 2004, the Department of Defense issued its green procurement policy. The policy affirms a goal of 100 percent compliance with Federal laws and executive orders requiring purchase of environmentally friendly, or green, products and services. The policy also outlines a strategy for meeting those requirements along with metrics for measuring progress.

(2) On September 13, 2006, the Department of Defense hosted a biobased product showcase and educational event which underscores the importance and seriousness with which the Department is implementing its green procurement program.

(3) On January 24, 2007, President Bush signed Executive Order 13423: Strengthening Federal Environmental, Energy, and Transportation Management, which contains the requirement that Federal agencies procure biobased and environmentally preferable products and services.

(4) Although the Department of Defense continues to work to become a leading advocate of green procurement, there is concern that there is not a procurement application or process in place at the Department that supports compliance analysis.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Department of Defense should establish a system to document and track the use of environmentally preferable products and services.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on its plan to increase the usage of environmentally friendly products that minimize potential impacts to human health and the environment at all Department of Defense facilities inside and outside the United States, including through the direct purchase of products and the purchase of products by facility maintenance contractors.

AMENDMENT NO. 2257

(Purpose: To provide that the study on the national security interagency system shall focus on improving interagency cooperation in post-conflict contingency relief and reconstruction operations)

At the end of section 1043, insert the following:

(f) FOCUS ON IMPROVING INTERAGENCY COOPERATION IN POST-CONFLICT CONTINGENCY RELIEF AND RECONSTRUCTION OPERATIONS.—

(1) FINDINGS.—Congress makes the following findings:

(A) The interagency coordination and integration of the United States Government for the planning and execution of overseas post-conflict contingency relief and reconstruction operations requires reform.

(B) Recent operations, most notably in Iraq, lacked the necessary consistent and effective interagency coordination and integration in planning and execution.

(C) Although the unique circumstances associated with the Iraq reconstruction effort are partly responsible for this weak coordination, existing structural weaknesses within the planning and execution processes for such operations indicate that the problems encountered in the Iraq program could recur in future operations unless action is taken to reform and improve interdepartmental integration in planning and execution.

(D) The agencies involved in the Iraq program have attempted to adapt to the relentless demands of the reconstruction effort, but more substantive and permanent reforms are required for the United States Government to be optimally prepared for future operations.

(E) The fresh body of evidence developed from the Iraq relief and reconstruction experience provides a good basis and timely opportunity to pursue meaningful improvements within and among the departments charged with managing the planning and execution of such operations.

(F) The success achieved in departmental integration of overseas conflict management through the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Public Law 99–433; 100 Stat. 992) provides precedent for Congress to consider legislation designed to promote increased cooperation and integration among the primary Federal departments and agencies charged with managing post-conflict contingency reconstruction and relief operations.

(2) INCLUSION IN STUDY.—The study conducted under subsection (a) shall include the following elements:

(A) A synthesis of past studies evaluating the successes and failures of previous interagency efforts at planning and executing post-conflict contingency relief and reconstruction operations, including relief and reconstruction operations in Iraq.

(B) An analysis of the division of duties, responsibilities, and functions among executive branch agencies for such operations and recommendations for administrative and regulatory changes to enhance integration.

(C) Recommendations for legislation that would improve interagency cooperation and integration and the efficiency of the United States Government in the planning and execution of such operations.

(D) Recommendations for improvements in congressional, executive, and other oversight structures and procedures that would enhance accountability within such operations.

AMENDMENT NO. 2281

(Purpose: To require a report on the control of the brown tree snake)

At the end of subtitle B of title III, add the following:

SEC. 314. REPORT ON CONTROL OF THE BROWN TREE SNAKE.

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

(1) The brown tree snake (Boiga irregularis), an invasive species, is found in significant numbers on military installations and in other areas on Guam, and constitutes a serious threat to the ecology of Guam.

(2) If introduced into Hawaii, the Commonwealth of the Northern Mariana Islands, or the continental United States, the brown tree snake would pose an immediate and serious economic and ecological threat.

(3) The most probable vector for the introduction of the brown tree snake into Hawaii, the Commonwealth of the Northern Mariana Islands, or the continental United States is the movement from Guam of military aircraft, personnel, and cargo, including the household goods of military personnel.

(4) It is probable that the movement of military aircraft, personnel, and cargo, including the household goods of military personnel, from Guam to Hawaii, the Commonwealth of the Northern Mariana Islands, or the continental United States will increase significantly coincident with the increase in the number of military units and personnel stationed on Guam,

(5) Current policies, programs, procedures, and dedicated resources of the Department of Defense and of other departments and agencies of the United States may not be sufficient to adequately address the increasing threat of the introduction of the brown tree snake from Guam into Hawaii, the Commonwealth of the Northern Mariana Islands, or the continental United States.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the following:

(1) The actions currently being taken (including the resources being made available) by the Department of Defense to control, and to develop new or existing techniques to control, the brown tree snake on Guam and to ensure that the brown tree snake is not introduced into Hawaii, the Commonwealth of

the Northern Mariana Island, or the continental United States as a result of the movement from Guam of military aircraft, personnel, and cargo, including the household goods of military personnel.

(2) Current plans for enhanced future actions, policies, and procedures and increased levels of resources in order to ensure that the projected increase of military personnel stationed on Guam does not increase the threat of introduction of the brown tree snake from Guam into Hawaii, the Commonwealth of the Northern Mariana Islands, or the continental United States.

AMENDMENT NO. 2250

(Purpose: To provide for a review of licensed mental health counselors, social workers, and marriage and family therapists under the TRICARE program)

At the end of title VII, add the following:

SEC. 703. REVIEW OF LICENSED MENTAL HEALTH COUNSELORS, SOCIAL WORKERS, AND MARRIAGE AND FAMILY THERAPISTS UNDER THE TRICARE PROGRAM.

(a) REVIEW REQUIRED.—The Secretary of Defense shall enter into a contract with the Institute of Medicine of the National Academy of Sciences, or another similarly qualified independent academic medical organization, for the purpose of—

(1) conducting an independent study of the comparability of credentials, preparation, and training of individuals practicing as licensed mental health counselors, social workers, and marriage and family therapists under the TRICARE program to provide mental health services; and

(2) making recommendations for permitting such professionals to practice independently under the TRICARE program.

(b) ELEMENTS.—The study required by subsection (a) shall provide for each of the health care professions referred to in subsection (a)(1) the following:

(1) An assessment of the educational requirements and curriculums relevant to mental health practice for members of such profession, including types of degrees recognized, certification standards for graduate programs for such profession, and recognition of undergraduate coursework for completion of graduate degree requirements.

(2) An assessment of State licensing requirements for members of such profession, including for each level of licensure if a State issues more than one type of license for the profession. The assessment shall examine requirements in the areas of education, training, examination, continuing education, and ethical standards, and shall include an evaluation of the extent to which States, through their scope of practice, either implicitly or explicitly authorize members of such profession to diagnose and treat mental illnesses.

(3) An analysis of the requirements for clinical experience in such profession to be recognized under regulations for the TRICARE program, and recommendations, if any, for standardization or adjustment of such requirements with those of the other professions.

(4) An assessment of the extent to which practitioners under such profession are authorized to practice independently under other Federal programs (such as the Medicare program, the Department of Veterans Affairs, the Indian Health Service, Head Start, and the Federal Employee Health Benefits Program), and a review the relationship, if any, between recognition of such profession under the Medicare program and independent practice authority for such profession under the TRICARE program.

(5) An assessment of the extent to which practitioners under such profession are authorized to practice independently under private insurance plans. The assessment shall identify the States having laws requiring private insurers to cover, or offer coverage of, the services of members of such profession, and shall identify the conditions, if any, that are placed on coverage of practitioners under such profession by insurance plans and how frequently these types of conditions are used by insurers.

(6) An historical review of the regulations issued by the Department of Defense regarding which members of such profession are recognized as providers under the TRICARE program as independent practitioners, and an examination of the recognition by the Department of third party certification for members of such profession.

(c) PROVIDERS STUDIED.—It the sense of Congress that the study required by subsection (a) should focus only on those practitioners of each health care profession referred to in subsection (a)(1) who are permitted to practice under regulations for the TRICARE program as specified in section 119.6 of title 32, Code of Federal Regulations.

(d) CLINICAL CAPABILITIES STUDIES.—The study required by subsection (a) shall include a review of outcome studies and of the literature regarding the comparative quality and effectiveness of care provided by practitioners within each of the health care professions referred to in subsection (a)(1), and provide an independent review of the findings.

(e) RECOMMENDATIONS FOR TRICARE INDEPENDENT PRACTICE AUTHORITY.—The recommendations provided under subsection (a)(2) shall include specific recommendation (whether positive or negative) regarding modifications of current policy for the TRICARE program with respect to allowing members of each of the health care professions referred to in subsection (a)(1) to practice independently under the TRICARE program, including recommendations regarding possible revision of requirements for recognition of practitioners under each such profession.

(f) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the review required by subsection (a).

AMENDMENT NO. 2254

(Purpose: To require a Department of Defense Inspector General report on physical security of Department of Defense installations)

At the end of subtitle E of title III, add the following:

SEC. 358. DEPARTMENT OF DEFENSE INSPECTOR GENERAL REPORT ON PHYSICAL SECURITY OF DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Defense shall submit to Congress a report on the physical security of Department of Defense installations and resources.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An analysis of the progress in implementing requirements under the Physical Security Program as set forth in the Department of Defense Instruction 5200.08–R, Chapter 2 (C.2) and Chapter 3, Section 3: Installation Access (C3.3), which mandates the policies and minimum standards for the physical security of Department of Defense installations and resources.

(2) Recommendations based on the findings of the Comptroller General of the United States in the report required by section 344 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–366; 120 Stat. 2155).

(3) Recommendations based on the lessons learned from the thwarted plot to attack Fort Dix, New Jersey, in 2007.

AMENDMENT NO. 2268

(Purpose: To provide for an increase in the number of nurses and faculty)

At the end of subtitle D of title V, add the following:

SEC. 555. NURSE MATTERS.

(a) IN GENERAL.—The Secretary of Defense may provide for the carrying out of each of the programs described in subsections (b) through (f).

(b) SERVICE OF NURSE OFFICERS AS FACULTY IN EXCHANGE FOR COMMITMENT TO ADDITIONAL SERVICE IN THE ARMED FORCES.—

(1) IN GENERAL.—One of the programs under this section may be a program in which covered commissioned officers with a graduate degree in nursing or a related field who are in the nurse corps of the Armed Force concerned serve a tour of duty of two years as a full-time faculty member of an accredited school of nursing.

(2) COVERED OFFICERS.—A commissioned officer of the nurse corps of the Armed Forces described in this paragraph is a nurse officer on active duty who has served for more than nine years on active duty in the Armed Forces as an officer of the nurse corps at the time of the commencement of the tour of duty described in paragraph (1).

(3) BENEFITS AND PRIVILEGES.—An officer serving on the faculty of an accredited school or nursing under this subsection shall be accorded all the benefits, privileges, and responsibilities (other than compensation and compensation-related benefits) of any other comparably situated individual serving a full-time faculty member of such school.

(4) AGREEMENT FOR ADDITIONAL SERVICE.—Each officer who serves a tour of duty on the faculty of a school of nursing under this subsection shall enter into an agreement with the Secretary to serve upon the completion of such tour of duty for a period of four years for such tour of duty as a member of the nurse corps of the Armed Force concerned. Any service agreed to by an officer under this paragraph is in addition to any other service required of the officer under law.

(c) SERVICE OF NURSE OFFICERS AS FACULTY IN EXCHANGE FOR SCHOLARSHIPS FOR NURSE OFFICER CANDIDATES.—

(1) IN GENERAL.—One of the programs under this section may be a program in which commissioned officers with a graduate degree in nursing or a related field who are in the nurse corps of the Armed Force concerned serve while on active duty a tour of duty of two years as a full-time faculty member of an accredited school of nursing.

(2) BENEFITS AND PRIVILEGES.—An officer serving on the faculty of an accredited school of nursing under this subsection shall be accorded all the benefits, privileges, and responsibilities (other than compensation and compensation-related benefits) of any other comparably situated individual serving as a full-time faculty member of such school.

(3) SCHOLARSHIPS FOR NURSE OFFICER CANDIDATES.—(A) Each accredited school of nursing at which an officer serves on the faculty under this subsection shall provide scholarships to individuals undertaking an educational program at such school leading to a degree in nursing who agree, upon completion of such program, to accept a commission as an officer in the nurse corps of the Armed Forces.

(B) The total amount of funds made available for scholarships by an accredited school of nursing under subparagraph (A) for each officer serving on the faculty of that school under this subsection shall be not less than the amount equal to an entry-level full-time faculty member of that school for each year

that such officer so serves on the faculty of that school.

(C) The total number of scholarships provided by an accredited school of nursing under subparagraph (A) for each officer serving on the faculty of that school under this subsection shall be such number as the Secretary of Defense shall specify for purposes of this subsection.

(d) SCHOLARSHIPS FOR CERTAIN NURSE OFFICERS FOR EDUCATION AS NURSES.—

(1) IN GENERAL.—One of the programs under this section may be a program in which the Secretary provides scholarships to commissioned officers of the nurse corps of the Armed Force concerned described in paragraph (2) who enter into an agreement described in paragraph (4) for the participation of such officers in an educational program of an accredited school of nursing leading to a graduate degree in nursing.

(2) COVERED NURSE OFFICERS.—A commissioned officer of the nurse corps of the Armed Forces described in this paragraph is a nurse officer who has served not less than 20 years on active duty in the Armed Forces and is otherwise eligible for retirement from the Armed Forces.

(3) SCOPE OF SCHOLARSHIPS.—Amounts in a scholarship provided a nurse officer under this subsection may be utilized by the officer to pay the costs of tuition, fees, and other educational expenses of the officer in participating in an educational program described in paragraph (1).

(4) AGREEMENT.—An agreement of a nurse officer described in this paragraph is the agreement of the officer—

(A) to participate in an educational program described in paragraph (1); and

(B) upon graduation from such educational program—

(i) to serve not less than two years as a full-time faculty member of an accredited school of nursing; and

(ii) to undertake such activities as the Secretary considers appropriate to encourage current and prospective nurses to pursue service in the nurse corps of the Armed Forces.

(e) TRANSITION ASSISTANCE FOR RETIRING NURSE OFFICERS QUALIFIED AS FACULTY.—

(1) IN GENERAL.—One of the programs under this section may be a program in which the Secretary provides to commissioned officers of the nurse corps of the Armed Force concerned described in paragraph (2) the assistance described in paragraph (3) to assist such officers in obtaining and fulfilling positions as full-time faculty members of an accredited school of nursing after retirement from the Armed Forces.

(2) COVERED NURSE OFFICERS.—A commissioned officer of the nurse corps of the Armed Forces described in this paragraph is a nurse officer who—

(A) has served an aggregate of at least 20 years on active duty or in reserve active status in the Armed Forces;

(B) is eligible for retirement from the Armed Forces; and

(C) possesses a doctoral or master degree in nursing or a related field which qualifies the nurse officer to discharge the position of nurse instructor at an accredited school of nursing.

(3) ASSISTANCE.—The assistance described in this paragraph is assistance as follows:

(A) Career placement assistance.

(B) Continuing education.

(C) Stipends (in an amount specified by the Secretary).

(4) AGREEMENT.—A nurse officer provided assistance under this subsection shall enter into an agreement with the Secretary to serve as a full-time faculty member of an accredited school of nursing for such period as the Secretary shall provide in the agreement.

(f) BENEFITS FOR RETIRED NURSE OFFICERS ACCEPTING APPOINTMENT AS FACULTY.—

(1) IN GENERAL.—One of the programs under this section may be a program in which the Secretary provides to any individual described in paragraph (2) the benefits specified in paragraph (3).

(2) COVERED INDIVIDUALS.—An individual described in this paragraph is an individual who—

(A) is retired from the Armed Forces after service as a commissioned officer in the nurse corps of the Armed Forces;

(B) holds a graduate degree in nursing; and

(C) serves as a full-time faculty member of an accredited school of nursing.

(3) BENEFITS.—The benefits specified in this paragraph shall include the following:

(A) Payment of retired or retirement pay without reduction based on receipt of pay or other compensation from the institution of higher education concerned.

(B) Payment by the institution of higher education concerned of a salary and other compensation to which other similarly situated faculty members of the institution of higher education would be entitled.

(C) If the amount of pay and other compensation payable by the institution of higher education concerned for service as an associate full-time faculty member is less than the basic pay to which the individual was entitled immediately before retirement from the Armed Forces, payment of an amount equal to the difference between such basic pay and such payment and other compensation.

(g) ADMINISTRATION AND DURATION OF PROGRAMS.—

(1) IN GENERAL.—The Secretary shall establish requirements and procedures for the administration of the programs authorized by this section. Such requirements and procedures shall include procedures for selecting participating schools of nursing.

(2) DURATION.—Any program carried out under this section shall continue for not less than two years.

(3) ASSESSMENT.—Not later than two years after commencing any program under this section, the Secretary shall assess the results of such program and determine whether or not to continue such program. The assessment of any program shall be based on measurable criteria, information concerning results, and such other matters as the Secretary considers appropriate.

(4) CONTINUATION.—The Secretary may continue carrying out any program under this section that the Secretary determines, pursuant to an assessment under paragraph (3), to continue to carry out. In continuing to carry out a program, the Secretary may modify the terms of the program within the scope of this section. The continuation of any program may include its expansion to include additional participating schools of nursing.

(h) DEFINITIONS.—In this section, the terms ''school of nursing'' and ''accredited'' have the meaning given those terms in section 801 of the Public Health Service Act (42 U.S.C. 296).

AMENDMENT NO. 2292

(Purpose: To provide for continuity and efficiency of the depot operations of the Department of Defense to reset combat equipment and vehicles in support of the wars in Iraq and Afghanistan)

At the end of title III, add the following:

SEC. 358. CONTINUITY OF DEPOT OPERATIONS TO RESET COMBAT EQUIPMENT AND VEHICLES IN SUPPORT OF WARS IN IRAQ AND AFGHANISTAN.

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

(1) The United States Armed Forces, particularly the Army and the Marine Corps, are currently engaged in a tremendous effort to reset equipment that was damaged and worn in combat operations in Iraq and Afghanistan.

(2) The implementing guidance from the Under Secretary of Defense for Acquisition, Technology, and Logistics related to the decisions of the 2005 Defense Base Closure and Realignment Commission (BRAC) to transfer depot functions appears not to differentiate between external supply functions and in-process storage functions related to the performance of depot maintenance.

(3) Given the fact that up to 80 percent of the parts involved in the vehicle reset process are reclaimed and refurbished, the transfer of this inherently internal depot maintenance function to the Defense Logistics Agency could severely disrupt production throughput, generate increased costs, and negatively impact Army and Marine Corps equipment reset efforts.

(4) The goal of the Department of Defense, the Defense Logistics Agency, and the 2005 Defense Base Closure and Realignment Commission is the reengineering of businesses processes in order to achieve higher efficiency and cost savings.

(b) REPORT.—

(1) IN GENERAL.—Not later than June 1, 2008, the Secretary of Defense shall submit to the congressional defense committees a report on the challenges of implementing the transfer of depot functions and the impacts on production, including parts reclamation and refurbishment.

(2) CONTENT.—The report required under paragraph (1) shall describe—

(A) the sufficiency of the business plan to transfer depot functions to accommodate a timely and efficient transfer without the disruption of depot production;

(B) a description of the completeness of the business plan in addressing part reclamation and refurbishment;

(C) the estimated cost of the implementation and what savings are likely be achieved;

(D) the impact of the transfer on the Defense Logistics Agency and depot hourly rates due to the loss of budgetary control of the depot commander over overtime pay for in-process parts supply personnel, and any other relevant rate-related factors;

(E) the number of personnel positions affected;

(F) the sufficiency of the business plan to ensure the responsiveness and availability of Defense Logistics supply personnel to meet depot throughput needs, including potential impact on depot turnaround time; and

(G) the impact of Defense Logistics personnel being outside the chain of command of the depot commander in terms of overtime scheduling and meeting surge requirements.

(3) GOVERNMENT ACCOUNTABILITY OFFICE ASSESSMENT.—Not later than September 30, 2008, the Comptroller General of the United States shall review the report submitted under paragraph (1) and submit to the congressional defense committees an independent assessment of the matters addressed in such report, as requested by the Chairman of the Committee on Armed Services of the House of Representatives.

AMENDMENT NO. 2305

(Purpose: To require a report on counternarcotics assistance for the Government of Haiti)

At the end of subtitle B of title X, add the following:

SEC. 1012. REPORT ON COUNTERNARCOTICS ASSISTANCE FOR THE GOVERNMENT OF HAITI.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this

Act, the President shall submit to Congress a report on counternarcotics assistance for the Government of Haiti.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) A description and assessment of the counternarcotics assistance provided to the Government of Haiti by each of the Department of Defense, the Department of State, the Department of Homeland Security, and the Department of Justice.

(2) A description and assessment of any impediments to increasing counternarcotics assistance to the Government of Haiti, including corruption and lack of entities available to partner with in Haiti.

(3) An assessment of the feasability and advisability of providing additional counternarcotics assistance to the Government of Haiti, including an extension and expansion to the Government of Haiti of Department of Defense authority to provide support for counter-drug activities of certain foreign governments.

(4) An assessment of the potential for counternarcotics assistance for the Government of Haiti through the United Nations Stabilization Mission in Haiti.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

AMENDMENT NO. 2216

(Purpose: Relating to satisfaction by members of the National Guard and Reserve on active duty of applicable professional licensure and certification requirements)

At the end of subtitle C of title V, add the following:

SEC. 536. SATISFACTION OF PROFESSIONAL LICENSURE AND CERTIFICATION REQUIREMENTS BY MEMBERS OF THE NATIONAL GUARD AND RESERVE ON ACTIVE DUTY.

(a) ADDITIONAL PERIOD BEFORE RE-TRAINING OF NURSE AIDES IS REQUIRED UNDER THE MEDICARE AND MEDICAID PROGRAMS.—For purposes of subparagraph (D) of sections 1819(b)(5) and 1919(b)(5) of the Social Security Act (42 U.S.C. 1395i–3(b)(5), 1396r(b)(5)), if, since an individual's most recent completion of a training and competency evaluation program described in subparagraph (A) of such sections, the individual was ordered to active duty in the Armed Forces for a period of at least 12 months, and the individual completes such active duty service during the period beginning on July 1, 2007, and ending on September 30, 2008, the 24-consecutive-month period described subparagraph (D) of such sections with respect to the individual shall begin on the date on which the individual completes such active duty service. The preceding sentence shall not apply to an individual who had already reached such 24-consecutive-month period on the date on which such individual was ordered to such active duty service.

(b) REPORT ON RELIEF FROM REQUIREMENTS FOR NATIONAL GUARD AND RESERVE ON LONG-TERM ACTIVE DUTY.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth recommendations for such legislative action as the Secretary considers appropriate (including amendments to the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.)) to provide for the exemption or tolling of professional or other licensure or certification requirements for the conduct or practice of a profession, trade, or occupation with respect to members of the National Guard and Reserve who are on active duty in the Armed Forces for an extended period of time.

AMENDMENT NO. 2309

(Purpose: To require a report on the airfield in Abeche, Chad, and other resources needed to provide stability in the Darfur region)

At the end of subtitle C of title XII, add the following:

SEC. 1234. REPORT ON THE AIRFIELD IN ABECHE, CHAD, AND OTHER RESOURCES NEEDED TO PROVIDE STABILITY IN THE DARFUR REGION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the airfield located in Abeche, Republic of Chad, could play a significant role in potential United Nations, African Union, or North Atlantic Treaty Organization humanitarian, peacekeeping, or other military operations in Darfur, Sudan, or the surrounding region; and

(2) the capacity of that airfield to serve as a substantial link in such operations should be assessed, along with the projected costs and specific upgrades that would be necessary for its expanded use, should the Government of Chad agree to its improvement and use for such purposes.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of State, submit to the appropriate committees of Congress a report on the matters as follows:

(1) The current capacity of the existing airfield in Abeche, Republic of Chad, including the scope of its current use by the international community in response to the crisis in the Darfur region.

(2) The upgrades, and their associated costs, necessary to enable the airfield in Abeche, Republic of Chad, to be improved to be fully capable of accommodating a humanitarian, peacekeeping, or other force deployment of the size foreseen by the recent United Nations resolutions calling for a United Nations deployment to Chad and a hybrid force of the United Nations and African Union operating under Chapter VII of the United Nations Charter for Sudan.

(3) The force size and composition of an international effort estimated to be necessary to provide protection to those Darfur civilian populations currently displaced in the Darfur region.

(4) The force size and composition of an international effort estimated to be necessary to provide broader stability within the Darfur region.

AMENDMENT NO. 2308

(Purpose: To authorize, with an offset, an additional $162,800,000 for Drug Interdiction and Counter-Drug Activities, Defense-wide, to combat the growth of popies in Afghanistan, to eliminate the production and trade of opium and heroin, and to prevent terrorists from using the proceeds for terrorist activities in Afghanistan, Iraq, and elsewhere)

On page 395, between lines 14 and 15, insert the following:

SEC. 1405A. ADDITIONAL AMOUNT FOR DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES WITH RESPECT TO AFGHANISTAN.

(a) ADDITIONAL AMOUNT FOR DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.—The amount authorized to be appropriated by section 1405 for Drug Interdiction and Counter-Drug Activities, Defense-wide, is hereby increased by $162,800,000.

(b) AVAILABILITY.—Of the amount authorized to be appropriated by section 1405 for Drug Interdiction and Counter-Drug Activities, Defense-wide, as increased by subsection (a), $162,800,000 may be available for drug interdiction and counterdrug activities with respect to Afghanistan.

(c) SUPPLEMENT NOT SUPPLANT.—The amount available under subsection (b) for the purpose specified in that paragraph is in addition to any other amounts available under this Act for that purpose.

(d) OFFSET.—The amount authorized to be appropriated by section 1509 for Drug Interdiction and Counter-Drug Activities, Defense-wide, for Operation Iraqi Freedom and Operation Enduring Freedom is hereby decreased by $162,800,000.

AMENDMENT NO 2310

(Purpose: To express the sense of Congress regarding Department of Defense actions, to address the encroachment of military installations)

At the end of title XXVIII, add the following:

SEC. 2864. SENSE OF CONGRESS ON DEPARTMENT OF DEFENSE ACTIONS TO ADDRESS ENCROACHMENT OF MILITARY INSTALLATIONS.

(a) FINDINGS.—In light of the initial report of the Department of Defense submitted pursuant to section 2684a(g) of title 10, United States Code, and of the RAND Corporation report entitled ''The Thin Green Line: An Assessment of DoD's Readiness and Environmental Protection Initiative to Buffer Installation Encroachment'', Congress makes the following findings:

(1) Development and loss of habitat in the vicinity of, or in areas ecologically related to, military installations, ranges, and airspace pose a continuing and significant threat to the readiness of the Armed Forces.

(2) The Range Sustainability Program (RSP) of the Department of Defense, and in particular the Readiness and Environmental Protection Initiative (REPI) involving agreements pursuant to section 2684a of title 10, United States Code, have been effective in addressing this threat to readiness with regard to a number of important installations, ranges, and airspace.

(3) The opportunities to take effective action to protect installations, ranges, and airspace from encroachment is in many cases transient, and delay in taking action will result in either higher costs or permanent loss of the opportunity effectively to address encroachment.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense should—

(1) develop additional policy guidance on the further implementation of the Range and Environmental Protection Initiative (REPI), to include additional emphasis on protecting biodiversity and on further refining procedures;

(2) give greater emphasis to effective cooperation and collaboration on matters of mutual concern with other Federal agencies charged with managing Federal land;

(3) ensure that each military department takes full advantage of the authorities provided by section 2684a of title 10, United States Code, in addressing encroachment adversely affecting, or threatening to adversely affect, the installations, ranges, and military airspace of the department; and

(4) provide significant additional resources to the program, to include dedicated staffing at the installation level and additional emphasis on outreach programs at all levels.

(c) REPORTING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall review Chapter 6 of the initial report submitted to Congress under section 2684a(g) of title 10, United States Code, and report to the congressional defense committees on the specific steps, if any, that the Secretary plans to take, or recommends that Congress take, to address the issues raised in such chapter.

AMENDMENT NO. 2617

(Purpose: To provide further protection for contractor employees from reprisal for disclosure of certain information)

Beginning on page 223, strike line 20 and all that follows through page 227, line 19, and insert the following:

(2) by striking ''information relating to a substantial violation of law related to a contract (including the competition for or negotiation of a contract)'' and inserting ''information that the employee reasonably believes is evidence of gross mismanagement of a Department of Defense contract, grant, or direct payment if the United States Government provides any portion of the money or property which is requested or demanded, a gross waste of Department of Defense funds, a substantial and specific danger to public health or safety, or a violation of law related to a Department of Defense contract (including the competition for or negotiation of a contract), grant, or direct payment if the United States Government provides any portion of the money or property which is requested or demanded''.

(b) ACCELERATION OF SCHEDULE FOR DENYING RELIEF OR PROVIDING REMEDY.—Subsection (c) of such section is amended—

(1) in paragraph (1)—

(A) by inserting after ''(1)'' the following: ''Not later than 90 days after receiving an Inspector General report pursuant to subsection (b), the head of the agency concerned shall determine whether the contractor concerned has subjected the complainant to a reprisal prohibited under subsection (a).''; and

(B) by adding at the end the following new subparagraphs:

''(D) In the event the disclosure relates to a cost-plus contract, prohibit the contractor from receiving one or more award fee payments to which the contractor would otherwise be eligible until such time as the contractor takes the actions ordered by the head of the agency pursuant to subparagraphs (A) through (C).

''(E) Take the reprisal into consideration in any past performance evaluation of the contractor for the purpose of a contract award.'';

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph:

''(3)(A) In the case of a contract covered by subsection (f), an employee of a contractor who has been discharged, demoted, or otherwise discriminated against as a reprisal for a disclosure covered by subsection (a) or who is aggrieved by the determination made pursuant to paragraph (1) or by an action that the agency head has taken or failed to take pursuant to such determination may, after exhausting his or her administrative remedies, bring a de novo action at law or equity against the contractor to seek compensatory damages and other relief available under this section in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy. Such an action shall, at the request of either party to the action, be tried by the court with a jury.

''(B) An employee shall be deemed to have exhausted his or her administrative remedies for the purpose of this paragraph—

''(i) 90 days after the receipt of a written determination under paragraph (1); or

''(ii) 15 months after a complaint is submitted under subsection (b), if a determination by an agency head has not been made by that time and such delay is not shown to be due to the bad faith of the complainant.''.

(c) LEGAL BURDEN OF PROOF.—Such section is further amended—

(1) by redesignating subsection (e) as subsection (g); and

(2) by inserting after subsection (d) the following new subsection:

''(e) LEGAL BURDEN OF PROOF.—The legal burdens of proof specified in section 1221(e) of title 5 shall be controlling for the purposes of any investigation conducted by an inspector general, decision by the head of an agency, or hearing to determine whether discrimination prohibited under this section has occurred.''.

(d) REQUIREMENT TO NOTIFY EMPLOYEES OF RIGHTS RELATED TO PROTECTION FROM REPRISAL.—Such section, as amended by subsection (c), is further amended by inserting after subsection (e) the following new subsection:

''(f) NOTICE OF RIGHTS RELATED TO PROTECTION FROM REPRISAL.—

''(1) IN GENERAL.—Each Department of Defense contract in excess of $5,000,000, other than a contract for the purchase of commercial items, shall include a clause requiring the contractor to ensure that all employees of the contractor who are working on Department of Defense contracts are notified of—

''(A) their rights under this section;

''(B) the fact that the restrictions imposed by any employee contract, employee agreement, or non-disclosure agreement may not supersede, conflict with, or otherwise alter the employee rights provided for under this section; and

''(C) the telephone number for the whistleblower hotline of the Inspector General of the Department of Defense.

''(2) FORM OF NOTICE.—The notice required by paragraph (1) shall be made by posting the required information at a prominent place in each workplace where employees working on the contract regularly work.''.

(e) DEFINITIONS.—Subsection (g) of such section, as redesignated by subsection (c)(1), is amended—

(1) in paragraph (4), by inserting after ''an agency'' the following: ''and includes any person receiving funds covered by the prohibition against reprisals in subsection (a)'';

(2) in paragraph (5), by inserting after ''1978'' the following: ''and any Inspector General that receives funding from or is under the jurisdiction of the Secretary of Defense''; and

(3) by adding at the end the following new paragraphs:

''(6) The term 'employee' means an individual (as defined by section 2105 of title 5) or any individual or organization performing services for a contractor, grantee, or other recipient if the United States Government provides any portion of the money or property which is requested or demanded (including as an employee of an organization).

''(7) The term 'Department of Defense funds' includes funds controlled by the Department of Defense and funds for which the Department of Defense may be reasonably regarded as responsible to a third party.''.

AMENDMENT NO. 2313

(Purpose: To commend the founder and members of Project Compassion)

At the end of subtitle H of title X, add the following:

SEC. 1070. SENSE OF SENATE ON PROJECT COMPASSION.

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

(1) It is the responsibility of every citizen of the United States to honor the service and sacrifice of the veterans of the United States, especially those who have made the ultimate sacrifice.

(2) In the finest tradition of this sacred responsibility, Kaziah M. Hancock, an artist from central Utah, founded a nonprofit organization called Project Compassion, which endeavors to provide, without charge, to the family of a member of the Armed Forces who has fallen in active duty since the events of September 11, 2001, a museum-quality original oil portrait of that member.

(3) To date, Kaziah M. Hancock, four volunteer professional portrait artists, and those who have donated their time to support Project Compassion have presented over 700 paintings to the families of the fallen heroes of the United States.

(4) Kaziah M. Hancock and Project Compassion have been honored by the Veterans of Foreign Wars, the American Legion, the Disabled American Veterans, and other organizations with the highest public service awards on behalf of fallen members of the Armed Forces and their families.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) Kaziah M. Hancock and the members of Project Compassion have demonstrated, and continue to demonstrate, extraordinary patriotism and support for the Soldiers, Sailors, Airmen and Marines who have given their lives for the United States in Iraq and Afghanistan and have done so without any expectation of financial gain or recognition for these efforts;

(2) the people of the United States owe the deepest gratitude to Kaziah M. Hancock and the members of Project Compassion; and

(3) the Senate, on the behalf of the people of the United States, commends Kaziah M. Hancock, the four other Project Compassion volunteer professional portrait artists, and the entire Project Compassion organization for their tireless work in paying tribute to those members of the Armed Forces who have fallen in the service of the United States.

AMENDMENT NO. 2863

(Purpose: To express the sense of the Senate on collaborations between the Department of Defense and the Department of Veterans Affairs on health care for wounded warriors)

At the end of title VII, add the following:

SEC. 703. SENSE OF SENATE ON COLLABORATIONS BETWEEN THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF VETERANS AFFAIRS ON HEALTH CARE FOR WOUNDED WARRIORS.

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

(1) There have been recent collaborations between the Department of Defense, the Department of Veterans Affairs, and the civilian medical community for purposes of providing high quality medical care to America's wounded warriors. One such collaboration is occurring in Augusta, Georgia, between the Dwight D. Eisenhower Army Medical Center at Fort Gordon, the Augusta Department of Veterans Affairs Medical Center, the Medical College of Georgia, and local health care providers under the TRICARE program.

(2) Medical staff from the Dwight D. Eisenhower Army Medical Center and the Augusta Department of Veterans Affairs Medical Center have been meeting weekly to discuss future patient cases for the Active Duty Rehabilitation Unit (ADRU) within the Uptown Department of Veterans Affairs facility. The Active Duty Rehabilitation Unit, along with the Polytrauma Centers of the Department of Veterans Affairs, provide rehabilitation for members of the Armed Forces on active duty.

(3) Since 2004, 1,037 soldiers, sailors, airmen, and marines have received rehabilitation services at the Active Duty Rehabilitation Unit, 32 percent of whom served in Operation Iraqi Freedom or Operation Enduring Freedom.

(4) The Dwight D. Eisenhower Army Medical Center and the Augusta Department of Veterans Affairs Medical Center have combined their neurosurgery programs and have coordinated on critical brain injury and psychiatric care.

(5) The Department of Defense, the Army, and the Army Medical Command have recognized the need for expanded behavioral health care services for members of the Armed Forces returning from Operation Iraqi Freedom and Operation Enduring Freedom. These services are currently being provided by the Dwight D. Eisenhower Army Medical Center.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Department of Defense should encourage continuing collaboration between the Army and the Department of Veterans Affairs in treating America's wounded warriors and, when appropriate and available, provide additional support and resources for the development of such collaborations, including the current collaboration between the Active Duty Rehabilitation Unit at the Augusta Department of Veterans Affairs Medical Center, Georgia, and the behavioral health care services program at the Dwight D. Eisenhower Army Medical Center, Fort Gordon, Georgia.

AMENDMENT NO. 2282

(Purpose: To establish a National Guard yellow ribbon reintegration program)

At the end of subtitle F of title VI, add the following:

SEC. 683. NATIONAL GUARD YELLOW RIBBON REINTEGRATION PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Defense, shall establish a national combat veteran reintegration program to provide National Guard and Reserve members and their families with sufficient information, services, referral, and proactive outreach opportunities throughout the entire deployment cycle. This program shall be known as the Yellow Ribbon Reintegration Program.

(b) PURPOSE.—The Yellow Ribbon Reintegration Program shall consist of informational events and activities for Reserve Component members, their families, and community members to facilitate access to services supporting their health and well-being through the four phases of the deployment cycle:

(1) Pre-Deployment.

(2) Deployment.

(3) Demobilization.

(4) Post-Deployment-Reconstitution.

(d) ORGANIZATION.—

(1) EXECUTIVE AGENT.—The Secretary shall designate the OSD (P&R) as the Department of Defense executive agent for the Yellow Ribbon Reintegration Program.

(2) ESTABLISHMENT OF THE OFFICE FOR REINTEGRATION PROGRAMS.—

(A) IN GENERAL.—The OSD (P&R) shall establish the Office for Reintegration Programs within the OSD. The office shall administer all reintegration programs in coordination with State National Guard organizations. The office shall be responsible for coordination with existing National Guard and Reserve family and support programs. The Directors of the Army National Guard and Air National Guard and the Chiefs of the Army Reserve, Marine Corps Reserve, Navy Reserves and Air Force Reserves may appoint liaison officers to coordinate with the permanent office staff. The Center may also enter into partnerships with other public entities, including, but not limited to, the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, for access to necessary substance abuse and mental health treatment services from local State-licensed service providers.

(B) ESTABLISHMENT OF A CENTER FOR EXCELLENCE IN REINTEGRATION.—The Office for Reintegration Programs shall establish a Center for Excellence in Reintegration within the office. The Center shall collect and analyze ''lessons learned'' and suggestions from State National Guard and Reserve organizations with existing or developing reintegration programs. The Center shall also assist in developing training aids and briefing materials and training representatives from State National Guard and Reserve organizations.

(3) ADVISORY BOARD.—

(A) APPOINTMENT.—The Secretary of Defense shall appoint an advisory board to analyze and report areas of success and areas for necessary improvements. The advisory board shall include, but is not limited to, the Director of the Army National Guard, the Director of the Air National Guard, Chiefs of the Army Reserve, Marine Corps Reserve, Navy Reserve, and Air Force Reserve. The Assistant Secretary of Defense for Reserve Affairs, an Adjutant General on a rotational basis as determined by the Chief of the National Guard Bureau, and any other Department of Defense, Federal Government agency, or outside organization as determined by the Secretary of Defense. The members of the advisory board may designate representatives in their stead.

(B) SCHEDULE.—The advisory board shall meet on a schedule as determined by the Secretary of Defense.

(C) INITIAL REPORTING REQUIREMENT.—The advisory board shall issue internal reports as necessary and shall submit an initial report to the Committees on Armed Services not later than 180 days after the end of a one-year period from establishment of the Office for Reintegration Programs. This report shall contain—

(i) an evaluation of the reintegration program's implementation by State National Guard and Reserve organizations;

(ii) an assessment of any unmet resource requirements;

(iii) recommendations regarding closer coordination between the Office of Reintegration Programs and State National Guard and Reserve organizations.

(D) ANNUAL REPORTS.—The advisory board shall submit annual reports to the Committees on Armed Services of the Senate and the House of Representatives following the initial report by the first week in March of subsequent years following the initial report.

(e) PROGRAM.—

(1) IN GENERAL.—The Office for Reintegration Programs shall analyze the demographics, placement of State Family Assistance Centers (FAC), and FAC resources before a mobilization alert is issued to affected State National Guard and Reserve organizations. The Office of Reintegration Programs shall consult with affected State National Guard and Reserve organizations following the issuance of a mobilization alert and implement the reintegration events in accordance with the Reintegration Program phase model.

(2) PRE-DEPLOYMENT PHASE.—The Pre-Deployment Phase shall constitute the time from first notification of mobilization until deployment of the mobilized National Guard or Reserve unit. Events and activities shall focus on providing education and ensuring the readiness of service members, families, and communities for the rigors of a combat deployment.

(3) DEPLOYMENT PHASE.—The Deployment Phase shall constitute the period from deployment of the mobilized National Guard or Reserve unit until the unit arrives at a demobilization station inside the continental United States. Events and services provided shall focus on the challenges and stress associated with separation and having a member in a combat zone. Information sessions shall utilize State National Guard and Reserve resources in coordination with the Employer Support of Guard and Reserve Office, Transition Assistance Advisors, and the State Family Programs Director.

(4) DEMOBILIZATION PHASE.—

(A) IN GENERAL.—The Demobilization Phase shall constitute the period from arrival of the National Guard or Reserve unit at the demobilization station until its departure for home station. In the interest of returning members as soon as possible to their home stations, reintegration briefings during the Demobilization Phase shall be minimized. State Deployment Cycle Support Teams are encouraged, however, to assist demobilizing members in enrolling in the Department of Veterans Affairs system using Form 1010EZ during the Demobilization Phase. State Deployment Cycle Support Teams may provide other events from the Initial Reintegration Activity as determined by the State National Guard or Reserve organizations. Remaining events shall be conducted during the Post-Deployment-Reconstitution Phase.

(B) INITIAL REINTEGRATION ACTIVITY.—The purpose of this reintegration program is to educate service members about the resources that are available to them and to connect members to service providers who can assist them in overcoming the challenges of reintegration.

(5) POST-DEPLOYMENT-RECONSTITUTION PHASE.—

(A) IN GENERAL.—The Post-Deployment-Reconstitution Phase shall constitute the period from arrival at home station until 180 days following demobilization. Activities and services provided shall focus on reconnecting service members with their families and communities and providing resources and information necessary for successful reintegration. Reintegration events shall begin with elements of the Initial Reintegration Activity program that were not completed during the Demobilization Phase.

(B) 30-DAY, 60-DAY, AND 90-DAY REINTEGRATION ACTIVITIES.—The State National Guard and Reserve organizations shall hold reintegration activities at the 30-day, 60-day, and 90-day interval following demobilization. These activities shall focus on reconnecting service members and family members with the service providers from Initial Reintegration Activity to ensure service members and their families understand what benefits they are entitled to and what resources are available to help them overcome the challenges of reintegration. The Reintegration Activities shall also provide a forum for service members and families to address negative behaviors related to combat stress and transition.

(C) SERVICE MEMBER PAY.—Service members shall receive appropriate pay for days spent attending the Reintegration Activities at the 30-day, 60-day, and 90-day intervals.

(D) MONTHLY INDIVIDUAL REINTEGRATION PROGRAM.—The Office for Reintegration Programs, in coordination with State National Guard and Reserve organizations, shall offer a monthly reintegration program for individual service members released from active duty or formerly in a medical hold status. The program shall focus on the special needs of this service member subset and the Office for Reintegration Programs shall develop an appropriate program of services and information.

AMENDMENT NO. 2210

(Purpose: To modify a reporting requirement)

At the end of title XXXI, add the following:

SEC. 3126. MODIFICATION OF REPORTING REQUIREMENT.

Section 3111 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3539) is amended—

(1) in subsection (b), by striking ''March 1, 2007'' and inserting ''March 1 of 2007, 2009, 2011, and 2013'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(3) by inserting after subsection (b) the following new subsection (c):

''(c) FORM.—The report required by subsection (b) to be submitted not later than March 1 of 2009, 2011, or 2013, shall be submitted in classified form, and shall include a detailed unclassified summary.''; and

(4) in subsection (e), as redesignated, by striking ''(c)'' and inserting ''(d)''.

AMENDMENT NO. 2291

(Purpose: To require a report on the search and rescue capabilities of the Air Force in the northwestern United States)

At the end of title III, add the following:

SEC. 358. REPORT ON SEARCH AND RESCUE CAPABILITIES OF AIR FORCE IN NORTHWESTERN UNITED STATES.

(a) REPORT.—Not later than April 1, 2008, the Secretary of the Air Force shall submit to the appropriate congressional committees a report on the search and rescue capabilities of the Air Force in the northwestern United States.

(b) CONTENT.—The report required under subsection (a) shall include the following:

(1) An assessment of the search and rescue capabilities required to support Air Force operations and training.

(2) A description of the compliance of the Air Force with the 1999 United States National Search and Rescue Plan (NSRP) for Washington, Oregon, Idaho, and Montana.

(3) An inventory and description of search and rescue assets of the Air Force that are available to meet such requirements.

(4) A description of the utilization during the previous three years of such search and rescue assets.

(5) The plans of the Air Force to meet current and future search and rescue requirements in the northwestern United States, including with respect to risk assessment services for Air Force missions and compliance with the NSRP.

(c) USE OF REPORT FOR PURPOSES OF CERTIFICATION REGARDING SEARCH AND RESCUE CAPABILITIES.—Section 1085 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 10 U.S.C. 113 note) is amended by striking ''unless the Secretary first certifies'' and inserting ''unless the Secretary, after reviewing the search and rescue capabilities report prepared by the Secretary of the Air Force under section 358 of the National Defense Authorization Act for Fiscal Year 2008, first certifies''.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Homeland Security, the Committee on Energy and Commerce, the Committee on Natural Resources, and the Committee on Appropriations of the House of Representatives.

AMENDMENT NO. 2096

(Purpose: To require a comprehensive accounting of the funding required to ensure that the plan for implementing for final recommendations of the 2005 Defense Base Closure and Realignment Commission remains on schedule)

On page 501, between lines 2 and 3, insert the following:

SEC. 2842. COMPREHENSIVE ACCOUNTING OF FUNDING REQUIRED TO ENSURE TIMELY IMPLEMENTATION OF 2005 DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION RECOMMENDATIONS.

The Secretary of Defense shall submit to Congress with the budget materials for fiscal year 2009 a comprehensive accounting of the funding required to ensure that the plan for implementing the final recommendations of the 2005 Defense Base Closure and Realignment Commission remains on schedule.

AMENDMENT NO. 2315

(Purpose: To authorize a land conveyance at the Lewis and Clark United States Army Reserve Center, Bismarck, North Dakota)

At the end of subtitle E of title XXVIII, add the following:

SEC. 2854. LAND CONVEYANCE, LEWIS AND CLARK UNITED STATES ARMY RESERVE CENTER, BISMARCK, NORTH DAKOTA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the United Tribes Technical College all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 2 acres located at the Lewis and Clark United States Army Reserve Center, 3319 University Drive, Bismarck, North Dakota, for the purpose of supporting Native American education and training.

(b) REVERSIONARY INTEREST.—

(1) IN GENERAL.—Subject to paragraph (2), if the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purposes of the conveyance specified in such subsection, all right, title, and interest in and to the property shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(2) EXPIRATION.—The reversionary interest under paragraph (1) shall expire upon satisfaction of the following conditions:

(A) The real property conveyed under subsection (a) is used in accordance with the purposes of the conveyance specified in such subsection for a period of not less than 30 years following the date of the conveyance.

(B) The United Tribes Technical College applies to the Secretary for the release of the reversionary interest.

(C) The Secretary certifies, in a manner that can be filed with the appropriate land recordation office, that the condition under subparagraph (A) has been satisfied.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the United Tribes Technical College to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the United Tribes Technical College in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the United Tribes Technical College.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursements under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF REAL PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

AMENDMENT NO. 2176

(Purpose: To require the Comptroller General of the United States to review the application of certain authorities under the Defense Production Act of 1950, and for other purposes)

At the appropriate place, insert the following:

SEC. ___. GAO REVIEW OF USE OF AUTHORITY UNDER THE DEFENSE PRODUCTION ACT OF 1950.

(a) THOROUGH REVIEW REQUIRED.—The Comptroller General of the United States (in this section referred to as the ''Comptroller'') shall conduct a thorough review of the application of the Defense Production Act of 1950, since the date of enactment of the Defense Production Act Reauthorization of 2003 (Public Law 108-195), in light of amendments made by that Act.

(b) CONSIDERATIONS.—In conducting the review required by this section, the Comptroller shall examine—

(1) existing authorities under the Defense Production Act of 1950;

(2) whether and how such authorities should be statutorily modified to ensure preparedness of the United States and United States industry—

(A) to meet security challenges;

(B) to meet current and future defense requirements;

(C) to meet current and future energy requirements;

(D) to meet current and future domestic emergency and disaster response and recovery requirements;

(E) to reduce the interruption of critical infrastructure operations during a terrorist attack, natural catastrophe, or other similar national emergency; and

(F) to safeguard critical components of the United States industrial base, including American aerospace and shipbuilding industries;

(3) the effectiveness of amendments made by the Defense Production Act Reauthorization of 2003, and the implementation of such amendments;

(4) advantages and limitations of Defense Production Act of 1950-related capabilities, to ensure adaptation of the law to meet the security challenges of the 21st Century;

(5) the economic impact of foreign offset contracts and the efficacy of existing authority in mitigating such impact;

(6) the relative merit of developing rapid and standardized systems for use of the authority provided under the Defense Production Act of 1950, by any Federal agency; and

(7) such other issues as the Comptroller determines relevant.

(c) REPORT TO CONGRESS.—Not later than 120 days after the date of enactment of this Act, the Comptroller shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate on the results of the review conducted under this section, together with any legislative recommendations.

(d) RULES OF CONSTRUCTION ON PROTECTION OF INFORMATION.—Notwithstanding any other provision of law—

(1) the provisions of section 705(d) of the Defense Production Act of 1950 (50 U.S.C. App. 2155(d)) shall not apply to information sought or obtained by the Comptroller for purposes of the review required by this section; and

(2) provisions of law pertaining to the protection of classified information or proprietary information otherwise applicable to information sought or obtained by the Comptroller in carrying out this section shall not be affected by any provision of this section.

AMENDMENT NO. 2326

(Purpose: To grant a Federal charter to Korean War Veterans Association, Incorporated)

At the end of subtitle E of title X, add the following:

SEC. 1070. GRANT OF FEDERAL CHARTER TO KOREAN WAR VETERANS ASSOCIATION, INCORPORATED.

(a) GRANT OF CHARTER.—Part B of subtitle II of title 36, United States Code, is amended—

(1) by striking the following:

"CHAPTER 1201—[RESERVED]";

and

(2) by inserting after chapter 1103 the following new chapter:

"CHAPTER 1201—KOREAN WAR VETERANS ASSOCIATION, INCORPORATED

"Sec.

''120101. Organization.
''120102. Purposes.
''120103. Membership.
''120104. Governing body.
''120105. Powers.
''120106. Restrictions.
''120107. Tax-exempt status required as condition of charter.
''120108. Records and inspection.
''120109. Service of process.
''120110. Liability for acts of officers and agents.
''120111. Annual report.
''120112. Definition.

"§ 120101. Organization

''(a) FEDERAL CHARTER.—Korean War Veterans Association, Incorporated (in this chapter, the 'corporation'), a nonprofit organization that meets the requirements for a veterans service organization under section 501(c)(19) of the Internal Revenue Code of 1986 and that is organized under the laws of the State of New York, is a federally chartered corporation.

''(b) EXPIRATION OF CHARTER.—If the corporation does not comply with the provisions of this chapter, the charter granted by subsection (a) shall expire.

"§ 120102. Purposes

''The purposes of the corporation are those provided in the articles of incorporation of the corporation and shall include the following:

''(1) To organize as a veterans service organization in order to maintain a continuing interest in the welfare of veterans of the Korean War, and rehabilitation of the disabled veterans of the Korean War to include all that served during active hostilities and subsequently in defense of the Republic of Korea, and their families.

''(2) To establish facilities for the assistance of all veterans and to represent them in their claims before the Department of Veterans Affairs and other organizations without charge.

''(3) To perpetuate and preserve the comradeship and friendships born on the field of battle and nurtured by the common experience of service to the United States during the time of war and peace.

''(4) To honor the memory of the men and women who gave their lives so that the United States and the world might be free and live by the creation of living memorial, monuments, and other forms of additional educational, cultural, and recreational facilities.

''(5) To preserve for the people of the United States and posterity of such people the great and basic truths and enduring principles upon which the United States was founded.

"§ 120103. Membership

''Eligibility for membership in the corporation, and the rights and privileges of members of the corporation, are as provided in the bylaws of the corporation.

"§ 120104. Governing body

''(a) BOARD OF DIRECTORS.—The composition of the board of directors of the corporation, and the responsibilities of the board, are as provided in the articles of incorporation of the corporation.

''(b) OFFICERS.—The positions of officers of the corporation, and the election of the officers, are as provided in the articles of incorporation.

"§ 120105. Powers

''The corporation has only those powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

"§ 120106. Restrictions

''(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

''(b) POLITICAL ACTIVITIES.—The corporation, or a director or officer of the corporation as such, may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

''(c) LOAN.—The corporation may not make a loan to a director, officer, or employee of the corporation.

''(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval, or the authority of the United States, for any activity of the corporation.

''(e) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of the State of New York.

"§ 120107. Tax-exempt status required as condition of charter

''If the corporation fails to maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986, the charter granted under this chapter shall terminate.

"§ 120108. Records and inspection

''(a) RECORDS.—The corporation shall keep—

''(1) correct and complete records of account;

''(2) minutes of the proceedings of the members, board of directors, and committees of the corporation having any of the authority of the board of directors of the corporation; and

''(3) at the principal office of the corporation, a record of the names and addresses of the members of the corporation entitled to vote on matters relating to the corporation.

''(b) INSPECTION.—A member entitled to vote on any matter relating to the corporation, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

"§ 120109. Service of process

''The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent is notice to or service on the corporation.

"§ 120110. Liability for acts of officers and agents

''The corporation is liable for any act of any officer or agent of the corporation acting within the scope of the authority of the corporation.

"§ 120111. Annual report

''The corporation shall submit to Congress an annual report on the activities of the corporation during the preceding fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101(b) of this title. The report may not be printed as a public document.

"§ 120112. Definition

''For purposes of this chapter, the term 'State' includes the District of Columbia and the territories and possessions of the United States.''.

(b) CLERICAL AMENDMENT.—The item relating to chapter 1201 in the table of chapters at the beginning of subtitle II of title 36, United States Code, is amended to read as follows:

"1201. Korean War Veterans Association, Incorporated ..... 120101".

AMENDMENT NO. 2263

(Purpose: To inhance the availability of rest and recuperation leave)

At the end of subtitle H of title V, add the following:

SEC. 594. ENHANCEMENT OF REST AND RECUPERATION LEAVE.

Section 705(b)(2) of title 10, United States Code, is amended by inserting ''for members whose qualifying tour of duty is 12 months or less, or for not more than 20 days for members whose qualifying tour of duty is longer than 12 months,'' after ''for not more than 15 days''.

AMENDMENT NO. 2294

(Purpose: To require the Secretary of Defense to submit a plan to ensure the appropriate size of the Department of Defense acquisition workforce)

At the end of section 844, insert the following:

(h) ACQUISITION WORKFORCE ASSESSMENT AND PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop an assessment and plan for addressing gaps in the acquisition workforce of the Department of Defense.

(2) CONTENT OF ASSESSMENT.—The assessment developed under paragraph (1) shall identify—

(A) the skills and competencies needed in the military and civilian workforce of the Department of Defense to effectively manage the acquisition programs and activities of the Department over the next decade;

(B) the skills and competencies of the existing military and civilian acquisition workforce of the Department and projected trends in that workforce based on expected losses due to retirement and other attrition; and

(C) gaps in the existing or projected military and civilian acquisition workforce that should be addressed to ensure that the Department has access to the skills and competencies identified pursuant to subparagraph (A).

(3) CONTENT OF PLAN.—The plan developed under paragraph (1) shall establish specific objectives for developing and reshaping the military and civilian acquisition workforce of the Department of Defense to address the gaps in skills and competencies identified under paragraph (2). The plan shall include—

(A) specific recruiting and retention goals; and

(B) specific strategies for developing, training, deploying, compensating, and motivating the military and civilian acquisition workforce of the Department to achieve such goals.

(4) ANNUAL UPDATES.—Not later than March 1 of each year from 2009 through 2012, the Secretary of Defense shall update the assessment and plan required by paragraph (1). Each update shall include the assessment of the Secretary of the progress the Department has made to date in implementing the plan.

(5) SPENDING OF AMOUNTS IN FUND IN ACCORDANCE WITH PLAN.—Beginning on October 1, 2008, amounts in the Fund shall be expended in accordance with the plan required under paragraph (1) and the annual updates required under paragraph (4).

(6) REPORTS.—Not later than 30 days after developing the assessment and plan required under paragraph (1) or preparing an annual update required under paragraph (4), the Secretary of Defense shall submit to the congressional defense committees a report on the assessment and plan or annual update, as the case may be.

AMENDMENT NO. 2277, AS MODIFIED

At the end of title XXVIII, add the following:

SEC. 2864. REPORT ON WATER CONSERVATION PROJECTS.

(a) REPORT REQUIRED.—Not later than April 1, 2008, the Secretary of Defense shall submit to the congressional defense committees a report on the funding and effectiveness of water conservation projects at Department of Defense facilities.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) a description, by type, of the amounts invested or budgeted for water conservation projects by the Department of Defense in fiscal years 2006, 2007, and 2008;

(2) an assessment of the investment levels required to meet the water conservation requirements of the Department of Defense under Executive Order No. 13423 (January 24, 2007);

(3) an assessment of whether water conservation projects should continue to be funded within the Energy Conservation Investment Program or whether the water conservation efforts of the Department would be more effective if a separate water conservation investment program were established;

(4) an assessment of the demonstrated or potential reductions in water usage and return on investment of various types of water conservation projects, including the use of metering or control systems, xeriscaping, waterless urinals, utility system upgrades, and water efficiency standards for appliances used in Department of Defense facilities; and

(5) recommendations for any legislation, including any changes to the authority provided under section 2866 of title 10, United States Code, that would facilitate the water conservation goals of the Department, including the water conservation requirements of Executive Order No. 13423 and DoD Instruction 4170.11.

AMENDMENT NO. 2862

(Purpose: To authorize to be increased by up to $49,300,000 the amount authorized to be appropriated for the construction of munitions demilitarization facilities at Blue Grass Army Depot, Kentucky, and Pueblo Chemical Depot, Colorado, and to ensure the timely destruction of lethal chemical agents and munitions)

On page 470, after the table following line 22, add the following:

SEC. 2406. MUNITIONS DEMILITARIZATION FACILITIES, BLUE GRASS ARMY DEPOT, KENTUCKY, AND PUEBLO CHEMICAL ACTIVITY, COLORADO.

(a) AUTHORITY TO INCREASE AMOUNT FOR CONSTRUCTION OF MUNITIONS DEMILITARIZATION FACILITY, BLUE GRASS ARMY DEPOT, KENTUCKY.—Pursuant to the authority granted for this project by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 836), as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1298) and section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), the amount authorized to be appropriated by section 2403(14) of this Act for the construction of increment 8 of a munitions demilitarization facility at Blue Grass Army Depot, Kentucky, may, subject to the approval of the Secretary of Defense, be increased by up to $17,300,000 using funds from the amounts authorized to be appropriated by section 2403(1) of this Act.

(b) AUTHORITY TO INCREASE AMOUNT FOR CONSTRUCTION OF MUNITIONS DEMILITARIZATION FACILITY, PUEBLO CHEMICAL ACTIVITY, COLORADO.—Pursuant to the authority granted for this project by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839) and section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), the amount authorized to be appropriated by section 2403(14) of this Act for the construction of increment 9 of a munitions demilitarization facility at Pueblo Chemical Activity, Colorado may, subject to the approval of the Secretary of Defense, be increased by up to $32,000,000 using funds from the amounts authorized to be appropriated by section 2403(1) of this Act.

(c) CERTIFICATION REQUIREMENT.—Prior to exercising the authority provided in subsection (a) or (b), the Secretary of Defense shall provide to the congressional defense committees the following:

(1) Certification that the increase in the amount authorized to be appropriated—

(A) is in the best interest of national security; and

(B) will facilitate compliance with the deadline set forth in subsection (d)(1).

(2) A statement that the increased amount authorized to be appropriated will be used to carry out authorized military construction activities.

(3) A notification of the action in accordance with section 2811.

(d) DEADLINE FOR DESTRUCTION OF CHEMICAL AGENTS AND MUNITIONS STOCKPILE.—

(1) DEADLINE.—Notwithstanding any other provision of law, the Department of Defense shall complete work on the destruction of the entire United States stockpile of lethal chemical agents and munitions, including those stored at Blue Grass Army Depot, Kentucky, and Pueblo Chemical Depot, Colorado, by the deadline established by the Chemical Weapons Convention, and in no circumstances later than December 31, 2017.

(2) REPORT.—

(A) IN GENERAL.—Not later than December 31, 2007, and every 180 days thereafter, the Secretary of Defense shall submit to the parties described in paragraph (2) a report on the progress of the Department of Defense toward compliance with this subsection.

(B) PARTIES RECEIVING REPORT.—The parties referred to in paragraph (1) are the Speaker of the House of the Representatives, the Majority and Minority Leaders of the House of Representatives, the Majority and Minority Leaders of the Senate, and the congressional defense committees.

(C) CONTENT.—Each report submitted under subparagraph (A) shall include the updated and projected annual funding levels necessary to achieve full compliance with this subsection. The projected funding levels for each report shall include a detailed accounting of the complete life-cycle costs for each of the chemical disposal projects.

(3) CHEMICAL WEAPONS CONVENTION DEFINED.—In this subsection, the term ''Chemical Weapons Convention'' means the Convention on the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, with annexes, done at Paris, January 13, 1993, and entered into force April 29, 1997 (T. Doc. 103-21).

(4) APPLICABILITY; RULE OF CONSTRUCTION.—This subsection shall apply to fiscal year 2008 and each fiscal year thereafter, and shall not be modified or repealed by implication.

Mr. LEVIN. I thank the Presiding Officer.

Mr. WARNER. Mr. President, I move to reconsider the vote on the package of amendments.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ADMENDMENT NO. 2268

Mr. DURBIN. Mr. President, we are engaged in one of the longest conflicts in American history, and the need for qualified nurses in military medical facilities is increasing. Tragic stories of injured veterans returning from war and heart-wrenching images on television remind us that the military needs qualified nurses. Unfortunately, the military faces the same difficulty recruiting and retaining nurses that civilian medical facilities are facing.

Neither the Army nor the Air Force has met nurse recruitment goals since the 1990s. In 2004, the Navy Nurse Corps fell 32 percent below its recruitment target, while the Air Force missed its nurse recruitment target by 30 percent. At a Senate appropriations hearing earlier this year, Nurse Corps leaders pointed to a serious shortage of military nurses. The Army, Navy, and Air Force each have a 10-percent shortage of nurses, with shortages reaching nearly 40 percent in some critical specialties.

Civilian hospitals face similar challenges. According to the American College of Healthcare Executives, 72 percent of hospitals experienced a nursing shortage in 2004. The shortage is growing. The U.S. Department of Health and Human Services, HHS, found that in 2000 this country was 110,000 nurses short of the number, both civilian and

military, necessary to adequately provide quality health care. By 2005, the shortage had doubled to 219,000. By 2020, we will be more than 1 million nurses short of what we need for quality health care. This will create a problem for military health care as well as the Nation at large.

To avoid the vast shortage HHS is projecting, we have to improve the number of nurses graduating and entering the workforce each year. If we only were to replace the nurses who are retiring, we would need to increase student enrollment at nursing schools by 40 percent. But the baseline demand for nurses, however, continues to rise, while the supply falls. If we increased the number of graduates from nursing school by 90 percent by 2020, we would still fall short of the number needed for quality care.

One of the major factors contributing to the nursing shortage is the shortage of teachers at schools of nursing. Last year, nursing colleges across the Nation denied admission to over 40,000 qualified applicants because there were not enough faculty members to teach the students. Last year, approximately 2,000 qualified student applicants were rejected from Illinois nursing schools because there were not enough teachers.

And the shortage does not discriminate between rural or urban areas, city or countryside, large or small schools. For example, in 2006, the University of Illinois at Chicago, consistently recognized as one of the top ten nursing programs in the United States, was sixth in total NIH research and research training dollars, and in 2004, it was ranked eighth out of 142 schools of nursing by U.S. News & World Report. However, despite the nationwide prestige, the school turned away more than 500 qualified applicants last year. Northern Illinois University, a smaller school in DeKalb, IL, was forced to reject 233 qualified applicants as a result of a shortage of teachers and financial resources.

The American Association of Colleges of Nursing surveyed more than 400 schools of nursing last year. Seventy-one percent of the schools reported vacancies on their faculty. An additional 15 percent said they were fully staffed but still needed more faculty to handle the number of students who want to be trained.

Statistics paint a bleak picture for the availability of nursing faculty now and into the future. The median age of a doctorally prepared nursing faculty member is 52 years old. The average age of retirement for faculty at schools of nursing is 62.5 years. It is expected that 200 to 300 doctorally prepared faculty will be eligible for retirement each year from 2005 through 2012 , drastically reducing the number of available faculty—even though more than 1 million replacement nurses will be needed. The military recruits nurses from the same source as doctors and hospitals: civilian nursing schools. Unless we address the lack of faculty, the shortage of nurses will only worsen.

In 1994, the Department of Defense established a program called Troops to Teachers, which serves the dual purpose of helping relieve the shortages of math, science, and special education teachers in high-poverty schools while assisting military personnel in making successful transitions to second careers in teaching. As of January 2004, more than 6,000 former soldiers have been hired as teachers through the Troops to Teachers Program, and an additional 6,700 are now qualified teachers and looking for placements.

My amendment will set up a pilot program called Troops to Nurse Teachers to make it easier for military nurses, retiring nurses, or those leaving the military to pursue a career teaching the future nurse workforce. I am proud to have the support of my colleagues: Senators INOUYE, INHOFE, OBAMA, MENENDEZ, BIDEN, MIKULSKI, DOLE, REED, LIEBERMAN, and COLLINS. I thank the leadership of the Senate Armed Services Committee, Chairman LEVIN, Senator WARNER, for their support and willingness to accept the amendment.

The Troops to Nurse Teachers Program seeks to address the nursing shortage in the different branches of the military while tapping into the existing wealth of knowledge and expertise of military nurses to help address the nationwide shortage of nurses.

The goals of the Troops to Nurse Teachers program are two fold. First, the program intends to increase the number of nurse faculty members so nursing schools can expand enrollment and alleviate the ongoing shortage both in the civilian and military sectors. Second, the Troops to Nurse Teachers Program is meant to help military personnel make successful transitions to second careers in teaching, similar to Troops to Teachers. The program would achieve these goals by offering incentives to nurses transitioning from the military to become full-time nurse faculty members, while providing the military a new recruitment tool and advertising agent.

The Troops to Nurse Teachers Program will provide transitional assistance for servicemembers who already hold a master's or Ph.D. in nursing or a related field and are qualified to teach. Eligible servicemembers can receive career placement assistance, transitional stipends, and educational training from accredited schools of nursing to expedite their transition. Troops to Nurse Teachers will also establish a pilot scholarship program for officers of the Armed Forces who have been involved in nursing during their military service to help them obtain the education needed to become nurse educators. Tuition, stipends, and financing for other educational expenses would be provided. Recipients of scholarships must commit to teaching at an accredited school of nursing for 3 years in exchange for the educational support they receive.

In addition, the Troops to Nurse Teachers Program will provide active military nurses the opportunity to complete a 2-year tour of duty at a civilian nursing school to train the next generation of nurses. In exchange, the nurse officer will commit to additional time in the military or the College of Nursing will provide scholarships for nursing students that commit to enlisting in the military.

We have the support of over 20 nursing organizations, including the following: American Association of Colleges of Nursing, American Organization of Nurse Executives, American Nurses Association, Academy of Medical-Surgical Nurses, American Academy of Ambulatory Care Nursing, American College of Nurse Practitioners, American Association of Nurse Anesthetists, American Health Care Association, American Society of PeriAnesthesia Nurses, Association of Women's Health, Obstetric, and Neonatal Nurses, American Association of Occupational Health Nurses, Inc., American Radiological Nurses Association, Association of Perioperative Registered Nurses, Emergency Nurses Association, National Black Nurses Association, National Council of State Boards of Nursing, National Gerontological Nursing Association, National League for Nursing, National Nursing Centers Consortium, National Organization of Nurse Practitioner Faculties, Oncology Nursing Society, Society of Urologic Nurses & Associates.

In addition, the Office of the Secretary of Defense, both Personnel and Recruitment and Health Affairs, are in support of the amendment. We have also worked hard to secure the support and incorporate important feedback from the Nurse Corps of the Departments of the Army, Navy, and Air Force.

We must increase the number of teachers preparing tomorrow's nursing workforce. With the aging of the baby boom generation and the long-term needs of our growing number of wounded veterans, the military and civilian health care systems will need qualified nurses more than ever. The Troops to Nurse Teachers Program will help to alleviate the shortage of nurse faculty and ultimately help make more nurses available for both civilian and military medical facilities.

AMENDMENTS NOS. 2087, 2088, 2274, AND 2275 WITHDRAWN

Mr. LEVIN. Mr. President, I now ask unanimous consent that all pending amendments be withdrawn, with the exception of the Levin substitute amendment; that Senator LEAHY or his designee be recognized to offer a first-degree amendment on the subject of habeas corpus; that after the Leahy amendment is offered, Senator GRAHAM or his designee be recognized to offer a first-degree amendment to strike section 1023; that the offering of these amendments does not preclude further amendments on the subject matter of these amendments.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. No objection.

The PRESIDING OFFICER. Hearing no objection, it is so ordered.

AMENDMENT NO. 2022 TO AMENDMENT NO. 2011

Mr. LEVIN. Mr. President, on behalf of Senator LEAHY, I call up amendment No. 2022.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. SPECTER and Mr. LEAHY, proposes an amendment numbered 2022.

Mr. LEVIN. I ask unanimous consent that the reading of the amendment be dispensed with. No. 2022 is the amendment, and it is indeed the Specter-Leahy amendment. That is the amendment which was referred to in the unanimous consent agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2022) is as follows:

AMENDMENT NO. 2022

(Purpose: To restore habeas corpus for those detained by the United States)

At the end of subtitle E of title X, add the following:

SEC. 1070. RESTORATION OF HABEAS CORPUS FOR THOSE DETAINED BY THE UNITED STATES.

(a) IN GENERAL.—Section 2241 of title 28, United States Code, is amended by striking subsection (e).

(b) TITLE 10.—Section 950j of title 10, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) LIMITED REVIEW OF MILITARY COMMISSION PROCEDURES AND ACTIONS.—Except as otherwise provided in this chapter or in section 2241 of title 28 or any other habeas corpus provision, and notwithstanding any other provision of law, no court, justice, or judge shall have jurisdiction to hear or consider any claim or cause of action whatsoever, including any action pending on or filed after the date of the enactment of the Military Commissions Act of 2006, relating to the prosecution, trial, or judgment of a military commission under this chapter, including challenges to the lawfulness of procedures of military commissions under this chapter.''.

(c) EFFECTIVE DATE AND APPLICABILITY.—The amendments made by this section shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to any case that is pending on or after the date of enactment of this Act.

AMENDMENT NO. 2064 TO AMENDMENT NO. 2011

Mr. WARNER. Mr. President, I call up amendment No. 2064 on behalf of Senator GRAHAM.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. GRAHAM, proposes an amendment numbered 2064.

Mr. WARNER. 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 (No. 2064) is as follows:

AMENDMENT NO. 2064

(Purpose: To strike section 1023, relating to the granting of civil rights to terror suspects)

Strike section 1023.

Mr. WARNER. Mr. President, it is my understanding that we do have these two first-degree amendments side by side for purposes of the debate, and at this time there are no time agreements.

Mr. LEVIN. Mr. President, Senator LEAHY has already debated this amendment. I assume he would want to debate this further, but that would, of course, be up to him. But this was the amendment Senator LEAHY was debating earlier this afternoon. Now that it is pending, it is open to debate.

Mr. WARNER. Mr. President, I have discussed this with the Senator from Arizona, who is here on the floor for purposes of that debate. I yield the floor.

The PRESIDING OFFICER. Who seeks recognition? The Senator from Arizona.

Mr. KYL. Mr. President, I thank the chairman and Senator WARNER. Let me read a portion of a letter from the Department of Justice first, and I will include it for the RECORD at the conclusion of its reading. This letter is addressed to Chairman PAT LEAHY of the Judiciary Committee. It begins by saying—it is dated June 6 of this year.

This letter presents the views of the Department of Justice on S. 185, the ''Habeas Corpus Restoration Act of 2007,'' as introduced in the U.S. Senate. If enacted, S. 185 would remove the habeas corpus restrictions included in the ''Military Commissions Act of 2006.''

After a full and open debate, a bipartisan majority of Congress passed the MCA just last fall. The MCA's restrictions on habeas corpus codified important and constitutional limits on captured enemies' access to our courts. The DC Circuit upheld MCA's habeas restrictions in—the name of the case is Boumediene v. Bush—I will omit the citation—decided in 2007.

The provision of S. 185 that seeks to remove these important limits ignores their history and their role in protecting our Nation's security. As the Supreme Court recognized in Johnson v. Eisentrager, a 1950 case, the extension of habeas corpus to alien combatants captured abroad ''would hamper the war effort and bring aid and comfort to the enemy,'' and the Constitution requires no such thing. The United States already provides alien enemy combatants detained at Guantanamo Bay, Cuba, with an unprecedented degree of process, which includes judicial review of decisions regarding their detention before the Federal appeals court in Washington, DC. Repealing the MCA's limitations on habeas would simply burden our courts with duplicative and unnecessary litigation. For this reason, and because repeal of the MCA's habeas provisions would delay and disrupt the vital work of bringing enemy combatants to justice, the President's senior advisors would recommend that he veto S. 185 if the bill is presented to him for signature.

There is more of the letter, but I will submit it for the RECORD at this point.

I note that the amendment offered by Senator LEAHY is virtually the same, if not the same, as the bill introduced. I am presuming that the President's senior advisers would, as a result, also recommend a veto of the bill if it included this provision.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 6, 2007.

Hon. PATRICK J. LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: This letter presents the views of the Department of Justice on S. 185, the ''Habeas Corpus Restoration Act of 2007,'' as introduced in the United States Senate. If enacted, S. 185 would remove the habeas corpus restrictions included in the ''Military Commissions Act of 2006'' (''MCA'').

After a full and open debate, a bipartisan majority of Congress passed the MCA just last fall. The MCA's restrictions on habeas corpus codified important and constitutional limits on captured enemies' access to our courts. The D.C. Circuit upheld the MCA's habeas restrictions in Boumediene v. Bush, 476 F.3d 981 (D.C. Cir. 2007), cert. denied, 127 S. Ct. 1478 (2007). The provision of S. 185 that seeks to remove these important limits ignores their history and their role in protecting our Nation's security. As the Supreme Court recognized in Johnson v. Eisentrager, 339 U.S. 763 (1950), the extension of habeas corpus to alien combatants captured abroad ''would hamper the war effort and bring aid and comfort to the enemy,'' id. at 779, and the Constitution requires no such thing, see id. at 780–81. The United States already provides alien enemy combatants detained at Guantanamo Bay, Cuba, with an unprecedented degree of process, which includes judicial review of decisions regarding their detention before the Federal appeals court in Washington, D.C. Repealing the MCA's limitations on habeas would simply burden our courts with duplicative and unnecessary litigation. For this reason, and because repeal of the MCA's habeas provisions would delay and disrupt the vital work of bringing enemy combatants to justice, the President's senior advisors would recommend that he veto S. 185 if the bill is presented to him for signature.

Thank you for your consideration of our views. If we may be of further assistance, please do not hesitate to contact us. The Office of Management and Budget has advised us that there is no objection to this letter from the perspective of the Administration's program and that enactment of S. 185 would not be in accord with the President's program.

Sincerely,

ALBERTO R. GONZALES,
Attorney General.

Mr. KYL. Now, the Defense authorization bill is extraordinarily important to our troops. To add a totally extraneous provision amending a different bill to the Defense authorization bill, especially one which carries the suggestion of a Presidential veto, would be the height of irresponsibility on the part of the Senate. The substantive arguments of the Department of Justice with respect to habeas are correct, and the Senate should not, therefore, seek to amend another statute in the Defense authorization bill, thus inviting a veto of the bill.

Related to the habeas corpus provision is the amendment that is now pending offered by Senator GRAHAM of

South Carolina. That amendment would strike a provision of the Defense authorization bill—section 1023—that also relates to the subject of treatment of detainees. Unfortunately, the way the committee bill was written, the bill that is before us right now, if we retain that language and we don't strike it, as the Graham amendment would do, we would essentially be returning to a law enforcement approach to terrorists that, frankly, failed us before 9/11 and obviously does not work in the post-9/11 context. We can't deal with all of the enemy combatants as criminal defendants. These people who are picked up on the battlefields of Iraq and Afghanistan cannot be dealt with in the same way as criminal defendants in our court system. Senator GRAHAM's amendment would strike these harmful provisions of the bill.

I wish to begin by reminding my colleagues of the evil nature of these terrorists and then go through the three particular parts of this provision that require removal.

First, a requirement that al-Qaida terrorists held in Iraq and Afghanistan be given lawyers—I mean, just imagine that; second, the authorization to demand discovery and compel testimony from servicemembers; and third, the requirement that al-Qaida and Taliban detainees be provided access to classified evidence. To state these three provisions of the bill is to recognize immediately why it is so harmful that they be included in this bill and why they need to be stricken, but focus for just a moment on the people we are talking about held at Guantanamo Bay and picked up in Iraq and Afghanistan.

At least 30 of the detainees released already from Guantanamo Bay have since returned to waging war against the United States and our allies. Of course, the provisions of section 21 are all designed to effectuate the release of some of these prisoners—some of these detainees. So 30 have already been released because we no longer deemed them to be a threat to the United States or our forces, but after their release, 12 of the released detainees have been killed in battle by U.S. forces or—well, by U.S. forces; others have been captured. In other words, we released them, they went right back to the battlefield, 12 of them have been killed in battle, others have been recaptured, 2 released detainees became regional commanders for Taliban forces, and 1 attacked U.S. and allies' soldiers in Afghanistan, killing 3 Afghan soldiers.

One released detainee killed an Afghan judge. One released detainee led a terrorist attack on a hotel in Pakistan and a kidnapping raid that resulted in the death of a Chinese civilian, and this former detainee recently told Pakistani journalists that he planned to ''fight America and its allies until the very end.''

Even under the procedures today, which give due process to these detainees and allow them to be released if we can no longer demonstrate they are a threat to U.S. forces—even under these provisions, at least 30 of the detainees have gone right back to the battlefield and are attacking us and our forces.

The provisions of section 1023 would make it very difficult, if not impossible, for the United States to detain committed terrorists such as this, people who have been captured while waging war against us. No nation in the history of armed conflict has imposed the kinds of limits this bill would impose on its ability to detain enemy war prisoners. War prisoners released in the middle of an ongoing conflict, such as members of al-Qaida, will return to waging war. That is the whole point of prisoners of war. In the war you capture people and hold them so they cannot return to the battlefield to kill your troops. We have already seen this happen 30 times with the detainees released from Guantanamo, as I said.

If section 1023 were to be enacted, we could expect more civilians and Afghans and Iraqis will be killed, and it may be inevitable that even our own soldiers will be killed by such released terrorists. This is a price our Nation should not be forced to bear.

I mentioned three specific general problems with section 1023. The first has to do with a requirement of the bill that al-Qaida terrorists who are held in Iraq and Afghanistan must be provided with lawyers. I cannot imagine that the details of this were known to the members of the committee when they put it into the bill. This could never be executed. It would require the release of the detainees; either they get lawyers or they have to be released. And here is why. The Defense bill requires that counsel be provided and trials be conducted for all unlawful enemy combatants held by the United States, including, for example, al-Qaida members captured and detained in Iraq and Afghanistan, if they are held for 2 years. We hold approximately 800 prisoners in Afghanistan and tens of thousands in Iraq. None are lawful combatants; all would arguably be entitled to a lawyer and a trial under this bill. This procedure would at least require a military judge, a prosecutor, and a defense attorney, as well as other legal professionals.

This scheme is totally unrealistic. The entire Army JAG Corps only consists of about 1,500 officers, and each is busy with their current duties. Moreover, under the bill, each detainee would be permitted to retain private or volunteer counsel. Our agreements with the Iraqi Government bar the United States from transferring Iraqi detainees out of Iraq. As a result, the bill would require the United States to train, transport, house, and protect potentially thousands, or tens of thousands, of private lawyers in the middle of a war zone during ongoing hostilities. That is impossible.

Think about this in the context of other conflicts, not just in Iraq or Afghanistan. In the context of World War II, anybody hearing this would think it is nuts. But the bill before us literally requires us to provide attorneys to these captured detainees in Iraq—tens of thousands of them. This proposal would likely force the United States to release thousands of these enemy combatants in Iraq, as I said, because there is no way you could provide all of the lawyers to them. Obviously, that would further jeopardize our military. By requiring a trial for each detainee, this provision would also require U.S. soldiers to offer statements to criminal investigators, needing later to prove their case after they captured someone. In other words, unlike today, when you are on the battlefield and you capture somebody and you hold them because they are a threat, but you are not putting them on trial, now you are going to put them on trial and you have to have the kind of evidence that would stand up in court. You have watched the TV shows with the clever defense lawyers. You know about, ''I object, Your Honor; that is not relevant,'' or ''that is hearsay.'' On the battlefield, who walks around with lawyers making sure Miranda rights are read and evidence is collected and statements are taken that will hold up in court when they are later tried? And they would need to carry evidence kits and cameras, means of identifying the person later on. Two years after you capture someone, the defense lawyer could say: Is that the person you captured? And if he says, ''Well, those guys all kind of looked alike to me when they were shooting at me, so I cannot be sure,'' well, the case will get thrown out of court. Or was there a chain of custody of the evidence? You would have to do that with the evidence taken on the battlefield or it would be thrown out in court. They would need to spend hours after each trial writing after-action reports, which would need to be reviewed by commanders. Valuable time, in other words, would be taken from combat operations and soldiers' rest whenever they capture somebody on the battlefield.

A horrible precedent would be set for the future. Aside from the war in Iraq, this provision would make fighting a major war in the future simply impossible. In World War II, we detained over 2 million enemy prisoners of war. It would have been impossible for the United States to have conducted a trial and provided counsel to 2 million captured enemy combatants. The bottom line, with respect to this provision, section 1023, the requirement of counsel for these detainees held in Iraq and Afghanistan, is that it would be impossible to implement. It is patently absurd and, as a result, it should be stricken.

The second point is authorizing al-Qaida detainees to demand discovery and compel testimony from American soldiers. I alluded to that a second ago. The underlying bill would actually authorize unlawful enemy combatants, including al-Qaida detainees in Iraq and Afghanistan, to demand discovery

and compel testimony from witnesses, just as we do in our criminal courts in the United States. These witnesses would all be the U.S. soldiers who captured the prisoner. Under the bill, an American soldier could literally be recalled from his unit at the whim of an al-Qaida terrorist in order to be cross-examined by him, or his lawyer, or a judge.

Newspaper columnist Stuart Taylor describes the questions such a right would raise:

> Should a Marine sergeant be pulled out of combat in Afghanistan to testify at a detention hearing about when, where, how, and why he had captured the detainee? What if the northern alliance or some other ally made the capture? Should the military be ordered to deliver high-level al-Qaida prisoners to be cross-examined by other detainees and their lawyers?

It goes on and on. The questions abound. As the Supreme Court itself observed in Johnson v. Eisenstrager, which is the law on this subject:

> It would be difficult to devise a more effective fettering of a field commander than to allow the very enemies he is ordered to reduce to submission to call him to account in his own civil court and divert his efforts and attention from the military offensive abroad to the legal defensive at home.

This is the U.S. Supreme Court talking not long after World War II, when a question similar to this arose, and a Justice of the Supreme Court says it ''would be difficult to devise a more effective fettering of a field commander than to allow the very enemies he is ordered to reduce to submission to call him into account in his own civil court and divert his efforts and attention from the military offensive abroad to the legal defensive at home.''

It would be difficult to conceive of a process that would be more insulting to our soldiers.

In addition, many al-Qaida members captured in Afghanistan were captured by special operators whose identities are kept secret for obvious reasons. This would force them to reveal themselves to al-Qaida members and expose themselves, or simply forgo the prosecution of the individual, which is obviously more likely to happen. You simply could not do all of this, so you would have to forgo the prosecution and release the prisoner.

Clearly, Americans should not be subject to subpoena by al-Qaida. Think about that. That brings me to the last point—the requirement that al-Qaida and Taliban detainees be provided with access to classified evidence. You would have to give the enemy your classified evidence, the sources and methods of your intelligence operations, in order to prosecute them, which is what would be required by the bill.

Here is the exact language. The bill requires that detainees be provided with ''a sufficiently specific substitute of classified evidence'' and that detainees' private lawyers be given access to all relevant classified evidence.

When this bill was brought up in the Senate, some Members questioned whether this bill requires us to share classified information with al-Qaida detainees and their lawyers. I will direct this to specific pages and lines of the bill to show what it does.

On page 305, lines 16 through 21, the bill expressly provides that ''the detainee'' must be provided—I am quoting now—access to a ''sufficiently specific'' summary of ''the classified evidence that is submitted against the detainee.'' This language appears to mirror the Classified Information Procedures Act rules that apply to the use of classified information in Federal courts. Like CIPA, these procedures give a detainee a right to the substance of classified evidence. The Government might be able to redact some names or other information, but only if it still gives the detainee the substance of the evidence. And if the United States is not willing to compromise the evidence in this way, it cannot use the evidence.

Similarly, at page 305, line 5, the bill expressly requires that under its provisions, ''counsel for the detainee is provided access to the relevant classified evidence.'' I don't know how you can be any more specific than that. His lawyer gets to see relevant classified evidence.

Foreign and domestic intelligence agencies are already very hesitant to divulge classified evidence to the CSRT hearings we already conduct. These are part of the internal and nonadversarial military process today. Intelligence agencies will inevitably refuse to provide sensitive evidence to detainees and their lawyers. They will not risk compromising such information for the sake of detaining one individual terrorist.

In addition, the United States already has tenuous relations with some of the foreign governments, particularly in the Middle East, that have been our best sources of information about groups such as al-Qaida. If we give detainees a legal right to access such information, these foreign governments would simply, I presume, shut off all further supply of information to the United States. Why would they do otherwise? They don't want to expose their own sources, compromise their evidence, or expose even the fact that they have cooperated with the United States. By exposing our cooperation with these governments, the bill perversely applies a sort of ''stop snitching'' policy toward our Middle Eastern allies, which is likely to be as ruthlessly effective as when applied to criminal street gangs to potential witnesses to a crime in the United States.

Some of our best information is gained from foreign intelligence services who, like us, are trying to find out everything they can about these terrorists. Once they know we have to turn the information they gave us over to the terrorists, they are going to stop cooperating with us.

The argument I presented—that sharing classified evidence with al-Qaida detainees and their lawyers would badly damage America's efforts in the war with al-Qaida—was recently reinforced by several declarations that were recently introduced in the ongoing Bismullah litigation. These declarations were filed by the Director of National Intelligence, the Director of the CIA, and by the Director of the Federal Bureau of Investigation, our three top intelligence agencies. Together, these statements confirm that sharing classified information with detainees and their lawyers would not only inevitably lead to leaks of sensitive information, but that it would violate American intelligence agencies' agreements with foreign governments and with confidential human sources—violations that would inevitably undermine these organizations and individuals' willingness to cooperate with the United States in the future.

The final point is that we already know, from hard experience, that providing classified and other sensitive information to al-Qaida members is a bad idea. During the 1995 Federal prosecution in New York of the ''blind sheikh,'' Omar Rahman, prosecutors turned over the names of 200 unindicted coconspirators to the defense. They were required to do so under the civilian criminal justice system of discovery rules, which require that large amounts of evidence be turned over to the defense. The judge warned the defense that the information could only be used to prepare for trial and not for other purposes. Nevertheless, within 10 days of being turned over to the defense, the information found its way to Sudan and into the hands of Osama bin Laden. As the district judge who presided over the case said, ''That list was in downtown Khartoum within 10 days, and bin Laden was aware within 10 days that the Government was on his trail.''

That is what happens when you provide classified information in this context.

In another case tried in the civilian criminal justice system, testimony about the use of cell phones tipped off terrorists as to how the Government was monitoring their networks. According to the judge, ''There was a piece of innocuous testimony about the delivery of a battery for a cell phone.'' This testimony alerted terrorists to the Government surveillance and, as a result, their communication network shut down within days and intelligence was lost to the Government forever—intelligence that might have prevented who knows what.

This particular section of the bill, 1023, repeats the mistakes of the past. Treating the war with al-Qaida similar to a criminal justice investigation would force the United States to choose between compromising information that could be used to prevent further terrorist attacks on one hand and on the other letting captured terrorists go free. As I said before, this is not a choice our Nation should be required to make.

Let me read a couple of the quotations I alluded to earlier from the

Director of the Central Intelligence Agency, GEN Michael Hayden, relative to the damage that would be caused by requiring this classified information to be turned over to the defendant or his lawyers:

. . . [M]uch of the information that is potentially discoverable was provided to the CIA by foreign intelligence services or discloses the specific assistance provided by the CIA's global partners in the global war on terror. If the CIA is compelled to comply with the Court's decision, the CIA will be obligated to inform its foreign liaison partners that a court order requires that the CIA provide this information to the Court and detainee counsel. There is a high probability that certainly liaison services will decrease their cooperation with the CIA because of the extent that their information has become enmeshed in U.S. legal proceedings. . . .

He goes on:

[S]ome information discoverable under the Court's decision originated with, or pertains to, clandestine human intelligence sources. These individuals provide information or assistance to the CIA only upon the condition of absolute and lasting secrecy. Revealing this information—even to the Court or to cleared counsel—would expressly violate these agreements, and would irreparably harm the CIA's ability to utilize current sources and to recruit sources in the future. . . .

Let me read one other comment from General Hayden, the Director of the CIA:

. . . With over 300 detainees at Guantanamo Bay, Cuba, it appears that compliance with the Court's decision will require disclosure to several hundred—perhaps more than one thousand—private attorneys who are not employees of the U.S. Government and who are not trained in handling classified information. With so many untrained individuals allowed access to such sensitive information, I believe that unauthorized disclosures, even if inadvertent, are not only probable, but inevitable. The regulations controlling access to classified information recognize that limiting the number of people with access is a necessary step in safeguarding sensitive information. The Court's decision would eviscerate the U.S. Government's carefully conceived plan to keep its most highly sensitive information compartmentalized and would increase the likelihood of public disclosure.

I quote a comment from Robert Mueller, the Director of the Federal Bureau of Investigation, in his affidavit to the court in the case I mentioned:

Disseminating human source information could reasonably lead to the disclosure of their identities because often the information provided by human sources is singular in nature.

In other words, he is the only person who knows about it, so when the information is divulged, then the other side knows exactly where it came from.

Back to Director Mueller:

The disclosure of singular information could endanger the life of the source or his/her family or friends, or cause the source to suffer physical or economic harm or ostracism within the community. These consequences, and the inability of the FBI to protect the identities of its human sources, would make it exceptionally more difficult for the FBI and other U.S. intelligence agencies to recruit human sources in the future.

These are the kinds of irreparable harm that would result if the language of section 1023 remains in the bill. Not my words, but Director Mueller of the FBI, General Hayden, the Director of the CIA, and now I quote from the Director of National Intelligence, Michael McConnell. Admiral McConnell had this to say:

. . . [T]he Intelligence Community has many sources of information that must be protected. For example, much of the information at issue was provided by foreign intelligence services or would reveal the specific assistance provided by foreign partners in the global war on terror. Certain liaison services will likely decrease their cooperation with the U.S. Government if their information is caught up in U.S. court proceedings.

One final comment.

. . . Human sources also provide the Intelligence Community with critical information, but only upon the condition of absolute secrecy. Revealing this information would violate the sources of confidentiality we provide these sources and would likely result in their minimizing or ceasing altogether their cooperation. Such a disclosure would harm the Intelligence Community's ability to retain current sources and recruit new ones, and if we cannot recruit and retain sources, the Intelligence Community simply cannot conduct its business.

That is the point of Senator GRAHAM's amendment to strike these provisions from the bill. They would irreparably harm our intelligence collection capability, which is the first defense against these terrorists. That is why the Graham amendment striking section 1023 should be adopted.

We have already bent over backward to provide the detainees at Guantanamo the ability to contest their detention and to have their detention reviewed and eventually even have it reviewed in the U.S. Supreme Court, and before that the Circuit Court of Appeals.

This is a very fair system, more fair than has ever been provided by any other nation in any other circumstance and more than our Constitution requires. So we are treating the people we capture in a very fair way.

What we cannot do is to take those same kinds of protections and apply them anywhere we capture someone in the foreign theater. And as I said before, never in the history of warfare have they been subjected to the criminal justice system of our country. To take that system and try to transport it to the fields of Afghanistan and Iraq would obviously not only be breaking precedent but is a horrible idea for all the reasons I indicated.

I ask my colleagues to give careful attention to the dangerous return to the pre-9/11 notion that these terrorists are, after all, only common criminals and we have to treat them that way. They have made no secret that they are actually at war with us, and we ignore this point at our peril.

I remind my colleagues that the Statement of Administration Policy on this bill says the President will be advised to veto the bill if section 1023 remains in the bill and refer again to a similar statement from the Department of Justice with respect to the habeas corpus provisions that would be added to the bill in the amendment of Senator LEAHY.

I hope my colleagues will take all of this information into account when they consider voting on these amendments in this very important Defense authorization bill which we need to pass and the President will want to sign so we can do what is necessary to support our troops whom we have sent into harm's way.

I urge my colleagues to support the Graham amendment to strike section 1023 and not to support the additional habeas corpus rights to terrorists who attack our troops.

The PRESIDING OFFICER (Ms. STABENOW). The distinguished Senator from Connecticut.

Mr. DODD. Madam President, first, I want to commend Senator LEVIN and Senator WARNER for their leadership on this legislation. It is not news that they do a good job. They do it consistently year in and year out. This may be one of the last Defense authorization bills in which Senator WARNER is involved, having made his announcement about his decision to retire from the Senate. He has another year, next year, on the Defense authorization bill. I already sense the notion of missing him here. While he is not in the Chamber this evening, I commend Senator WARNER and Senator LEVIN for the fine work they do year in and year out on this very important issue.

I rise today to urge my colleagues to join in supporting the Specter-Leahy-Dodd amendment to restore the writ of habeas corpus for individuals held in U.S. custody. I am pleased to be an original cosponsor of this amendment and a cosponsor of the underlying bill from which it draws its strength, S. 185, the Habeas Corpus Restoration Act, also introduced by Senators SPECTER and LEAHY.

For over 700 years, the legal system has recognized the importance of habeas corpus, the right of an individual to question the legality of his or her detention.

The Military Commissions Act is perhaps the most disappointing and dangerous piece of legislation passed in the more than quarter-century I have been a Member of this body. Among its many troublesome provisions, the act eliminated habeas corpus for those individuals held by our Government as enemy combatants. By stripping these individuals of the right to petition the Government, we have undermined our Nation's longstanding commitment to the rule of law and human rights. Advocates of this provision argued that stripping away this fundamental right was necessary to protect our Nation's security. That is totally false, in my view. We can both effectively prosecute terrorists and remain true to our values. In fact, if we do otherwise, I strongly suggest that we jeopardize our security.

I stand on the floor of the Senate seeking to undo what Congress did last year when it summarily stripped habeas corpus rights with the enactment of the Military Commissions Act. Were our Founding Fathers alive today, I believe they would be seriously dismayed to realize how far our country has strayed from the values enshrined in our Constitution with the adoption of this measure.

Stripping of habeas corpus rights is just one of a number of egregious provisions included in the Military Commissions Act. That is why earlier this year I introduced S. 576, the Restoring the Constitution Act, to address these errors.

In addition to restoring habeas corpus rights, S. 576 would also require the United States to live up to its Geneva Convention obligations, provide detainees access to attorneys for trials, make inadmissible trial evidence gained through torture or coercion, empower military judges to exclude hearsay evidence they deem to be unreliable, and provide for the expedited judicial review of the Military Commissions Act of 2006 to determine the constitutionality of all of its provisions.

The Restoring the Constitution Act would undo the most damaging and unconstitutional aspects of the Military Commissions Act while providing the U.S. military a greater ability to bring our enemies to justice through military commissions.

I take a back seat to no one when it comes to defending our Nation's security. Let me be clear, I believe military commissions in very limited circumstances may be very effective in bringing combatants to justice. However, I see no reason why procedures based on the well-established, Uniform Military Code of Justice should be abandoned.

But there is a right way and a wrong way to win the fight we are in. Procedures that adhere to immediate bedrock legal principles, such as habeas corpus, abide by the Geneva Conventions, and exclude hearsay evidence or evidence obtained through torture, to name but a few, do not make us weaker. Quite the contrary. They demonstrate that no terrorist can destroy our way of life and our fundamental values that have guided our Nation for over two centuries.

During the debate on the Military Commissions Act last year, Senator SPECTER, Senator LEAHY, and I offered an amendment that would have retained the writ of habeas corpus. Unfortunately, our amendment was rejected by this body.

On September 28, 2006, I voted against the Military Commissions Act. Sadly, I was in the minority in doing so. I was and remain deeply disappointed that the Senate passed this misguided legislation. That day was a dark day in the history of this body. On that day, we abandoned our commitment not only to human rights, but also to the rule of law, commitments that separate us from our enemies, commitments that have been fundamental to American leadership since the end of World War II.

This issue has special resonance with me because of my father, Thomas Dodd, who sat in this very body at this very desk, as a member of the Senate from Connecticut. Years before, in 1945 and 1946, before becoming a Member of Congress, my father was a prosecutor working alongside Justice Robert Jackson at the Nuremberg war crimes trials in Germany. There the United States demonstrated to the world its profound commitment to the rule of law, due process, and human rights. Many of our allies did not see the need for trials for Nazis held by allied forces. Indeed, many of them called for summary executions. The Soviet Union wanted a show trial and then to shoot the defendants at Nuremberg. Winston Churchill, the former British Prime Minister, also advocated summary execution for the defendants at Nuremberg.

The United States, Judge Robert Jackson, Henry Stimson, the Republican Secretary of War under Franklin Roosevelt, Ben Rosen, Robert Jackson and my father argued, that, no, we were different. The United States was going to demonstrate to the world that civility and the rule of law was what was at stake in the war with Germany and Japan and that we would not succumb to the same kind of treatment they gave to their victims.

The opening statement made by Robert Jackson at Nuremberg, a statement which I put to memory a long time ago, indicates the difference we brought to this issue. Robert Jackson, speaking of the Soviet Union, the British, the French, and the United States, said on that occasion:

> That four great nations, flushed with victory and stung with injury stay the hand of vengeance and voluntarily submit their captive enemies to the judgment of the rule of law is one of the most significant tributes that power has ever paid to reason.

Instead, we gave the Nazis—members of the world's most barbaric regime—the protections and the rights of the rule of law.

The Nuremberg trials not only brought many of the Nazi war criminals to justice—most were executed—but helped to demonstrate to the world the importance of providing even the most heinous of criminals the protections of the rule of law. Doing so makes our Nation incalculably stronger, not weaker at all.

But I fear Congress has allowed the President to diminish our Nation's commitment to human rights and the rule of law. We have failed to stand up for our most cherished values. We let fear—the fear of being seen as weak—override our duty to protect the Constitution and the values of our Nation.

It is not too late to right the wrong of last year. We will have that opportunity in the next day or so. While I am hopeful the Federal courts will strike down many of the provisions of the Military Commissions Act, I believe a decision earlier this year by the U.S. Court of Appeals for the District of Columbia demonstrates the need for the amendment before us today by Senators LEAHY, SPECTER, myself, and others.

On February 20, 2007, the U.S. Court of Appeals for the District of Columbia upheld the provisions of the Military Commissions Act eliminating the writ of habeas corpus for enemy combatants. Despite two recent Supreme Court decisions suggesting that habeas rights cannot legislatively be stripped away, the split decision by the U.S. Court of Appeals for the District of Columbia underlines the need for this body to proactively act now to unambiguously restore habeas rights.

For more than 60 years, the United States has helped to lead the world through its commitment to human rights, democracy, and the rule of law. Last year, our Nation lost the moral high ground. This year, Congress must reassert to the Nation, the President, and the courts that we recognize the vital role of habeas corpus in our legal system.

I believe the Specter-Leahy-Dodd amendment is the first step in undoing the terrible damage the Military Commissions Act has done to our legal system and our international reputation. I implore my colleagues to begin today to undo the harm done to our Nation's reputation by voting to restore habeas rights, which have always been a core element of our jurisprudence, and once again restore the moral authority we captured more than 60 years ago at a place called Nuremberg. This generation bears no less a responsibility to protect those basic rights that are the foundation of our great Nation.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I was absent from the floor when my distinguished colleague was thoughtful enough to make a few comments about his old friend, but it is deeply appreciated, and I thank my dear colleague very much. We have done many things together, and I have more to go.

Mr. DODD. You bet.

Mr. WARNER. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Madam President, I, too, wanted to echo the comments of the distinguished Senator from Connecticut. I am sure Senator WARNER will be recognized many times between now and the time he finally takes his last vote in this Chamber, and as he pointed out, he has a long way to go before that time comes over the course of the next several months. But so many of us respect what he has done over the years as ranking member and chairman of the Armed Services Committee, and his work will, in fact, be greatly recognized.

Madam President, I wish to make one quick point in response to what the Senator from Connecticut pointed out, recalling his very famous father, somebody who served in this body and served our Nation well in other capacities, including at Nuremberg, and his friend, Justice Jackson, the same Justice Jackson whom I quoted.

The Senator wasn't on the floor, but I quoted Justice Jackson in the Eisentrager case to point out that nothing could fetter our commanders more than to require habeas corpus rights for the German prisoners of war or the prisoners who were at issue in the Johnson v. Eisentrager case. Justice Jackson himself recognized that the procedures that were awarded to the 50-some war criminals at Nuremberg were not the same kinds of procedures that were being sought in the Eisentrager case. And the habeas corpus rights that would be granted under the Leahy amendment are far different from the rights that were granted to the Nuremberg war crimes defendants.

I think one question that would be interesting to ask of the proponents of the legislation is, if we simply took the rights that were granted to the war criminals tried at Nuremberg and gave those rights to the detainees at issue here, would that be a satisfactory result? I suspect the answer would be no because they are nowhere near the rights that would be included in the amendment that is pending.

So to cite Justice Jackson is to refer back to what he said in Eisentrager and recognize that nothing, according to him—and I agree—would more fetter our commanders and our troops than granting habeas rights to prisoners or enemy detainees.

Madam President, I might make one further point. I am trying to recall how many defendants there were at Nuremberg. My recollection of the number tried for war crimes is that there were approximately 50. I may be off by a few on that number, but I think my point would still remain, which is that it is one thing to try 50 war criminals out of over 2 million POWs, and it is quite another to grant all 2 million the rights of war criminals. We have tried some of the detainees as the equivalent of war criminals in our courts—Padilla is one of them—but that is not to say we should hold the same criminal trials for all of the tens of thousands of detainees being held in Iraq or Afghanistan.

Mr. SESSIONS. Madam President, will the Senator yield for a question?

Mr. KYL. I will yield, yes.

Mr. SESSIONS. I had the distinct pleasure of visiting Carrollton, AL, in Pickens County, where they have a museum to maintain the history of a large German prisoner of war camp in the United States. The Senator mentioned that certain legal rights were accorded 50 or so prisoners. But those were prisoners tried in Nuremberg after the war—after the war—for war crimes.

Now, is the Senator aware of any instance in either the German camps or other prisoners who may have been held in the United States during wartime being provided habeas rights?

Mr. KYL. Madam President, that is a great question, and the answer is that there have never been, in the history of the world, habeas rights granted to enemy detainees or prisoners of war in order to challenge the fact of their detention by either the United States or by the other country from which the great writ came—England. They have never been granted. So the answer is there is no precedent whatsoever. That is why, when colleagues say we want to restore habeas rights, that is an incorrect characterization. Enemy combatants and POWs have never had habeas rights to challenge their detention as a matter of being provided by our Constitution. Never has our Constitution been interpreted as requiring those rights.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I wish to thank Senator KYL for his hard work on these important issues. He is a superb lawyer who is a senior member of the Judiciary Committee, on which I serve, and he has been a member of the Intelligence Committee. He understands these issues and, thanklessly, he devotes hours of his time to try to research and study Supreme Court cases to try to make sure we do the right thing here.

The most important thing for us to remember is this, and Senator KYL just said it, that the refrain we are hearing about restoring habeas rights to prisoners of war, even unlawful combatant detainees, is not so. We have not done that, and it is a matter that is quite clear.

The origin of the great writ—the writ of habeas corpus—can be traced back to the Magna Carta in the 13th century. It is truly a great writ. It is truly a powerful tool for any person who is being detained to demand that someone, somewhere come forward and tell the world why they are being detained. That is what totalitarian and Communist governments do all the time. These kinds of dictators and Communists and Nazis go out and grab people and put them in jail and never charge them, never announce where they are, even. So that is not what we want to do here. However, never in the history of the writ's existence has an English or American court granted habeas to enemy combatants held during a time of war. As early as 1793, the American courts—1793—recognized that foreign prisoners held by the military during armed conflict have no inherent right to judicial review of their detention. They have no inherent right to that. You do have an inherent right by writ of habeas corpus if you qualify and meet the criteria.

So that year, in 1793, a district court in Pennsylvania said:

> Courts will not grant a habeas corpus in the case of a prisoner of war because such a decision on this question is in another place being a part of the rights of sovereignty.

In other words, national power.

The Supreme Court of the United States reaffirmed that position in 1950 in a case called Johnson v. Eisentrager. In that case, the Supreme Court made expressly clear that U.S. constitutional protections do not apply to aliens who are detained outside the borders. It was the first case to deal with a habeas petition of enemy combatants detained outside the borders of the United States since the statute was originally enacted as part or the Judiciary Act of 1789. It is now codified as 28 U.S.C. Section 2241.

In that case, German nationals living in China during World War II, having never lived in the United States, were accused of violating the laws of war. They were tried by a U.S. military tribunal in China, convicted, and sent to Landsberg Prison in Germany, then an occupied sector of Germany, to serve their sentences. Some of the convicts, including Eisentrager, questioned the legality of their trials and filed for a writ of habeas corpus to the United States District Court for the District of Columbia, right here in DC, stating that the military's actions violated their rights as guaranteed by several portions of the U.S. Constitution, including article III of the fifth amendment. In denying habeas to these German nationals, the court expressly rejected the argument that enemy combatants detained overseas have a constitutional right to petition U.S. courts for habeas relief, noting that:

> Nothing in the text of our constitution extends such a right.

It rejected the view that the U.S. Constitution applies to enemy war prisoners held abroad. The court claimed:

> No decision of this court supports such a view. None of the learned commentators on our Constitution has ever hinted at it. The practice of every modern government is opposed to it.

Where do we keep coming up with this idea that habeas is applicable to prisoners of war? I am baffled. The Court explained emphatically that such a constitutional entitlement would hamper the war effort and bring aid and comfort to the enemy.

> Habeas proceedings would diminish the prestige of our commanders, not only with enemies but with wavering neutrals. It would be difficult to devise a more effective fettering of a field commander than to allow the very enemies he is ordered to reduce to submission to call him to account in his own civil courts and divert his efforts and attention from the military offensive abroad to the legal defensive at home.

That is a pretty clear statement. How could it be otherwise? Congress authorizes a state of hostilities. We fund it. The President, as the Commander in Chief, the military commanders execute it, and now we have it in our heads somehow that the persons

our commanders are charged with reducing to submission have a right to sue us.

The Court further held—this is in 1950—that the fifth amendment is inapplicable to aliens abroad and, in reasoning fully applicable to the suspension clause, explained ''extraterritorial application of organic law'' to aliens would be inconceivable.

Writing for the majority, Justice Jackson, who was referred to by Senator DODD and Senator KYL—a great Justice on the Court—stated:

> The Constitution does not confer a right of personal security or an immunity from military trial and punishment upon an alien enemy engaged in the hostile service of a government at war with the United States.

That is pretty plain language, wouldn't you say? I think that is the plain language of the Constitution. It does not give them immunity from military trial.

Even if, as opponents mistakenly argue, this amendment restores a statutory right to habeas, the Supreme Court has also held that Congress may freely repeal habeas jurisdiction if it affords an adequate and effective substitute or remedy. Essentially, if legislation strips habeas, according to the Supreme Court, the substitution of a collateral remedy which is neither inadequate nor ineffective to test the legality of a person's detention, does not constitute a suspension of the right of habeas corpus. In other words, if they provide some fair procedure for even prisoners of war that we decide is consistent with our military efforts and consistent with our sense of fairness, that does not confer and give a guaranteed right to a habeas corpus review.

The Military Commission Act of 2006 was drafted with these important Supreme Court precedents in mind. After careful negotiation among our Members and careful analysis of the Supreme Court's decision in Hamdan v. Rumsfeld, Congress went above and beyond what was required by the Constitution and the Geneva Conventions to ensure detainees, even terrorists, at Guantanamo Bay, had an adequate and effective substitute method to test the legality of their detention.

So we did that. We did not fail to respond. We did that. The MCA provides alien enemy combatants far more legal process than has ever been afforded by any country in the history of armed conflict.

I am not aware of a single country in the history of armed conflict that has provided more rights than our procedures that we have established under the Military Act that we passed and the President signed into law last October.

The Combatant Status Review Tribunal for detainees is more robust than those to which lawful combatants, honorable soldiers in organized militaries of a foreign nation, are entitled to under the Geneva Conventions.

Let me repeat that and drive home the importance of that concept. The Geneva Conventions were decided upon by a group of nations that came together and thought that during the course of military conflicts, too many things happened that are not justified and are not necessary and are damaging to people in ways that could not be justified. We wrote the conventions, the nations did, to try to ameliorate some of the problems in warfare. We said that if you have a lawful combatant, as part of the Geneva Conventions, a person who has signed up for his or her country, fighting for the country, who wears a uniform, who carries his weapons openly and does not act in a surreptitious manner, does not act in a terroristic manner but fight battles according to the laws of war—if captured, must be treated and afforded the protections of the Geneva Conventions.

That is a good standard of review and protection. Congress passed a law to provide for the people at Guantanamo, who are not lawful combatants but are unlawful enemy combatants and who have not historically been considered to have been covered by the Geneva Convention. We afforded them privileges that are not required even under the Geneva Conventions on how you handle detainees.

Let's talk about our present conflict, the war on terrorism. Former Attorney General John Ashcroft has made this point. If you think about it, it is worthy of our consideration. John Ashcroft is a great believer in American liberty, the rights of liberty, a key characteristic of the American people. But he points out we ought not to think about restraints that occur as some sort of a balancing test between liberty and control and domination. He says, when you engage in an action that is designed to protect us, the test should be not a balancing test, but the test should be: Does it improve liberty? In other words, if you go to the airport and have to go through one of those checking stations as I did today, the question is: Do you feel more free to fly, having had that inspection occur? Is your liberty to travel, is your liberty to fly safely and securely in an aircraft in America, enhanced because you take a couple of minutes to go through that line? Or not?

If it is, then that is a protection of liberty. We are indeed in a different world than we used to be, when threats fundamentally came from foreign nations. Now, even a few people with dedicated, malicious intent, with modern weapons of mass destruction and death can have tremendous impact on us. So what we are trying to do is execute lawful actions that improve our liberty, not deny liberty but to enhance liberty for all peace-loving and law-abiding American citizens.

I want to talk about Hamdi v. Rumsfeld. As part of the Judiciary Act of 1789, Congress conferred on the Federal courts jurisdiction to hear petitions for habeas corpus. Though the language has gone through minor changes since 1789, current law, now codified at 28 U.S.C. section 2241, is essentially the same grant of habeas corpus as originally enacted. The statutory language has never referred specifically to enemy combatants because such a grant was understood not to apply to those individuals detained during a time of war. Congress understood that detention of enemy combatants during time of war is strictly a military decision, since we do not allow enemy combatants to continue their war against us through the judiciary, through litigation.

Though the Supreme Court has repeatedly held that habeas corpus does not extend to alien enemy combatants detained outside the United States, some argue that Justice O'Connor's plurality decision in Hamdi v. Rumsfeld changed this precedent. In that decision, Justice O'Connor said:

> All agree that, absent suspension, habeas corpus remains available to every individual within the United States.

Proponents of this amendment that we are debating cite this statement by Justice O'Connor as proof that habeas relief is available to all those detained within the United States, regardless of whether they are an alien enemy combatant. Let me note that during World War II, there were 425,000 enemy combatants held within the United States, none of who were allowed relief through habeas petitions. Furthermore, reliance on that statement by Justice O'Connor is wrong, since the question in Hamdi was whether the executive had the authority to detain a U.S. citizen as an enemy combatant and whether that citizen detainee had habeas rights. Focusing on that narrow issue, the plurality referred specifically to the rights, in their opinion, the plurality opinion, of citizens, eight times in the opinion; and in the holding of the case—and the holding of the case is limited to the circumstances of the cases itself—Hamdi was, after all, a U.S. citizen.

Regardless, some advocates maintain that Justice O'Connor's otherwise inconsequential statement, too tenuous to constitute dicta, reversed years of settled precedent and for the first time granted habeas rights to illegal enemy combatants detained overseas. That proposition flies in the face of the commonsense interpretive rule that one does not hide elephants in mouseholes. Had the Hamdi Court intended to extend habeas rights to all individuals in the United States, not just citizens, including suspected foreign terrorists detained outside U.S. territory, it most assuredly would have articulated such a consequential ruling with more clarity. But Hamdi did not present that question and the Court did not resolve it. Moreover, as the Court aptly noted, quoting Eisentrager:

> Such extraterritorial application of organic law would have been so significant an innovation in the practice of government that, if intended or apprehended, it could scarcely have failed to excite contemporary comment.

Accordingly, had such a consequential holding been made in Eisentrager, it would have been met with prolific commentary from the legal community, from other Justices. It would have been an event, but that event did not occur—because it had no such meaning, of course, as evidenced by the lack of contemporary discussion. No decision subsequent to Eisentrager has reversed its holding that alien enemy combatants have no right to habeas protections guaranteed to American citizens by the U.S. Constitution.

Therefore, its holding remains governing law. Moreover, the issue now, if it ever could have been considered ambiguous, has been definitively resolved by the same judge who earlier granted Salim Ahmed Hamdan's habeas petition. Judge James Robertson, of the U.S. District Court for the District of Columbia, issued an opinion on December 13 in which he relied, in large part, on Eisentrager to justify his ruling that enemy alien combatants have no constitutional right to habeas corpus.

Judge Robertson, appointed to the bench by President Clinton, dismissed Hamdan's petition for habeas relief on the grounds that the MCA effectively denied his court's jurisdiction to hear the case; recognizing that Congress had removed Hamdan's statutory right to petition the D.C. Circuit Court for habeas relief.

Judge Robertson also held:

> Hamdan's connection to the United States lacked the geographical and volitional predicates necessary to claim a Constitutional right to habeas corpus.

Well, then, the Rasul case came along. Proponents of this amendment argue that they seek only to restore the right to habeas corpus as found by the Supreme Court in the 2004 case of Rasul v. Bush. Rasul took great pains to emphasize that its extension of habeas to Guantanamo Bay was based not on the Constitution, which clearly is a historic right we talked about on habeas, but it was based on some statute passed by Congress.

Some Justices may have wanted to make Rasul a constitutional holding, but there clearly was no majority for such a position. Supreme Court cases such as Eisentrager are still the governing law on the constitutional reach of habeas and the Congress's ability to limit its statutory application.

These precedents hold that aliens who are either held abroad or held here but who have no substantial connection to this country are not entitled to invoke the U.S. Constitution.

Rasul was an unprecedented decision which effectively and truthfully seemed to fly in the face of all previous Supreme Court and English case law. Several Justices in this case engaged in what I would submit to my colleagues is activism.

The Court extended the reach of the Federal habeas statute to Guantanamo Bay detainees. To my knowledge, this decision was the first time in recorded history that any court of any nation at war held that those whom its military had determined to be enemies had a right of access to its domestic courts and could sue the Commander in Chief to challenge their detention.

The Court based its analysis on the phrase, ''within their respective jurisdictions,'' as used in the Federal habeas statute and various decisions construing that particular provision.

Moreover, the Court expressly distinguished between the statutory and suspension clause holdings of Eisentrager and limited its analysis to only the statutory grant of habeas. The Court determined that the measure of the Guantanamo lease agreement between the United States and Cuba allows for the jurisdiction of habeas claims since the United States exercises plenary and exclusive jurisdiction over the land on which the naval base is situated, although it does not have ''ultimate authority.''

Furthermore, the majority, I think and others think, mischaracterized the congressional statute as meaning that the writ of habeas corpus could be issued if ''the custodian can be reached by service of process'' and not the detainee.

As Justice Scalia accurately pointed out in his dissent, the majority:

> springs a trap on the executive, subjecting Guantanamo Bay to the oversight of the Federal courts even though it has never before been thought to be within their jurisdictions and thus making it a foolish place to have housed alien wartime detainees.''

Furthermore, the decision opens a veritable Pandora's Box since it ''permits an alien captured in a foreign theater of active combat to bring a section 2241 petition against the Secretary of Defense.''

This case was a clear-cut example of, I believe, Supreme Court overreach. They seemed determined to do something about this. They wanted to do something about it. Apparently, they did not like it. So in straining to grant U.S. courts jurisdiction over terrorists held outside the United States, the Supreme Court determined, for the first time in history, that a simple lease agreement brought Guantanamo Bay within the jurisdiction of the court.

Read broadly, the majority opinion could be used to bring U.S. military bases and detention facilities across the world within the jurisdiction of the U.S. courts. Fortunately, in that opinion, Justice Kennedy did limit the application of the holding to Guantanamo Bay, Cuba.

Congress, however, addressed the issue because, remember, this was based on the Supreme Court's interpretation of a statute Congress passed and which Congress changed, not on the Constitution ratified by the American people.

So less than a year ago, Congress addressed the issue when it passed the Military Commissions Act, which precluded detainees from challenging their detention through habeas petitions.

Now, if the Court relied on the statute as we wrote it before, we can change that statute, and we did. In doing so, Congress adhered to Supreme Court precedent and created an effective and adequate substitute in the form of a Combatant Status Review Tribunals and allowing detainees an opportunity to challenge the determinations made by the tribunals, even in the district court in the District of Columbia.

So it set up a Combatant Status Review Tribunal so they can bring and make their argument, and if they do not like the military's determination on that, they can get to a Federal court. That is not habeas, but it is a pretty good procedure, more than ever has been given before to prisoners of war. So it seems we finally worked this thing out.

On February 20 of this year, the DC Circuit Court dismissed all pending habeas cases from the Guantanamo Bay detainees for lack of jurisdiction. Furthermore, on April 2 of this year, the Supreme Court denied a certiorari petition from the petitioners in Boumediene v. Bush and Al Odah v. United States, refusing to review their claims that the Military Commissions Act—that last year we passed—does not deprive courts of jurisdiction to hear their habeas corpus claims and that it would be unconstitutional to do so, for Congress to pass it. They rejected that.

The Court did not find it was unconstitutional, what Congress passed, and, in fact, found that Congress did what Congress intended to do, creating a substitute appellate process so prisoners could have a review of their detention but not give them the full panoply of habeas corpus rights provided to American citizens.

The Supreme Court, however, reversed itself on June 29 of this year and agreed to review both the Boumediene and Al Odah cases. This review could very well address the constitutionality of the habeas bars in the Military Commissions Act, and, much like this amendment, further undermine the executive's constitutional authority to detain enemy combatants in a time of war.

I hope the Supreme Court will not do that, but they have agreed to hear that case and give it one more final review. Certainly, as of this date, the case authority is clear, that the Constitution does not provide habeas protection to noncitizen enemy combatants on foreign territory not part of the United States.

I say that because people have come in on several points along the way and accused President Bush or the Attorney General or others of taking improper positions.

In most instances, the courts have ruled in favor of the executive in these cases, on a few cases they found those procedures not to be statutory or pass muster. But what I will say to you is, in these cases, in almost each instance

they have reversed previous law. So the executive branch and our military was operating under what they had every right to consider to be the settled law of the land.

So the Court comes in and changes that law. I do not believe our military should be condemned or criticized for taking action they felt, and had every right to believe, was legitimate when they took it.

Now, it is important to remember that the detainees at Guantanamo Bay are the most dangerous people who we have captured on the battlefield pursuant to executive war-making power. They have been determined to be ''alien enemy combatants'' and the courts have absolutely no role to play, in my view, in trying to second-guess the wartime decisions made by the executive branch, especially where Congress has given their stamp of approval to the process. It is not the Supreme Court's role to micromanage this war by making decisions that fall outside the scope of congressional authority.

The decisions made by the Supreme Court have long-lasting effect and are not easily undone. If we are unhappy with present foreign policy, Congress can cut off funds for the war or people can vote the President out of office. I would note President Bush was reelected on a promise to continue to pursue with vigor the war against terrorism and the war in Iraq.

Supreme Court Justices are appointed for life and are supposed to adjudicate the constitutionality of laws passed by Congress, not to legislate from the bench or to set foreign policy. This setting of foreign policy and conducting military operations are powers squarely within the purview of the executive branch not nine individuals with lifetime appointments sitting on a Court with black robes.

It is not within the court's jurisdiction to decide on war-making decisions but simply the constitutional power. It is important to note the Justices lack the knowledge, in many cases, to address the matter, or have any experience to make these decisions. Have any of them ever served on the frontlines during war, or if they have, have they ever served in a war on terrorism or been a JAG officer or been a company commander, someone who captured enemy prisoners?

A Court's opinion or personal views about this are not a matter that is impressive to me. We expect them to rule and to find Congress's statutes—we expect them to enforce the Constitution. But just to flip-flop around and try to decide that they do not like the way something is done at Guantanamo, and to issue an opinion, would be troubling to me. Hopefully, we will not get to that.

It has to be clear, as I have shown, that if we apprehend enemy combatants in the theater of war, it is within the executive branch's power to detain them until the hostilities are over. This is a separation of powers issue, and the courts should recognize that. Congress has already addressed what should be done with those detained at Guantanamo Bay. Last October, we granted those detainees unprecedented rights that have never before been provided to prisoners detained during war.

Under the current system that we have provided them, detainees have essentially five layers of protection when challenging detention or determinations made by the Government. All of this is already covered by current law. It was never the intent of Congress, however, to endow the statutory guarantee of habeas corpus to alien enemy combatants held during a time of war.

So if we proceed with the amendment that is before us, we are not restoring the right of habeas corpus; we are effectively overturning 800 years of legal authority and precedent in this area. To quote the distinguished ranking member of the Judiciary Committee, I submit that 800 years of American and English court history certainly constitutes ''super duper'' precedent.

Allowing terrorists to challenge their detention through habeas petitions filed in the DC Circuit courts would undermine military decisions made by the Executive and essentially put wartime decisions regarding the detention of those apprehended while engaged in hostilities toward this country in the hands of judges who are not qualified to make the decisions. They are not empowered to make the decisions. This is exactly why the Founders vested the Executive with this type of decision-making authority—decisiveness and ability to act quickly—and to undermine this power would be to trample on the Constitution we are sworn to defend.

Voting in favor of this amendment would be undermining the Executive authority in times of war by making it virtually impossible for the military to detain dangerous terrorists affiliated with al-Qaida and with the Taliban during the war on terror and allowing Federal judges to force the release of detainees whom the military have determined to be extremely dangerous. It is just that simple.

I am disappointed the Senate is proceeding forward with this amendment. I do not believe it is the right thing. It would result in an unprecedented grant of constitutional protection to those suspected of being terrorists.

This further indicates to me that our Congress is not in full comprehension of the seriousness of the war we are engaged in and the determination of those who are determined to kill us. It shows this body is, frankly, often unable to execute a military operation. We cannot get 535 people to execute a military operation and decide who ought to be detained and who ought not to.

The military could go out and conduct a raid, and a firefight could break out, and eight people be killed and eight people captured. Thirty seconds before, they could have killed all 16. Now, if we detain them, we have to bring soldiers from the war field, present evidence of some kind, gather evidence to try to justify the detention. We all know quite a large number of those who have been released from Guantanamo have reappeared and been captured again on the battlefield trying to kill us. That is a fact. We are not making that up.

I wish these people in Guantanamo were the kind of people who would not go back to the battle. I wish they were all wrongly held so we could let them go home. But what if their determination is to continue to attack American soldiers, and it is your son out there, your daughter out there on the battlefield, and somebody says in the U.S. Congress, ''We don't think you have enough evidence to hold them''? What do we know about what happened?

We have given that power to the executive branch to conduct the war. That is who is supposed to be making those decisions. That is who is required to preserve and protect the security of the American people. I do not think that makes sense. It is not a little matter. It will set a precedent for future times. We are eroding the ability of the leadership of this country to execute and carry out a military operation, which by its very nature involves death and destruction of an enemy.

So I have to say to my colleagues, we need to think this issue through. This may be a political deal now that we can use to beat up President Bush, but let me say to my colleagues, you had your victory in the last election, if not in 2004. We will have a new President soon. We need to get away from this personal and political perspective. We need to be thinking about the long-term history of the United States. We need to be thinking about other wars we may be involved in in the future. We need to be asking ourselves: Are we creating a circumstance in which a devious, skillful, malicious enemy can utilize our very laws to destroy us, place at risk our own soldiers, place at risk American citizens, place at risk our people serving in military bases around the world?

Let's be careful about that. We have provided them, by statute last year, a procedure to contest their detention. Large numbers of those who have been detained have already been released, and quite a number of those have been recaptured on the battlefield attempting to destroy America and what we stand for, attacking our own sons and daughters.

I urge my colleagues to be careful. To say we need to restore the right of habeas corpus is not correct. We have never provided habeas corpus to enemies of the United States, for heaven's sake. I share again the overall concept that we are in a difficult new world. The Constitution provides for reasonable searches and seizures and such things as that.

Our country is threatened, and our people's liberties are threatened. Liberty is important. Freedom is important. We in Congress do not need to be curtailing significantly liberty in America. We certainly do not need to be eroding constitutional protections that are provided to American citizens. We are not doing that. The Supreme Court has never held the Constitution provides protection in this fashion to enemy combatants. So we are not eroding the Constitution.

What we have come up with is a realistic process that will, in the end, provide more liberty, more freedom to American citizens than if we were subjected to a system by which we are releasing terrorists again and again who are out to kill and destroy us. That is all I would say on the fundamental question of liberty and freedom and law.

Let's get our thinking straight. Let's look at this issue carefully. Let's be sure we know that no country has ever provided such protections to enemy combatants. The fact that 50 out of 400,000 German prisoners who were tried after the war in Nuremberg had certain legal provisions and rights provided them in no way whatsoever should be construed to say we provided habeas rights to other prisoners during the course of a war. They were not provided to the 400,000 German prisoners held in the United States, that is for sure.

Mr. President, I thank the Chair and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I understand some effort is being made to pursue the amendment offered by Senator SPECTER, which is very troubling to me because if it were to pass, it would reverse the Military Commissions Act of 2006 that we passed last September on final passage, 65 to 34. Passage of this amendment would result in a veto of the Defense authorization bill by the President of the United States.

The first amendment we have up that is being pushed to a vote against the pleas of people on this side would result in a veto of the Defense authorization bill. The second amendment may well raise the same issue, I understand. Not only that, we have very controversial amendments that are being made filed to this bill and that have been offered for a vote on this bill which are very controversial and are not related to the defense of America—for example, the hate crimes amendment. People have differing views on that. They have offered an amendment on hate crimes on this bill. There is also the amendment on the DREAM Act, which is an immigration amendment that would provide citizenship to people who come here in our education system at a certain age, and even though they are illegally in the country, they would be provided in-state tuition and student loans subsidized by the Federal Government. That is a very controversial matter too. So that is all going to be put on this piece of legislation, apparently.

It raises questions in my mind whether there is any serious desire on the part of the Democratic leadership to see the Defense authorization bill passed. The bill came out of the Armed Services Committee, of which I am a member, and it didn't have the reversal of the Military Commissions Act of 2006 and the grant of habeas corpus to illegal enemy combatants, noncitizens on foreign soil. It didn't have that or hate crimes or the DREAM Act.

I just say to my colleagues that we need to do the right thing for our soldiers, sailors, airmen, marines, and guardsmen who are serving our Nation now. They are in the field this very moment. They are out walking the streets somewhere in Iraq—160,000 of them—executing this very complex and very important and, so far, effective counterinsurgency strategy that was devised by General Petraeus. They are living with Iraqi soldiers and Iraqi police and doing the things they were asked to do. This bill has a pay raise for them and wounded warrior language that provides additional care for those who are wounded while serving our country. We owe them every single benefit we have to give them. We have military construction to make sure we are able to carry through on the BRAC process. It has acquisition reform. We need to do a better job with the money we spend in acquiring new weapons systems and aircraft and ships and all the things that go with it.

I just say to my colleagues, let's remember now that everything is not required to be placed on this bill. If we pass this amendment to provide habeas corpus protection to illegal enemy combatants, not citizens, not on American soil, not required by the Constitution of the United States, according to decided case authority of Federal courts, that is going to result in a Presidential veto even if it passes. Hopefully, we won't pass that. Why do we want to do that? We need to be spending our time thinking about how we can help those whom we have sent into harm's way to execute a policy that has been decided upon by the Congress of the United States. That is what we need to be doing—not creating more and more lawsuits, not engaging in more and more political flapdoodle and emotional arguments about restoring habeas corpus, when we have never provided habeas to prisoners of war in the history of the Republic, nor has any other advanced nation provided those kinds of rights.

I urge my colleagues to push back from this brink. Let's don't take action that could result in the failure of a defense authorization bill. It would be the first time we have failed to pass a defense authorization bill since 1961, 46 years ago. Let's don't break that record while we have soldiers in harm's way serving our national interests, attempting to execute the policies and assignments we have given to them. Let's don't do that. Let's don't pass a bill that is going to come back like a ball off of the wall because it will be vetoed by the President. What good is that? Why are we obsessed with this? It wasn't passed in the Armed Services Committee, and it doesn't need to be pushed now.

I urge my colleagues to become fully aware of the dangerous territory which we are entering. We are entering a circumstance in which, if we continue to pursue issues unrelated to the core responsibilities of the Congress to deal with the war we are confronting, we will have failed in our responsibilities and actually fail to pass this important legislation.

In addition, we need to finish up with the Defense bill and go on to the Defense appropriations bill. The fiscal year ends September 30. We need to pass the Defense authorization bill so that we can get to the Defense appropriations bill by next week. That needs to move. We do not need to still be arguing over the DREAM Act, arguing over hate crimes, arguing over providing habeas corpus rights to illegal enemy combatants held somewhere around the world by the American military, a privilege that has never been provided by any nation to people it captures on the battlefield. That is not the right way for us to go. This Congress, if it is a responsible Congress, should move forward this week on the authorization bill and do the appropriations bill next week.

What are the core issues? We have some core issues we ought to debate about the defense of America and our military. Let's stay on those issues, not on extraneous issues.

There is no doubt that we have heard the report of GEN Jimmy Jones's commission, the Government Accountability Office report the week before last, and then last week we heard from General Petraeus and Ambassador Crocker. We need to have time to discuss seriously—and this side has certainly agreed to that and it is contemplated that we will have a generous time to discuss our commitment in Iraq, what it is, what our goals are, how we can achieve those goals, what the troop levels should be, how they are going to be drawn down, are they being drawn down fast enough, and what other issues are relevant. Those are legitimate issues on which we should spend time.

I am very concerned these other issues will be distracting us from those issues, that we will be utilizing time that ought to be on the core issues of

defense of this country, and I hope those leaders, particularly our Democratic leadership, are not going to put us in a position where we will not meet our responsibilities.

For the past 46 years, we have passed a Defense authorization bill. At the rate we are headed, even if we pass it, it is going to be vetoed because of amendments wholly unrelated to the Defense of this country. We need to pass a Defense appropriations bill, and we need to get on that quickly because the fiscal year is ending. For my colleagues' information, we are going to have to do something to continue to fund defense because if we do not pass a Defense authorization bill, the fact is that no money can be spent in the whole Department of Defense unless we are being attacked. It is very troubling, and it could have tremendous disruptive impacts throughout the entirety of our defense establishment.

Under the Antideficiency Act, if Congress does not appropriate money, the executive branch cannot spend it. It cannot spend what has not been appropriated. That is the Constitution, and that is what the Antideficiency Act says. The budget and last year's appropriations end September 30. We need to pass a new bill so we can go forward into next year.

We have a pretty good bill that came out of committee. There will be some disagreement here, there, and on a few other matters. We will bring those up, and good people will disagree. I certainly understand that point. We need to be working on those issues, not being distracted on matters unrelated to the core of defending America in this time of terrorism.

I share those thoughts and hopefully our colleagues in the leadership can continue to work and some way we can avoid the end toward which it appears we are heading.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

Mr. REID. Mr. President, I heard one of my friends on the other side of the aisle come here this afternoon and talk about why we aren't getting more things done here; why are we doing the Defense authorization bill now; when are we going to do the Defense appropriations bill. Maybe they should have thought of that before they did 45 different filibusters here in the Senate. The Republican minority has stopped the work of this country. We have fought back with the very slim majority we have.

I will remind everyone within the sound of my voice that Senator JOHNSON has been ill. He is back now, thank goodness. He is back. He overcame a tremendous illness, and he is back with us. My majority was 50 to 49—that is, the Democratic majority—and we have had to fight, that little majority has had to fight everything that we have done. Everything. We had to file cloture on things they agreed with us on, just eating up valuable time here in the Senate. I am going to have to file cloture again tonight on another matter. This will be the third time we have worked on the Defense authorization bill. I am not going to belabor the point except to say this is the wrong thing to be talking about here: Why aren't we moving more quickly?

In spite of all the obstacles—procedural in nature—they have thrown up against us, we have done some remarkable things.

We passed an increase in the minimum wage for the first time in 10 years.

The President was forced to sign, even though he didn't like it—and he said so—the most sweeping ethics and lobbying reform in the history of this country.

We passed the 9/11 Commission recommendations that the President held up for years. And those he tried to implement, he got D's and F's on, but they are now law. We have done that.

Disaster relief for farmers and ranchers—we have done that for them. They waited years to get that done. Our slim majority was able to get that done.

We forced upon the President money to fight the wildfires which swept the West, fires caused by global warming.

A budget. We passed a balanced budget. Our majority was 50 to 49, and we passed a budget. The Republicans, with the huge majority they had, couldn't get a budget done. We got one done.

So, Mr. President, we have done some really good things here in spite of all these obstacles. I haven't mentioned all of them but just given an idea of what we have done working really hard. So I repeat: Don't come to the floor and lecture us on not getting things done here.

Mr. President, I call for regular order with respect to the Specter-Leahy amendment.

The PRESIDING OFFICER. The amendment is now pending.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on amendment No. 2022, regarding restoration of habeas corpus, top H.R. 1585, the Department of Defense Authorization bill.

Harry Reid, Dick Durbin, Carl Levin, Christopher Dodd, Jeff Bingaman, Barack Obama, Robert C. Byrd, Ken Salazar, Debbie Stabenow, Dianne Feinstein, Patrick Leahy, Sheldon Whitehouse, Daniel K. Akaka, Russell D. Feingold, Amy Klobuchar, Bill Nelson.

Mr. REID. Mr. President, I would also add to the remarks I just made.

In addition to what I outlined earlier, look at what we have done on Iraq. We forced the President to debate this issue, to talk to us about this issue. The Republicans had to debate us. This war went on for years, and there wasn't even a congressional oversight hearing held. We have held hearings, and they have been opened up to this country. We helped uncover the scandal of Walter Reed, just to mention a few of the things we have done on Iraq, plus forcing on the President money to get body armor for the troops so the parents no longer had to buy them and up-armoring of vehicles we have forced upon the President.

MORNING BUSINESS

Mr. REID. I ask unanimous consent there now be a period for morning business, with Senators allowed to speak for a period not to exceed 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NEW ATTORNEY GENERAL NOMINATION

Mr. LEAHY. Mr. President, earlier today, the President announced his intention that he will, at some appropriate time, send the nomination of Judge Michael Mukasey to the Hill to be the next Attorney General. When that nomination arrives, with the appropriate FBI clearance and all, the Judiciary Committee will approach consideration of this nomination in a serious and deliberate fashion.

The administration, of course, took many months in determining that a change in leadership was needed at the Department of Justice. Then after they made the determination they had to change the leadership, the President spent several weeks before making his nomination public. It wasn't until Saturday of this past weekend that I was told by the press whom he was going to nominate. Our focus now, of course, will be on securing the relevant information the committee needs to proceed to scheduling fair and thorough hearings, and we will do that.

I am not in any way critical of the President for taking so many weeks in deciding whom he wanted. In fact, I would compliment him on his decision not to go with some of the names that apparently were presented to him. I tried to stress to the President and others at the White House, with all the problems at the Department of Justice, that choosing a person who would be there solely for political purposes would not be a wise thing to do. I know the President had a number of names that would have fallen into that category, and to his credit, those names that would have created the greatest political problems were rejected.

Now, I have also been in discussion with White House officials about some of the committee's outstanding requests, and I let them know that cooperation with the White House would be central in determining that schedule. In this regard, I wish to compliment the President's counsel, Mr. Fielding. Mr. Fielding called me yesterday evening. Without going into the details of that conversation, I believe he understands there are certain materials that we have requested from the White House—requested for some time now—that will be necessary so that we can engage in thorough deliberations. I take him at his word that we will try to work out a way to get us some of those materials. It will make it far easier for both Republicans and Democratic members of the Senate Judiciary Committee to ask appropriate questions.

This is a big job, being Attorney General. It becomes even bigger now, as the next Attorney General must regain the public trust and begin the process of restoring the Department of Justice to its proper mission, and also replacing a very large number of key members of the Department of Justice who have resigned and whose replacements, themselves, will require confirmation by the Senate. So I am hopeful that once we obtain the information we need, once we have had the opportunity to consider this nomination, we will be able to make progress in this regard.

As I told the White House last night, I stand ready to work with them in the coming weeks to get the material we need, and then once that material is available, to find an appropriate time to schedule a hearing.

I look forward to meeting with Judge Mukasey in the coming days. We will meet briefly tomorrow and then at greater length once his background check has been completed. I wish to learn more about his record, but I also wish to learn about his ideas on improving the relationship between Congress and this administration so we can conduct more effective oversight and take the steps toward rebuilding the Justice Department to be worthy of its name.

In the meantime, I have told Judge Mukasey he will have a lot on his plate in the coming days. I complimented him and his family for being willing to be considered for this nomination and urged him, even as busy as he may be, to spend time with his family. I understand he has a wonderful family—grandchildren and so forth—and I am sure he will do so.

I again urge the White House that we do not need to have all kinds of press comments about the date for hearings. I think what would be more important to do would be to work, as we have in the past, will to get the information necessary; and in the fullness of time, we will have an appropriate hearing. I will do it—working, of course, with Senator SPECTER—and, as I think we have demonstrated before, we will have a hearing that will make the Senate proud. Both Republicans and Democrats, with the complete record before them, then will be able to ask all the appropriate questions, the questions of course that the American public wants and deserves to have us ask.

THE DISTRICT OF COLUMBIA VOTING RIGHTS ACT OF 2007

Mr. LEAHY. Mr. President, in 2005, President Bush praised the Iraqi people for exercising the Democratic right to vote. He noted that by participating in free elections, the Iraqi people firmly rejected the anti-democratic ideology of the terrorists, and they demonstrated the kind of courage that is always the foundation of self-government. Similar to President Bush, I applaud when anyone has the right to vote and the right to determine where they will go with that right to vote. I wish, though, the President would speak as enthusiastically about voting rights for the American citizens who live literally in his backyard, in the same city where he resides in the White House. It is disappointing that the Bush administration has threatened to veto legislation that would give a vote to the Member of the House of Representatives from the District of Columbia.

I also understand the opponents of this voting rights bill are considering a filibuster to prevent its passage. In a recent column in the Washington Times, former Maryland Governor Michael Steele and former Congressman J.C. Watts, two Republicans, reminded us that the last time a voting rights bill was filibustered was 50 years ago. I was much too young to even vote, but I do remember that filibuster. Despite Senator Thurmond's record-setting effort, the Senate rightfully passed the Civil Rights Act in 1957. It followed up with the Civil Rights and Voting Rights Acts in 1960, 1964 and 1965. I hope the Senate does not return to the days when it filibustered voting rights, especially for its African-American citizens.

The city of the District of Columbia has approximately the same number of people as the State of Vermont. We are the 14th State in the Union. We have had the right to vote, for Senators and Representatives, for over 200 years. The distinguished Presiding Officer, of course, represents one of the very first States of this Union. In fact, he can proudly represent a State whose forefathers did much to design the United States of America and has provided President after President but especially laid the cornerstone of a great nation. It made it possible for the State of Vermont to be the first State admitted after the original 13.

There is no way I could go back to my State of Vermont and say that the District of Columbia, with almost exactly the same number of people, does not have a voting Member in the House of Representatives. Back in my State, they would say we have two Senators, but at least let us take this step. Let us vote it up or down. Let's not go back to the shameful days of 1957 when such rights were filibustered.

We have had hearings on this in the Senate Judiciary Committee. We have heard compelling testimony.

This month the Judiciary Committee marked the 50th anniversary of the Civil Rights Act of 1957 with a hearing. Congressman JOHN LEWIS, a courageous leader during those transformational struggles only decades ago, gave moving testimony reminding us that ''we in Congress must do all we can to inspire a new generation to fulfill the mission of equal justice.'' While we are observing this golden anniversary, it is fitting that the Senate turn to this important voting rights measure, the District of Columbia House Voting Rights Act.

I am a cosponsor of this bipartisan legislation to end the unfair treatment of District of Columbia residents and give them full representation in the House of Representatives. I thank the majority leader, Senator REID, for bringing this timely issue to the Senate for consideration.

In April, the House of Representatives worked in a bipartisan manner to pass their version of a voting rights bill for the District of Columbia, led by Congresswoman ELEANOR HOLMES NORTON. As a young lawyer, she worked for civil rights and voting rights around the country. It is a cruel irony that upon her return to the District of Columbia and election to the House of Representatives she does not yet have the right to vote on behalf of the people of the District of Columbia who elected her. She is a strong voice in Congress but the people of the District of Columbia deserve a vote, as well.

This is not the time for further delay. It is the Senate's turn to do what is right. The Senate bill would give the District of Columbia delegate a full vote in the House. To attract Republican support, the bill offsets that vote for DC by according Utah an additional Representative in the House, as well. This is an effort to provide political balance. With it or without it, I support representation for the District of Columbia.

I believe that the legislation that we are considering today is within Congress's powers as provided in the Constitution. I agree with Congressman LEWIS, Congresswoman NORTON and numerous other civil rights leaders and constitutional scholars that we should extend the basic right of voting representation to the hundreds of thousands of Americans residing in our Nation's Capital. They pay Federal taxes, defend our country in the military and serve on Federal juries. They are citizens no less than the citizens of any State. Their votes should count. They should be represented.

In May the Senate Judiciary Committee held a hearing on this legislation. We heard compelling testimony.

Retired Chief Judge Patricia Wald testified that this legislation is constitutional and highlighted the fact that Congress's greater power in accordance with the Constitution to confer full statehood on the District certainly contains the lesser power to grant District residents voting rights in the House of Representatives. She also reminded us that Congress has exercised this authority in the past without a rigid adherence to the constitutional text when it granted voting rights to Americans abroad in their last State of residence regardless of whether they are citizens of that State, pay taxes to that State, or have any intent to return to that State. Her former colleague on the DC Circuit, Ken Starr, echoed her conclusion that this legislation is constitutional.

Congress has repeatedly treated the District of Columbia as a ''State'' for various purposes. Congresswoman Eleanor Holmes Norton testified that although ''the District is not a State,'' the ''Congress has not had the slightest difficulty in treating the District as a State, with its laws, its treaties, and for constitutional purposes.'' Examples of these actions include a revision of the Judiciary Act of 1789 that broadened article III diversity jurisdiction to include citizens of the District even though the Constitution only provides that Federal courts may hear cases ''between citizens of different States.'' Congress has also treated the District as a ''State'' for purposes of congressional power to regulate commerce ''among the several States.'' The 16th amendment grants Congress the power to directly tax incomes ''without apportionment among the several States.'' That constitutional provision has been interpreted also to apply to residents of the District. In fact, the District of Columbia pays the second-highest Federal taxes per capita, yet has no vote in connection with how those dollars are spent. The local license plates say a good deal and remind us of our heritage when they say ''Taxation without Representation.''

As I said, in 2005, President Bush praised the Iraqi people for exercising their democratic right to vote, and he noted that ''by participating in free elections, the Iraqi people have firmly rejected the antidemocratic ideology of the terrorists [a]nd they have demonstrated the kind of courage that is always the foundation of self-government.'' Unfortunately, the President does not speak so enthusiastically about voting rights for the American citizens living literally in his backyard. It is disappointing that the Bush administration has threatened to veto this legislation.

FOREIGN OPERATIONS APPROPRIATIONS

MEPI SCHOLARSHIP PROGRAM

Mr. SUNUNU. Mr. President, I commend the senior Senators from Vermont and New Hampshire for the fine work that they did last week in managing H.R. 2764, the fiscal year 2008 State Department, Foreign Operations and Related Programs Appropriations Act. Given how busy they were, I regret that we did not have a chance to clarify a scholarship program funded in that Act through the Middle East Partnership Initiative, MEPI.

In Senate Report 110–128, the committee provides $55,000,000 for MEPI, and recommends $9,000,000 of those funds for scholarship programs for students from countries with significant Muslim populations at not-for-profit U.S. educational institutions in the Middle East.

In prior year foreign aid bills, eligibility criteria for scholarship programs included those students from countries with significant Muslim populations at not-for-profit institutions of basic and higher education in the Middle East which are accredited by an accrediting agency recognized by the Secretary of Education, and that are not controlled by the government of the country in which the institution is located.

Those who manage the MEPI program at the State Department added additional criteria, namely that American schools in the Middle East would be eligible only if U.S. Government dependents were enrolled in respective institutions, and only for students in the seventh through twelfth grades. I would ask the senior Senators from Vermont and New Hampshire if the State Department consulted with the committee prior to establishing additional criteria for the scholarship program.

Mr. LEAHY. I would say to my colleague from New Hampshire that my staff informs me that they were not consulted by the State Department on this matter.

Mr. GREGG. I would say to my friend from New Hampshire that my staff informs me that they, too, were not consulted on MEPI-added criteria.

Mr. SUNUNU. I fear that the State Department is severely limiting the scope of the scholarship program, including to conflict countries such as Lebanon that remain unaccompanied posts for State Department employees. To put that another way, no U.S. Government dependents are enrolled in schools in Lebanon. Moreover, I would like to suggest that the committee consider allocating $7 million for scholarships at higher education institutions, and $2 million for secondary schools.

Mr. GREGG. I appreciate your bringing these matters to my attention. My staff will request a briefing from the State Department on the scholarship program, and if needed, we will seek additional clarification during conference on this matter with the House.

HONORING OUR ARMED FORCES

SPECIALIST ERIC M. HOLKE

Mr. NELSON of Nebraska. Mr. President, I rise today to honor Army SPC Eric M. Holke, of Riverside, CA.

Specialist Holke's father describes him as an avid outdoorsman, a committed student of history, and someone with a keen eye for the arts. From a young age, Specialist Holke pursued his hobbies with zeal. His passion for the outdoors was matched only by his passion for film, which he discovered after he took a class on sports photography at Rim of the World High School in Lake Arrowhead, CA, where he was a graduate. After high school, he continued his studies in film and photography, and also worked at radio and television stations at San Bernadino Valley College.

Ready for a new challenge, Specialist Holke left San Bernadino Valley College to join the California Conservation Corps, where he spent the next 2 years backpacking through the wilderness of California. When he returned from this service, he became active in Renaissance fairs, where his specialty was demonstrating how the German military lived in the 1400s through 1600s, according to Pat Long, a cousin and producer of Renaissance fairs. Those who watched his performances remembered them for his passion and his enthusiasm.

Specialist Holke enlisted in the Army in 2000 in order to learn new skills as well as to save money to return to school. He served with the 82nd Airborne, like one of his grandfathers, a much-decorated World War II veteran. He went to Afghanistan, then to Iraq before being honorably discharged from the Army in 2005. He returned to Riverside, CA, where he became active again with the San Bernadino Valley College, performing re-enactments as well as studying film and business there. He also enlisted in the California National Guard at this time.

Specialist Holke and his wife Cassidhe were married in January of 2007. He was eager to earn his degree in business so he could start a new life in the film industry with his wife and their 16-year-old son, Steven.

In June of 2007, Specialist Holke began serving his second tour of duty in Iraq. He was serving with the 1st Battalion, 160th Infantry, California Army National Guard stationed in Kuwait. On July 15, 2007, Specialist Holke passed away in a noncombat-related incident in Talil. At his funeral, he was posthumously awarded five medals, including the Bronze Star. He was 31 years old.

In addition to his wife Cassidhe and son Steven, both of Riverside, CA, he is survived by his mother Monika Holke of Lincoln, NE, and father Jack Holke, of Las Vegas, NV. Today, I join all Americans in mourning the loss of a talented soldier, an active outdoorsman, and a loving husband, father, and son. He made the ultimate sacrifice through his service to our country. He will be remembered for his hunger for adventure. His memory will be honored by future generations of soldiers and civilians alike.

EXPLOSIVE ORDINANCE DISPOSALMAN 1ST CLASS JEFFREY CHANEY

Mr. President, I also rise today to honor Navy Explosive Ordinance Disposalman First Class Jeffrey Chaney of Omaha.

Petty Officer Chaney was a 1990 graduate from Bellevue West High School. In 1993, he joined the Navy. His first ambition was to be a Navy SEAL; however, due to eyesight problems, he worked instead as a recruiter for the Navy. His success as a recruiter was a direct result of his enthusiasm and his dedication to his work, evidenced also by his brother Jim, whom he helped recruit. His sister April describes commitment to his work: ''[He] loved the Navy; he just loved everything about his job. He was always talking about it,'' she said.

Before his tour in Iraq, Chaney served in the Secret Service, where he had the opportunity to meet President George H.W. Bush, as well as Mikhail Gorbachev while he was on security detail at the President's 80th birthday party. His sister recalls that while that was a momentous occasion in his life, his proudest moment was the birth of his daughter Brianna, now 14.

Chaney was assigned to Explosive Ordinance Disposal Mobile Unit 11, stationed in Whidbey Island, WA. On July 17, 2007, after serving in Iraq for about 2 months, ED01 Chaney passed away during combat operations in Salahuddin Province. He was 35 years old.

In addition to his brother and sister, he is survived by his daughter Brianna Chaney, 14, of Omaha; his mother Connie Chaney also of Omaha, his father Jim Eckert of Oakland, IA and another brother Jim Eckert, also of Oakland. Today, I join all Americans in mourning the loss of a truly great sailor, proud father, and loving son. His service and his sacrifice will be remembered for generations to come.

SERGEANT JACOB SCHMUECKER

Mr. President, I rise today to honor Nebraska Army National Guard Sergeant Jacob Schmuecker of Atkinson, NE.

Sergeant Schmuecker was a 1999 graduate of West Holt High School in Atkinson, NE, and attended Northeast Community College in Norfolk. He joined the Nebraska Army National Guard in 2001, after serving the city of Atkinson as a police officer.

He and his wife Lisa were married for more than 4 years, and lived in Norfolk with their three children; Dylan, 4, Kierstan, 3, and Bryce, 19 months. Lisa describes her husband as someone who was deeply committed to his service, and someone who volunteered for a mission to make the world a safer place for his children. She knows her children will remember their father for being a loving husband to her, a dedicated father, and an outstanding soldier.

A member of the 755th chemical company based out of O'Neill, NE, Sergeant Schmuecker had proudly served in the Army National Guard for 6 years. Having previously served in Afghanistan, he was 10 months into his first tour in Iraq when he passed away in Balad, after an improvised explosive device detonated near his armored vehicle. He was 27 years old.

In addition to his wife, Sergeant Schmuecker is survived by his parents Rodney and Patricia of Atkinson, and his brother Chris Shepperd of Norfolk. Today, I mourn the loss of a true American patriot, a devoted husband, and a loving father of three. He and his family have made the ultimate sacrifice to make our country a safer place to live.

CORPORAL RYAN A. WOODWARD

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave soldier from Fort Wayne. Ryan Woodward, 22 years old, was killed on September 8 in Balad, Iraq, from injuries sustained by small arms fire during combat operations near Baghdad. With an optimistic future before him, Ryan risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Ryan graduated from Carroll High School in 2003 and joined the Army in 2006. It was concern for his country's welfare that drove him to enlist as his grandfather and uncle had before him. Ryan was hugely proud to follow in their footsteps. Excelling in his service, Ryan was awarded the Bronze Star, the Purple Heart, the National Defense Service Medal, the Iraq Campaign Medal, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, the Combat Infantryman's Badge and the Parachutist's Badge.

Ryan was killed while serving his country in Operation Iraqi Freedom. He was assigned to A Troop, 1st Squadron, 73rd Cavalry Regiment, 82nd Airborne Division from Fort Bragg, NC. Ryan is survived by his parents Michael and Sue Woodward, his sisters Tasha and Brooke, and his brother Ben. Those who knew him best describe an adventurous young man who enjoyed life and cared deeply about his family and friends. He will be remembered as a loving son, brother, and friend.

Today, I join Ryan's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Ryan, a memory that will burn brightly during these continuing days of conflict and grief.

Ryan was known for his dedication to his family and his love of country. Today and always, Ryan will be remembered by family members, friends and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Ryan's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.'' This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Ryan's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Ryan A. Woodward in the RECORD of the Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Ryan's can find comfort in the words of the prophet Isaiah who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Ryan.

PRIVATE FIRST CLASS SHAWN D. HENSEL

Mr. President, I also rise today with a heavy heart and deep sense of gratitude to honor the life of a brave young man from Logansport. Shawn Hensel, 20 years old, was killed on August 12 while deployed in West Baghdad, Iraq, of injuries sustained from rocket-propelled grenade and small arms fire. With his entire life before him, Shawn risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Shawn attended Logansport High School, and was known as a class clown who followed his own path instead of the crowd. His teacher, John Morgan, said, ''Shawn was his own person. He would do just what he wanted to do. He wanted to experience life.'' After receiving his general equivalency degree in 2006, Shawn joined the Army. Friends say he knew he wanted to join the military since he was 13 years old.

Shawn was killed while serving his country in Operation Iraqi Freedom. He was assigned to B Company, 2nd Battalion, 23rd Infantry Regiment, 2nd Infantry Division in Fort Lewis, WA. He is survived by his wife Laci N. Harmon, whom he married on December 28, 2006, his parents David and Elizabeth Ann Hensel, his sisters Autumn M. Vail and Angela R. Hensel, as well as his in-laws and extended family. Shawn will be remembered as a loving husband, son, and brother.

Today, I join Shawn's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his

courage and strength of character that people will remember when they think of Shawn, a memory that will burn brightly during these continuing days of conflict and grief.

Shawn was known for his daredevil streak, a tough exterior and a passion for the outdoors, especially kayaking. Those who knew him best will remember him for the devotion he had to his family and his love of country. Today and always, Shawn will be remembered by family members, friends and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Shawn's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.'' This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Shawn's actions will live on far longer that any record of these words.

It is my sad duty to enter the name of Shawn D. Hensel in the RECORD of the Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Shawn's can find comfort in the words of the prophet Isaiah who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Shawn.

SERGEANT NICHOLAS J. PATTERSON

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave soldier from Rochester. Nick Patterson, 24 years old, was killed on September 10 in Baghdad, Iraq, from injuries sustained when his vehicle rolled over returning from a raid. With an optimistic future before him, Nick risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Nick graduated from Rochester High School in 2001 where he excelled in basketball and baseball. His senior year, Nick was the leading scorer on the basketball team. He was known for being a star athlete that brought huge energy into sports and a hard-working student. His teacher, Linda Brenna, said, ''He had such a great sense of humor and could make a tense moment light.'' Those who knew Nick respected him for his strong work ethic and his humor.

Nick was killed while serving his country in Operation Iraqi Freedom. He was assigned to the 1st Squadron, 73rd Cavalry Regiment, 82nd Airborne Division in Fort Bragg, NC. Nick is survived by his wife Jayme Saner Patterson, his 4-year-old son Reilley, and his parents James and Virginia Patterson. He will be remembered as a loving husband, father, son, and friend.

Today, I join Nick's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Nick, a memory that will burn brightly during these continuing days of conflict and grief.

Nick was known for his dedication to his family and his love of country. Today and always, Nick will be remembered by family members, friends and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Nick's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.'' This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Nick's actions will live on far longer that any record of these words.

It is my sad duty to enter the name of Nicholas J. Patterson in the RECORD of the Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Nick's can find comfort in the words of the prophet Isaiah who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Nick.

THE COLLEGE COST REDUCTION ACT

Mrs. LINCOLN. Mr. President, I was absent for the vote on September 7 on final passage of the College Cost Reduction Act of 2007 due to an official trip that I took to Iraq with the Senate Foreign Relations Committee. Had I been in Washington during the vote on final passage, I would have supported this important piece of legislation as I did when the Senate passed its version in July.

The rising costs of a college education have significantly increased the financial burden on college students and their families in recent years. The largest increase in higher education aid since the G.I. bill, the College Cost Reduction Act will increase student aid to low-and middle-income students by $17.4 billion over the next 5 years. It also increases the maximum Pell grant by $500 to $4,810 next year and incrementally increases it until it caps at $5,400 in 2012. Further, the bill will help students manage their debt by capping student loan payments at 15 percent of their monthly income and reducing the student loan interest rate from 6.8 percent to 3.4 percent. In addition, the legislation will create a pilot program that reduces the amount of federal subsidies paid to student lending institutions and redirects the funds directly to students. The result will save students real dollars, save taxpayers money, and inject competition into the loan program.

Increasing the number of college graduates is one of the best investments that we as a nation can make, and I am proud that this Congress has worked to make college a reality for more Americans. The improvements contained in this legislation will expand the options students have to attend college and pay for higher education for years to come. Moreover, it will improve the quality of life for our citizens and our economy by preparing our workforce for the demands of an increasingly competitive marketplace.

Mr. KERRY. Mr. President, too many young people, from all walks of life, are either struggling to pay for college or flatout can't afford it. Those who aren't able to incur such steep costs are not only losing out on a degree, but setting themselves up to face a lifetime of lost opportunities, as study after study shows college graduates are the most attractive candidates for the fastest growing and best paying jobs of tomorrow. Greater college access and financial assistance is critical to making the American dream a reality for all. This bill strengthens educational resources for low-income students, giving every child the chance to succeed. It will mark the largest increase in student aid since the Montgomery GI bill and ensures that college is within the reach of children all over the country.

Today, families in New England with students in a community college spend 17 percent of their annual income to cover the cost of college for 1 year, while families nationally spend 13 percent. According to an analysis by the Massachusetts Board of Higher Education released last year, more than two thirds of families in Massachusetts last year still required approximately $6,300 beyond financial aid to afford a college education. Faced with such a hardship, many Massachusetts students drop out, saying the costs are too steep. Those who do complete their degrees are often saddled with thousands of dollars in student loans—which can take years, often decades, to pay off.

The conference report cuts roughly $20 billion from lender subsidies and

uses the funds to increase aid to college students and reduce the interest rates they must pay on their loans. It halves interest rates on subsidized student loans, from 6.8 percent to 3.4 percent, over 4 years and increases the Pell grant by $1,090 increase in the maximum Pell grant award over 5 years. It also allows for a flexible repayment option and loan forgiveness after 10 years for certain public-sector employees.

I am also proud that the conference report included language to fund key Massachusetts Upward Bound programs. Upward Bound provides fundamental support and college preparation for low-income students and has a strong record of increasing the rate at which low-income students graduate from institutions of higher learning. Once the President signs this legislation into law, 187 new and existing Upward Bound programs that scored above a 70 in the most recent grant competition will be funded from fiscal year 2008 to fiscal year 2011. As a result, Upward Bound services will be provided for an additional 12,000 students. I want to congratulate all of the new and refunded Upward Bound programs in my State—Holyoke Community College, North Shore Community College, Massachusetts Institute of Technology, Suffolk University and Wheelock College. Thank you for providing these necessary services to Massachusetts students and I urge you to keep up the good work.

This legislation is absolutely vital to securing the opportunity of higher education for all and making our country more competitive. I thank Senator KENNEDY for his hard work and vision and I wholeheartedly support this legislation.

MATTHEW SHEPARD ACT

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On the night of September 1, 2007, Josie Smith-Malave, her sister Julie Smith, and her friend Emily Durwood, were attacked outside a Long Island bar for being gay. The three women had been at the bar that night, and, as they left, they were followed outside by three women and about nine men. The group of about a dozen young adults began to crowd around the three women, shouting antigay slurs, throwing sticks and cups at them and spitting on them. The group then began to punch and kick the three women. One of the victims suffered a head injury, another suffered a knee injury, and all three were badly bruised as a result of the attack. The attackers fled the scene before police arrived, but one man was arrested 4 days later for his alleged involvement in the assault, which included stealing a camera from and injuring one of the women. He is charged with a hate-biased crime.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Matthew Shepard Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

TRIBUTE TO DONNA PAGANO MURRAY

Ms. MURKOWSKI. Mr. President, I rise today to bid farewell to one of the longest tenured members of my Senate staff, Mrs. Donna Pagano Murray. Donna retired from the Senate on September 5, 2007, after 28 years of exceptional service to the citizens of this country and to the residents of the State of Alaska.

Donna was born in New York City and studied at Monmouth University and the University of Maryland. She served as my executive assistant and was responsible for all legislative issues relating to domestic aviation and transportation security since I entered the Senate in 2002. She is an expert in Alaska aviation issues and a champion for the Age 60 pilot age extension bill. Donna served as my Chief of Staff for the past year, leading a great team working for Alaska.

Prior to working for me, she worked for Senator Frank Murkowski for 12 years. Among other duties in that office, including those I just mentioned, she was the principal liaison between his Washington, DC and five state offices.

She left the Senate in 1989 and worked at the Department of Commerce for five years during the Administration of former President George H.W. Bush. She handled issues such as clean water and air, fisheries management, weather services and appropriations issues for the Department.

I also want to mention that during her tenure in the Senate, she worked on the Senate Committee on Labor and Human Services and the Senate Veterans' Affairs Committee. She has volunteered for several campaigns and Inaugural ceremonies as well.

Donna started her career as a high school teacher, and is looking forward to being a substitute teacher in her post-Senate life. This says a lot about her—that she is returning to the classroom to help children in this area. Rather than seeking a high-paying private sector job, which she certainly is qualified for given her abilities and experiences, she is going to be a substitute school teacher for a local district. She represents the real spirit of public service by giving back some of her knowledge, wisdom and experience gained from decades in government service to the youngsters of this area. I know that the students will learn a lot from Donna.

While I am sorry to lose one of my staff leaders, I am delighted that Donna will be able to more fully enjoy time with her husband Danny. Danny had a heart transplant last year and I know that they are looking forward to spending more time with each other, traveling together and enjoying their grandchildren.

I will miss Donna's cheerfulness, wonderful smile, straightforward manner, vast knowledge, and her dedication to the Senate. She is a hard worker, indeed. It has been a pleasure to have her on my staff. I wish her and her husband Danny the very best and know that Alaskans will benefit for decades to come from her efforts to help the State. I also know that future generations will benefit from her return to the classroom.

Donna, thank you for your service to Alaska and this country.

THE PASSING OF PRESIDENT JAMES FAUST

Mr. HATCH. Mr. President, I rise to pay tribute to a revered Utahn who was taken from us a little more than a month ago during our summer recess: President James Esdras Faust, second counselor in the First Presidency of The Church of Jesus Christ of Latter-day Saints. On August 10, President Faust peacefully passed away, called home by the God whom he had served for 87 years. He left behind a legacy of faith and service, an example to which we should all strive for in our own lives.

President Faust was a wonderful leader for the LDS Church and a tremendous counselor to its President, Gordon B. Hinckley. He was a great friend and guide to Elaine and me, and our entire family, and to millions of others around the world. He was a person of great dimension, wide-ranging abilities, and deeply spiritual capacities. He was the consummate gentleman and treated both Elaine and me with kindness unfeigned. We pray that everyone in the Faust family will be comforted in the days and months ahead with peace through their memories of this great man.

Beyond his day-to-day duties as a church leader, President Faust led opposition to gambling initiatives in Utah, oversaw construction of the BYU Jerusalem Center, managed an improved public relations strategy for the church, and enhanced relationships with foreign officials. During his ministry, he saw the Latter-day Saint faith move from primarily one of the western United States to a truly worldwide religion.

His kindness was not limited to those of his own faith, nor was his service limited to that which he performed inside his church. Before President Hinckley extended him a call to serve 35 years ago as a senior, full-time

church leader, Faust served his country in the military, served his community as an attorney, served his State as a legislator, and served his family as a devoted husband and father.

A native of a small town in Utah's west desert, Delta, President Faust studied at the University of Utah, eventually receiving both a bachelor's degree and a law degree. But he interrupted his studies when he was called to his country's defense in World War II, honorably serving in the U.S. Army Air Force and earning the rank of first lieutenant while opposing the tyranny of the Axis.

Beyond his service to America, President Faust also gave 2 years of his youth in service to his church as a missionary in Brazil. He was one of the first Mormon missionaries to that nation and by sharing his testimony of the Lord gently moved the first pebbles of what has become a mighty avalanche of faith—today Brazil is home to nearly 1 million Latter-day Saints. Later in life, anytime his church service took him to Brazil he was extremely happy to be reunited with his friends there. In 1998, Faust was named an honorary citizen of Sao Paulo in honor of his lifelong ties to the city and the nation. Only two other men have received this recognition—Pope John Paul II and the Dalai Lama—which puts President Faust in very good company.

During a short period of leave from the Air Force in the spring of 1943, President Faust married his high school sweetheart, Ruth Wright, in the Salt Lake Temple. The sunrise and the sunset to all his happiness, Ruth walked hand in hand with him for almost 65 years. Together they raised five children: James H. Faust, Janna R. Coombs, Marcus G. Faust, Lisa A. Smith, and Robert P. Faust. They were the proud grandparents of 25 grandchildren and 28 great-grandchildren.

While practicing law, President Faust made time to serve as a member of the Utah legislature, an adviser to the American Bar Journal, and as president of the Utah Bar Association. Fellow church leader Elder M. Russell Ballard said of Faust that he ''loved America, the state of Utah and Salt Lake City.'' He was always examining issues and events ''for what was right and what needed to be done to see that we were working for the benefit and blessing of the people.''

We have lost a friend, we have lost a leader. But we look forward to a time when we can see his smiling, optimistic face again and hear his soothing, uplifting voice. To President James Esdras Faust the people of Utah would like to say, ''Thank you for your time among us. It was not nearly long enough. God be with you, till we meet again.''

ADDITIONAL STATEMENTS

TRIBUTE TO JIM BILLINGTON

● Mr. KENNEDY. Mr. President, I congratulate Jim Billington on two decades of service as Librarian of Congress. For 20 years, he has presided over this prestigious institution that serves Congress so well but is truly America's national library. It houses documents and artifacts that date to the earliest days of our democracy and, at the same time, manages the U.S. Copyright Office that maintains an ongoing record of America's creative heritage.

Jim Billington had a brilliant career in the academic world before beginning his responsibilities at the Library of Congress. He was highly respected at Harvard, at Princeton and, immediately before becoming Librarian of Congress, as director of the Woodrow Wilson Center.

Throughout his career, Jim Billington has brought a dynamic integrity to the scholarly world. Under his leadership, the Library of Congress was not a dormant collection of books and artifacts. He undertook a new initiative to digitize its collections and make them more accessible and more permanent. He also established the Madison Council to bring outside support and wise counsel to the Library, and created a center for advanced scholars in the humanities.

His tenure as Librarian is noteworthy for his many achievements and innovations, his dedication to the historic role of the Library and its unique relationship to Congress, and, most importantly, his extraordinary vision of what the Library could become. Through his work, Jim has made unparalleled contributions to enhance the role that American culture plays in our national life.

On this special anniversary, I commend him for all that he has accomplished. I am especially grateful for the support and wise counsel he has given to the Kennedy Center for the Performing Arts. As Librarian of Congress, he has served as a member of the board of trustees for the center for two decades, and has been a source of consistent leadership and guidance throughout that time.

All of us in Congress owe Jim Billington an immense debt of gratitude for his outstanding public service, and we look forward to many more years of his leadership. On this 20th anniversary of his becoming Librarian of Congress, I join my colleagues in extending my warmest congratulations and deepest appreciation for his achievements.●

TRIBUTE TO HOWRIGAN FARM

● Mr. LEAHY. Mr. President, I am pleased to take this opportunity to commend longtime friends, Harold and Anne Howrigan and their sons of Fairfield, VT, whose farm was recently named 2007 Vermont Dairy Farm of the Year.

Harold, his wife Anne and their sons operate two farms comprised of more than 500 head of holstein cattle and some 1,800 acres of cropland and forest, including a significant maple sugaring operation. The Howrigan farm was selected by University of Vermont Extension and the Vermont Dairy Industry Association, who described it as an excellent, well managed dairy operation which consistently produces high-quality milk. With some of the farm acreage in the family since the mid 19th Century, the Howrigan family indeed exemplifies a long-term commitment to agriculture.

As much as he loves the home farm, over the years Harold has spent considerable time away from the farm serving Vermont agriculture. He has served as president of the Green Mountain Dairy Farmers Federation of Cooperatives and as a director with both the Vermont Maple Sugar Makers Association and the Vermont Dairy Promotion Council. Harold has served on the St. Albans Cooperative board of directors since 1981 and as president from 1988 until stepping down in 2005.

At one time or another, Harold was chairperson of the Vermont Northeast Interstate Dairy Compact Commission, chair of the Council of Northeast Farmer Cooperatives and chair of the National Dairy Promotion and Research Board. He also served on the U.S. Dairy Export Council and the National Milk Producers Federation.

With this level of engagement in the interest of dairy farmers and their industry, it is a tribute to Harold, Anne and their sons to earn this distinguished award. I join my fellow Vermonters in recognizing a Vermont dairy farm—and family—with its tradition of hard work, common sense and love of agriculture as the 2007 Vermont Dairy Farm of the Year.●

CONGRATULATING THE GLADSTONE ALL-STAR GIRLS SOFTBALL TEAM

● Mr. LEVIN. Mr. President, I would like to take a moment to congratulate the Gladstone All-Star 11–12 Girls Softball Team on placing third in the Little League Softball World Series. Their determined and focused efforts throughout the postseason, which began in early July with the district tournament in Escanaba, have brought a lot of joy and pride to the Gladstone community. I am happy to have this opportunity to recognize this impressive achievement.

Gladstone capped a marvelous season with a thrilling come-from-behind 5–2 victory over an excellent team from Waterford, CT. The game was tightly contested throughout and was not decided until the first extra inning when Gladstone rallied to score the deciding three runs in the top of the seventh inning to secure a hard fought win. Gladstone displayed resilience in recovering from a loss the previous day to the eventual runner-up from Elgin, TX, to record this victory. It takes poise, determination, and teamwork to achieve this level of success, and I congratulate each member of the team on the way

they competed throughout the summer. Gladstone now enjoys the distinction of being the third team from Delta County to reach the Little League Softball World Series.

Girls Little League Softball, which began in 1974, has provided countless young women an opportunity to compete at a high level. Through the instruction they receive on and off the field, these young women gain valuable skills that will help them achieve success throughout their lifetime. The 2007 Gladstone All-Star 11–12 year-old Girls Softball Team includes Jordan Schwartz, Ashley Hough, Jammie Botruff, Heather Sanderson, Jordan Kowalski, Nicole Sharon, Shannon Wolf, Neena Brockway, Alison Austin, Nikki Barteld, Averi Kanyuh. The coaching staff includes Manager Andrew Schwartz and Assistant Coach John Nevala.

This is a summer these young women will certainly never forget. I know I am joined by their family, friends and supporters, as well as my colleagues in the Senate, in congratulating the entire team on a highly successful and memorable season. I look forward to hearing about many more successes from these young ladies in the future.●

TRIBUTE TO CURTIS H. SYKES

● Mrs. LINCOLN. Mr. President, I rise to honor the life of a great Arkansan, Curtis H. Sykes, who passed away last week.

As a member of the Special Task Force to Study the History and Contributions of Slave Laborers in the Construction of the U.S. Capitol, Mr. Sykes made valuable contributions to the important and challenging work that the task force conducted. As its name indicates, the purpose of the task force is to recognize and preserve the contributions that African Americans made to the construction of the Capitol complex. The task force has served as a working memorial to pay tribute to those who made an enormous sacrifice to help build the greatest symbol of our Nation's freedom. I was pleased that the task force was developed to include citizen representation, and Curtis Sykes was an integral part of helping us examine those contributions.

In addition to his work on the task force, Curtis Sykes was also an accomplished historian and respected community leader in Arkansas. Mr. Sykes served as chairman of the Arkansas Black History Committee since 1993 and was the first African-American member of the North Little Rock History Commission. He brought a wealth of experience to the study of our great State's history and was an advocate for equality, fairness, and justice.

Shortly after his graduation from the segregated Scipio A. Jones High School, located in his hometown of North Little Rock, in 1947, Curtis served our Nation in the U.S. Army from 1950 to 1952. He then pursued a lifelong career in education.

Prior to retiring in 1985, Curtis worked for 33 years in education as a teacher, football coach, assistant principal and principal. He was one of the first African-American principals in the Little Rock school district during the 1960s, and after his life in education, he led the fight to pass legislation in the Arkansas General Assembly which established a Black history curriculum in Arkansas schools.

He also continued to pursue his passion to help young children learn and succeed after retirement through his work in a number of civic and community organizations. His activities included offices in the Arkansas Chapter of the NAACP, the Young YMCA/COPE of Central Arkansas and Headstart of Pulaski County.

Mr. Sykes earned his bachelor's degree from Arkansas Baptist College in Little Rock, Arkansas; a master's from Texas College in Tyler, Texas; and his master's in education from Harding University in Searcy, AR. In fact, he became the first African American to receive a degree from Harding in 1962.

In addition, Mr. Sykes received a number of honors and awards during his lifetime. He was the recipient of the Salute to Greatness Award from the Martin Luther King, Jr. Commission for his outstanding record of community service. He was also recognized by the city of North Little Rock when Mayor Patrick Hays declared a Curtis Sykes Day in 1992 to honor his many contributions to the city.

Curtis H. Sykes will be greatly missed by communities all across Arkansas, as well as those he worked with here in Washington, DC. He had an impact on thousands of people from all walks of life, and his death will leave a void throughout Arkansas.

He will not be forgotten, however. The Arkansas History Commission contains the Curtis H. Sykes Collection which includes Scipio High yearbooks, past Arkansas Teacher Association journals, and other North Little Rock memorabilia and documents which will enable future generations to learn about his life and legacy.

In the weeks and months ahead, our thoughts and prayers will be with friends and family of the Sykes as they grieve the loss of a true Arkansas pioneer.●

HONORING MARY AND BILL KIRCHNER

● Mr. ISAKSON. Mr. President, I honor two of my constituents on a very special and rare milestone. Later this month, Mary and Bill Kirchner of Atlanta will celebrate their 50th wedding anniversary.

Mary and Bill were married on September 28, 1957, in Grosse Pointe, MI, bringing together two of that city's longtime families—the Fitzsimons and the Kirchners. The next 50 years took Mary and Bill from Michigan to South Carolina and finally to Georgia, where they have lived since 1988.

Bill was a homebuilder in Michigan and on Hilton Head Island, SC, and later started his own property rental business on the island. Mary started her own successful business on Hilton Head called The Welcome Mat, then switched careers and put her salesmanship to good use selling real estate. When they moved to Atlanta, Mary and Bill decided to try an entirely new business venture by opening an antique consignment shop. Sixteen years later, Now & Again remains a beautiful and popular shop in Buckhead. In fact, my wife Dianne has been a customer. Although they have certainly earned the right to retire, Mary and Bill still run their shop 6 days a week with the help of a great staff.

While their professional lives have been an adventure, Mary and Bill made their biggest life-changing decision early on in their marriage. On a chilly February day in 1964, a nervous Mary and Bill arrived at an adoption agency in Michigan hoping to hear that they would be allowed to adopt a baby. Instead, the agency asked if Mary and Bill would like to go home with 6-month-old twin girls. The shocked couple said yes and forever changed the lives of those twins, Sarah and Joan, for the better.

Their daughter Sarah is now married to Stephen Midas and works as a stay-at-home mom to four children in Chesapeake, VA, and also does some bookkeeping for Mary and Bill's shop. Their daughter Joan and her daughter live in Washington, DC, and Joan has gone from covering politics as an AP reporter in Atlanta to now working for some of those same elected officials she used to cover. I happen to be one of those, and Joan now serves on my staff in Washington. I know Mary and Bill are very proud of both their daughters.

I join with Joan, Sarah, Stephen and their children—Alex, Ben, Anna, Josie and Isabel—in congratulating Mary and Bill Kirchner on reaching their golden anniversary. Their marriage and their commitment to each other is an inspiration to us all.●

REPORT RELATIVE TO THE STATUS OF EACH OF THE 18 IRAQI BENCHMARKS, AS RECEIVED DURING RECESS OF THE SENATE ON SEPTEMBER 14, 2007—PM 25

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Consistent with section 1314 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28) (the ''Act''), attached is a report that assesses the status of each of the 18 Iraqi benchmarks contained in the Act and declares whether satisfactory progress toward meeting these

benchmarks is, or is not, being achieved.

The second of two reports submitted consistent with the Act, it has been prepared in consultation with the Secretaries of State and Defense; the Commander, Multi-National Force-Iraq; the United States Ambassador to Iraq; and the Commander, United States Central Command.

GEORGE W. BUSH.

THE WHITE HOUSE, *September 14, 2007.*

MEASURES DISCHARGED

The following measure was discharged from the Committee on Environment and Public Works by unanimous consent, and referred as indicated:

S. 2006. A bill to provide for disaster assistance for power transmission and distribution facilities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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–196. A resolution adopted by the California-Pacific Annual Conference of the United Methodist Church relative to the repeal of discriminatory laws; to the Committee on Armed Services.

POM–197. A resolution adopted by the Commission of the City of Hollywood, Florida, supporting the Energy Efficiency Promotion Act; to the Committee on Energy and Natural Resources.

POM–198. A resolution adopted by the Council of the Town of Bay Harbor Islands, Florida, supporting resolution number 2007–430 of the governing board of the South Florida Water Management District; to the Committee on Environment and Public Works.

POM–199. A resolution adopted by the Commission of the City of Pompano Beach, Florida, urging Congress to appropriate funds necessary to bring the Herbert Hoover Dike into compliance with current levee protection safety standards; to the Committee on Environment and Public Works.

POM–200. A resolution adopted by the Council of the Town of Davie, Florida, urging Congress to appropriate funds necessary to bring the Herbert Hoover Dike into compliance with current levee protection safety standards; to the Committee on Environment and Public Works.

POM–201. A resolution adopted by the Council of the City of Long Beach, California, urging Congress to enact the Employee Free Choice Act; to the Committee on Health, Education, Labor, and Pensions.

POM–202. A concurrent resolution adopted by the Legislature of the State of Texas urging Congress to provide drought relief to Texas; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE CONCURRENT RESOLUTION NO. 67

Whereas, the State of Texas continues to endure substantial economic losses due to a prolonged drought that has crippled the state for nearly two years; the loss of crops and livestock and drought-induced fires have left the state's farmers and ranchers in desperate need of continued federal assistance to offset the losses suffered as a result of this natural disaster; and

Whereas, the drought has cost the state nearly $2.5 billion in total crop loss, more than $1 billion of which is attributed to a decrease in the cotton harvest, the state's number one cash crop; in addition, the latest forecasts for 2006 show the state's wheat harvest has decreased by more than 60 percent, corn production is down by 26 percent, soybean production has decreased by more than 30 percent, and the state's production of peanuts and sorghum is expected to be down by 40 percent; and

Whereas, an estimated $1.6 billion in livestock losses, as well as the rising cost of hay and supplemental feed, have forced any ranchers to sell their cattle earlier than anticipated, which will undoubtedly cause a decrease in the beef supply for several years; all told, the total agricultural loss to the state stands at more than $4 billion; and

Whereas, this dire economic impact is shared by the businesses that support the agriculture community, specifically those in rural areas, where projections estimate the loss to be nearly $8 billion; the businesses affected include those that provide equipment or machinery, supplies, feed, and professional services such as veterinarians; and

Whereas, adding insult to injury, the drought has resulted in more than 21,000 fires, burning in excess of two million acres between January and November, 2006, and contributing to the loss of 5,000 miles of fence and 5,000 cattle in the Panhandle alone; the fires 1n the northern regions of the state have certainly contributed to the diminution in hay production, and the United States Department of Agriculture (USDA) estimates that 77 percent of Texas' hay production was lost during the same period; and

Whereas, to alleviate this financial burden, the Texas Department of Agriculture will administer a total of $16.1 million in assistance received from the USDA to eligible livestock producers in 216 drought-stressed counties, but with more than $12 billion in total economic loss as a direct result of the drought, more assistance is needed; the devastation to crops and livestock in the number two agricultural state in the nation has put a financial strain on Texas farmers and ranchers, and it is imperative that the federal government continue to assist the individuals and families that have suffered during this time; now, therefore, be it

Resolved, That the 80th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to provide further drought relief to Texas; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–203. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to require the Department of Agriculture to conduct a study and report on the nutritional value of the country's school lunches; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE RESOLUTION NO. 11

Whereas, we, as a people, must not feed our children fatty and sugary foods on a daily basis because it leads to obesity and diabetes; therefore, be it

Resolved, by the House of Representatives of the Ninety-Fifth General Assembly of the State of Illinois, That State Representative Monique D. Davis and the rest of the House of Representatives urge the Congress of the United States of America to require the United States Department of Agriculture to conduct a study and report on the nutritional value of the country's school lunches; and be it further

Resolved, That suitable copies of this resolution be delivered to the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, and each member of the Illinois congressional delegation.

POM–204. A resolution adopted by the House of Representatives of the State of Illinois urging the federal government to meet all of the financial obligations of the GI Bill; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 123

Whereas, on June 22, 1944, President Franklin D. Roosevelt signed the ''Servicemen's Readjustment Act of 1944'', better known as the ''GI Bill of Rights''; and

Whereas, the bill at first was the subject of intense debate and parliamentary maneuvering, but has since been recognized as one of Congress' most important acts; and

Whereas, during the past five decades, the law has made possible the investment of billions of dollars in education and training for millions of veterans, and the nation has in return earned many times that investment in increased taxes and a dramatically changed society; and

Whereas, the law also made possible the loan of billions of dollars to purchase homes for millions of veterans and helped to transform the majority of Americans from renters to homeowners; and

Whereas, the 1944 GI Bill provided six benefits: education and training; loan guarantees for a home, farm, or business; unemployment pay; job-finding assistance; top priority for building materials for VA hospitals; and military review of dishonorable discharges; the home loan program is the only feature of the original bill that is still in force; and

Whereas, the original GI Bill ended in 1956, but subsequent GI Bills have continued the original bill's education and training benefits; the bill currently in effect is the Montgomery GI Bill, which provides benefits for veterans who served after July 1, 1985, and for military reservists; and

Whereas, in signing the original GI Bill, President Roosevelt stated that the Bill ''gives emphatic notice to the men and women in our armed forces that the American people do not intend to let them down''; and

Whereas, our servicemen and women have sacrificed much for our country, and continued funding of GI Bill benefits is imperative to ensure that they are treated with the respect they deserve: Therefore be it

Resolved, by the House of Representatives of the Ninety-Fifth General Assembly of the State of Illinois, that we urge the federal government to meet all of the financial obligations of the GI Bill; and be it further

Resolved, That copies of this resolution be sent to President George W. Bush, federal Secretary of Veterans Affairs Jim Nicholson, each member of the Illinois Congressional delegation, and the Director of the Illinois Department of Veterans' Affairs.

POM–205. A resolution adopted by the Senate of the State of Michigan urging Congress to enact H.R. 2927; to the Committee on Commerce, Science, and Transportation.

SENATE RESOLUTION NO. 89

Whereas, H.R. 2927 sets tough fuel economy standards without off ramps or loopholes, by requiring separate car and truck standards to meet a total fleet fuel economy between 32 and 35 mpg by 2022—an increase of as much as 40 percent over current fuel economy standards—and requires vehicle fuel

economy to be increased to the maximum feasible level in the years leading up to 2022; and

Whereas, H.R. 2927, while challenging, will provide automakers more reasonable lead time to implement technology changes in both the near and long term. Model year 2008 vehicles are already available today, and product and manufacturing planning is done through model year 2012. H.R. 2927 recognizes the critical need for engineering lead times necessary for manufacturers to make significant changes to their fleets; and

Whereas, H.R. 2927 respects consumer choice by protecting the important functional differences between passenger cars and light trucks/SUVs. Last year, 2006, was the sixth year in a row that Americans bought more trucks, minivans, and SUVs than passenger cars because they value attributes such as passenger and cargo load capacity, four-wheel drive, and towing capability that most cars are not designed to provide; and

Whereas, While some would like fuel economy increases to be much more aggressive and be implemented with much less lead time, Corporate Average Fuel Economy (CAFE) standards must be set at levels and in time frames that do not impose economic harm on the manufacturers, suppliers, dealers, and others in the auto industry; and

Whereas, Proponents of unrealistic and unattainable CAFE standards cite Europe's 35 mpg fuel economy, without ever mentioning Europe's $6 per gallon gasoline prices, the high sales of diesel vehicles, the high proportion of Europeans driving manual transmission vehicles (80 percent in Europe vs. 8 percent in the U.S.), the significant differences in the size mix of vehicles, or that trucks and SUVs are virtually nonexistent among Europe households; and

Whereas, Proponents of unreasonable CAFE standards claim they will save consumers billions, but they neglect to talk about the upfront costs of such changes to the manufacturers of meeting unduly strict CAFE standards—more than $100 billion, according to the National Highway Traffic Safety Administration—which will lead to vehicle price increases of several thousand dollars; and

Whereas, Proponents of unrealistic CAFE standards ignore the potential safety impacts of downsized vehicles on America's highways and overlook the historical role and critical importance of manufacturing plants to our national and economic security. They seem unconcerned about threats to the 7.5 million jobs that are directly and indirectly dependent on a vibrant auto industry in the United States; and

Whereas, H.R. 2927 is a reasonable bill that balances a number of important public policy concerns. The bill represents a tough but fair compromise that deserves serious consideration and support: Now, therefore, be it

Resolved by the Senate, That we memorialize the United States Congress to enact H.R. 2927, which responsibly balances achievable fuel economy increases with important economic and social concerns, including consumer demand; and be it further

Resolved, that copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan Congressional delegation.

POM–206. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to support funding for the Urban Park and Recreation Recovery Program; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION NO. 395

Whereas, the Urban Park and Recreation Recovery Program (UPARR) is a matching federal grant program administered by the National Park Service of the Department of the Interior; and

Whereas, the purpose of the program is to provide funding for the rehabilitation of parks and recreation areas in cities and urban communities; and

Whereas, since the establishment of the program in 1978, approximately 1500 individual grants totaling more than $270,000,000 have been made to eligible cities and counties; and

Whereas, no funds have been appropriated under UPARR for the past 5 years; and

Whereas, urban park development is essential for economic revitalization, environmental stewardship, and public recreation; therefore, be it

Resolved, by the House of Representatives of the Ninety-Fifth General Assembly of the State of Illinois, That we urge the Congress of the United States of America to support funding for the Urban Park and Recreation Recovery Program; and be it further

Resolved, That suitable copies of this resolution be delivered to the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, and each member of the Illinois congressional delegation.

POM–207. A joint resolution adopted by the Senate of the State of California urging Congress to reauthorize and fund the federal Secure Rural Schools and Community Self-Determination Act of 2000; to the Committee on Energy and Natural Resources.

SENATE JOINT RESOLUTION NO. 3

Whereas, from 1908 to 2000, counties in the United States received 25 percent of the revenues generated on national forest lands in lieu of lost tax revenues that could have been generated had these lands remained in private hands; and

Whereas, in the 1990s, the volume and value of timber harvested on national forest lands was dramatically reduced, which led Congress to enact the federal Secure Rural Schools and Community Self-Determination Act of 2000, which provided a six-year guarantee payment option that was independent of the revenue generated on the national forest lands; and

Whereas, the Secure Rural Schools and Community Self-Determination Act of 2000, as extended by the United States Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28), will expire on September 30, 2007, which would create a lapse in funding to critical programs in schools and counties across the United States, including California, in the coming years; and

Whereas, rural schools are dependent on federal revenue-sharing programs, including federal forest payments, for maintaining vital educational services and programs, and to ensure an equitable education for all students; and

Whereas, many of California's county public works programs will be crippled without stable, predictable, long-term funding from the act, causing the local road network to suffer long-term degradation and putting communities at risk for public safety emergencies due to cuts in staffing and operational activities; and

Whereas, a number of efforts are being made in both the Untied States House of Representatives and the United States Senate to fully reauthorize the act through 2011, and the Legislature strongly supports these efforts; now therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California respectfully urges the 110th Congress to reauthorize and fund the federal Secure Rural Schools and Community Self-Determination Act of 2000 to provide a long-term, stable source of funding for schools and counties to maintain vital programs prior to September 30, 2007, to avoid any interruption in county services and school operations; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

POM–208. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to support and pass the Great Lakes Water Protection Act; to the Committee on Environment and Public Works.

HOUSE RESOLUTION NO. 602

Whereas, the Great Lakes are the World's single largest source of fresh surface water and contain about 90% of the water supply for the United States; and

Whereas, fresh water is limited in quantity and highly susceptible to contamination; and

Whereas, an estimated 24,000,000,000 gallons of sewage are dumped into the Great Lakes each year due to city sewer overflow; and

Whereas, water pollution contributes to elevated levels of E. coli bacteria and can result in contaminated drinking water and unsafe beach conditions; and

Whereas, the United States Environmental Protection Agency estimates that each year between 1,800,000 and 2,500,000 Americans become sick from drinking polluted water; and

Whereas, measures exist to eliminate sewage dumping into the Lakes and the City of Chicago has already taken steps to reduce the amount of sewage reaching Lake Michigan by creating a system of tunnels to direct sewer overflow to large storage reservoirs; and

Whereas, the Great Lakes Water Protection Act, introduced in the U.S. House of Representatives as H.R. 2907, would increase fines for sewage dumping, use penalty revenues to fund habitat and wetland projects, and increase public disclosure of dumping incidents; therefore, be it

Resolved, by the House of Representatives of the Ninety-Fifth General Assembly of the State of Illinois, That we urge the U.S. Congress to support and pass the Great Lakes Water Protection Act in an effort to clean up the Great Lakes; and be it further

Resolved, That suitable copies of this resolution be delivered to the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the Illinois congressional delegation.

POM–209. A concurrent resolution adopted by the Senate of the State of Michigan urging Congress to provide funding for the Saginaw Bay Coastal Initiative; to the Committee on Environment and Public Works.

SENATE CONCURRENT RESOLUTION NO. 10

Whereas, communities surrounding Saginaw Bay face significant environmental and economic challenges. Saginaw Bay is one of the most polluted areas in the Great Lakes. Historic and ongoing inputs of excessive nutrients, toxic contaminants, and overabundant sediments exacerbated by low water levels have led to the proliferation of undesirable nuisance plants and algae, degradation of shoreline areas, loss of fishery habitant, and impairment of fish and wildlife populations; and

Whereas, Saginaw Bay remains a vital resource for about 500,000 residents who use its waters and shoreline for recreation, drinking water, and other activities. The public health and safety of these residents and the economic vitality of local communities are threatened by the ongoing environmental problems facing Saginaw Bay. Increased coordination and partnerships with local leaders and citizens directly affected by Saginaw Bay's health are needed to restore the bay and realize its full potential as a vibrant coastal area; and

Whereas, the Saginaw Bay Coastal Initiative (SBCI) will support innovative regional approaches for enhancing resource protection, improving environmental quality, and expanding local tourism and economic development within the Saginaw Bay coastal area. With appropriate funding, the initiative will create new partnerships among federal, state, and local groups and enhance local participation and responsibility in resolving environmental and economic challenges and determining the future of Saginaw Bay; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to provide funding for the Saginaw Bay Coastal Initiative; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–210. A concurrent resolution adopted by the Legislature of the State of Texas urging Congress to enact legislation to eliminate the 24-month Medicare waiting period for participants in Social Security Disability Insurance; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 35

Whereas, created in 1965, the federal Medicare program provides health insurance coverage for more than 40 million Americans; although most of those enrolled in Medicare are senior citizens, approximately six million enrollees under the age of 65 have qualified because of permanent and severe disability, such as spinal cord injuries, multiple sclerosis, cardiovascular disease, cancer, or other illness or disorder; and

Whereas, despite the physical and financial hardships wrought by these conditions and the fact that Social Security Disability Insurance (SSDI) is designed for individuals with a work history who paid into the social security system before the onset of their disability, federal law mandates a 24-month waiting period from the time a disabled individual first receives SSDI benefits to the time Medicare coverage begins; a prerequisite to Medicare, the SSDI program itself delays benefits for five months while the person's disability is determined—effectively creating a 29-month waiting period for Medicare; and

Whereas, this restriction affects a significant number of Americans in need; as of January 2002, there were approximately 1.2 million disabled individuals who qualified for SSDI and were awaiting Medicare coverage, many of whom were unemployed because of their disability; consequently, under these conditions, by the time Medicare began, an estimated 77 percent of those individuals would be poor or nearly poor, 45 percent would have incomes below the federal poverty line, and close to 40 percent would be enrolled in state Medicaid programs; and

Whereas, furthermore, it has been estimated that as many as one-third of the individuals currently awaiting coverage may be uninsured and likely to incur significant medical care expenses during the two-year waiting period, often with devastating consequences; studies indicate that the uninsured are likely to delay or forgo needed care, leading to worsening health and even premature death, and the American Medical Association has determined that death rates among SSDI recipients are highest in the first 24 months of enrollment; and

Whereas, eliminating the 24-month waiting period not only would prevent worsening illness and disability for SSDI beneficiaries, thereby reducing more costly future medical needs and potential long-term reliance on public health care programs, but could also save the Medicaid program as much as $4.3 billion at 2002 program levels, including nearly $1.8 billion in savings to states and $2.5 billion in federal savings that would help offset a substantial portion of the accompanying increase in Medicare expenditures; and

Whereas, recognizing the consequences of the waiting period to those suffering from amyotrophic lateral sclerosis (ALS), or Lou Gehrig's disease, the 106th United States Congress passed H.R. 5661 in 2000 and eliminated the requirement for enrollees diagnosed with the disease; in passing H.R. 5661, the Congress acknowledged the enormous difficulties faced by those diagnosed with severe disabilities and established precedent for the exception to be extended to all the disabled on the Medicare waiting list; now, therefore, be it

Resolved, That the 80th Legislature of the State of Texas hereby respectfully urge the United States Congress to enact legislation to eliminate the 24-month Medicare waiting period for participants in Social Security Disability Insurance; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the President of the United States, the Speaker of the House of Representatives and the president of the Senate of the United States Congress, and all the members of the Texas delegation to the Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–211. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to pass H.R. 1279; to the Committee on Finance.

HOUSE RESOLUTION NO. 480

Whereas, according to U.S. Census Bureau data for 2004, 18%, or 51,200,000 people in the U.S. are persons with disabilities; and

Whereas, according to data from the 2004 American Community Survey, 12.4%, or 1,400,000 people in Illinois are persons with disabilities; and

Whereas, by 2030, 1,200,000 individuals nationwide with developmental disabilities will be over the age of 60; and

Whereas, in the U.S., 35% of people with a mental illness or developmental disability live with caregivers between ages of 40–60, and 25% live with caregivers over the age of 60; and

Whereas, 1 in 6 people provide care for a chronically ill, older adult, friend or relative with a disability without public funds; and

Whereas, currently more than 50% of all direct support positions, often known as caregivers, personal assistants or homecare aides, turn over every year in the U.S.; in Illinois, turnover in residential and vocational settings is nearly 70%, with an estimated cost ranging from $2,000 to $5,000 to replace a direct support worker; the high turnover results in vacancies, puts unfair demands on remaining workers and, most importantly, negatively impacts the quality and consistency of support to people with disabilities and mental illness; and

Whereas, poor wages and heavy job demands have caused this crisis; in 2005, a report by the Illinois Direct Support Professional Workforce Initiative, using data from multiple studies, found that the average annual income for direct support professionals in residential settings, vocational settings, and in-home and respite settings ranged from $18,366 to $22,651; the current federal poverty level for a family of four is $20,650; and

Whereas, it is essential that people with disabilities and mental illness have access to support that allows them to live and work in the communities of their choice; and

Whereas, in order to stabilize and increase the number of direct support professionals in the workforce, the wages and benefits of direct support professionals must be improved and made equitable among long term support options; and

Whereas, Medicaid is the single-largest payor of long-term support and services for people with disabilities; enhanced Federal Medicaid matching funds should be available to assist states committed to addressing wage differentials among direct support professionals by increasing the wages of direct support professionals and supporting and improving the stability of the direct support professional workforce; and

Whereas, the Direct Support Professionals Fairness and Security Act of 2007, as introduced in the U.S. House of Representatives in H.R. 1279, would provide a voluntary option to states to receive additional Medicaid funding to reimburse community-based organizations to raise the wages of direct support professionals; therefore, be it

Resolved, by the House of Representatives of the Ninety-Fifth General Assembly of the State of Illinois, That we urge the Congress of the United States to support and pass H.R. 1279 so that states will have additional options to raise the wages of direct support professionals; and be it further

Resolved, That we encourage the State of Illinois to take advantage of this option should it become available; and be it further

Resolved, That suitable copies of this resolution be sent to George W. Bush and each member of the Illinois delegation.

POM–212. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to pass the Savings for Working Families Act; to the Committee on Finance.

HOUSE JOINT RESOLUTION NO. 51

Whereas, for the second year in a row, the national personal savings rate remains below zero; and

Whereas, a negative savings rate in the United States has not occurred since the Great Depression; and

Whereas, nationally, one in five families have a negative net worth; about one-third of low-income households and more than one-tenth of moderate-income households report having no financial assets at all; and

Whereas, the United States Congress has reintroduced legislation in the 110th Congress creating the Savings for Working Families Act that would ensure that our nation's savings and ownership policies assist working-poor families by enabling them to save, build wealth, and enter the financial mainstream through the use of Individual Development Accounts; and

Whereas, Individual Development Accounts help low-income families build assets for buying a first home, receiving post-secondary education, or starting or expanding a small business; and

Whereas, the President of the United States included funding for 900,000 Individual

Development Accounts in his 2007 budget request, and, meanwhile, the Congress, in a bipartisan effort, gathered 68 co-sponsors (35 Democrats and 33 Republicans) on the bill; and

Whereas, the Savings for Working Families Act creates a tax credit for financial institutions that match the savings of the working poor through Individual Development Accounts; and

Whereas, financial institutions offering Individual Development Accounts will be reimbursed through a federal tax credit for all matching funds, up to $500 per year for four years, and receive a tax credit of $50 per account per year for account management; and

Whereas, those who save in an Individual Development Account must complete financial education from a nonprofit organization prior to the asset purchase; therefore be it

Resolved, by The House of Representatives of the Ninety-Fifth General Assembly of the State of Illinois, the Senate Concurring Herein,

That the Illinois General Assembly urges the members of the Illinois delegation to the United States Congress to give full consideration to the passage of the Savings for Working Families Act as represented in House Resolution 1514; and be it further

Resolved, That a suitable copy of this resolution be sent to each member of the Illinois congressional delegation.

POM–213. A resolution adopted by the Senate of the Commonwealth of Puerto Rico expressing its support of the financing of the State Children's Health Insurance Program through available federal funds; to the Committee on Finance.

SENATE RESOLUTION NO. 3259

The State Children's Health Insurance Program (SCHIP), Public Law 105–33, as amended, and known as the Balanced Budget Act of 1997, provides block grants to states for health care insurance coverage for uninsured children under 18 years of age and who fall on or below 200% of the poverty level established by the Federal Government (FPL) or as established by the state governments. The states may provide this coverage by expanding Medicaid benefits, by expanding or creating a children's health insurance program or by a combination of both.

In June 1998, the Health Care Finance Administration (HCFA), presently known as the Centers for Medicare and Medicaid Services (CMS), authorized the implementation of the State Children's Health Insurance Program (SCHIP) in Puerto Rico. This new program constitutes an expansion of the Medical Assistance Program (MEDICAID), which originally established the Program for a ten (10) year period, which concludes in August 2007.

The Children's Health Insurance Program provides coverage to children between the ages of 0–18 who fall below 200% of the poverty level and not eligible for Medicaid and who do not have private medical insurance because their parents' income does not allow for it.

The Children's Health Insurance Program provides preventive service, hospitalization services, medical services, surgical services, mental health services, diagnostic tests, clinical laboratory tests, outpatient rehabilitation services, dental services, pharmacy services and ambulance services. It also offers childcare services from birth to 18 years of age, including vaccinations according to their age. It further provides physical, mental, dental health and nutrition education and counseling. The Medical Assistance Program of the Department of Health of Puerto Rico receives a grant through legislation of the United States Congress that is matched in fifty percent with state funds; from the total funds, an amount of up to 15 percent may be used for the administration of the Program and the remainder is distributed for the payment of direct services to patients.

The SCHIP must be reauthorized by the Federal Government on or before September 2007, in order for it to be able to continue operating and providing services to millions of children in the United States, including those of Puerto Rico. It further provides $48.1 million in benefits (a 23% increase since 2006) to low income children who do not meet the Medicaid requirements. Although Puerto Rico does not receive parity, as the other states do, these funds have benefited low income children.

The Senate of Puerto Rico recognizes the importance of the SCHIP in Puerto Rico for the welfare of children, for the prevention and treatment of childhood diseases, and for reducing the general costs of health care. It also exhorts the Government of Puerto Rico to use all resources available so that the children of our Island who are under the poverty level may have access to these health services.

BE IT RESOLVED BY THE SENATE OF PUERTO RICO:

Section 1.—To express the support of the Senate of Puerto Rico to the financing of the State Children's Health Insurance Program (SCHIP) through available federal funds, and to exhort the United States Congress to assure an increase in federal funds for the SCHIP, including the territories, as well as Puerto Rico.

Section 2.—A copy of this Resolution translated into English, shall be remitted to the President of the United States, to the Leaders of the Minority and Majority in both Chambers of Congress, to the Governor of the Commonwealth of Puerto Rico and to the Resident Commissioner in Washington.

Section 3.—This Resolution shall take effect immediately after its approval.

POM–214. A joint resolution adopted by the House of Representatives of the State of Illinois urging Congress to reauthorize the State Children's Health Insurance Program; to the Committee on Finance.

HOUSE JOINT RESOLUTION NO. 26

Whereas, the Legislature of the State of Illinois regards the health of our children to be of paramount importance to families in our State; and

Whereas, the Legislature of the State of Illinois regards poor child health as a threat to the educational achievement and social and psychological well-being of the children of our State; and

Whereas, the Legislature of the State of Illinois considers protecting the health of our children to be essential to the well-being of our youngest citizens and the quality of life in our State; and

Whereas, the Legislature considers the All Kids Program, which is currently providing health coverage to approximately 160,000 children, to be an integral part of the arrangements for health benefits for the children of the State of Illinois; and

Whereas, the Legislature recognizes the value of the All Kids Program in preserving child wellness, preventing and treating childhood disease, improving health outcomes, and reducing overall health costs; and

Whereas, the Legislature of the State of Illinois considers the federal funding available for the All Kids Program to be indispensable to providing health benefits for children of modest means: Therefore, be it

Resolved, by the House of Representatives of the Ninety-fifth General Assembly of the State of Illinois, the Senate concurring herein, That we urge the members of the Illinois delegation to the United States Congress to ensure that the Congress timely reauthorizes the State Children's Health Insurance Program (SCHIP) to ensure federal funding for the All Kids Program; and be it further

Resolved, That the Legislature proclaims that all components of State government should work together with educators, health care providers, social workers, and parents to ensure that all available public and private assistance for providing health benefits to uninsured children in this State be used to the maximum extent possible; and be it further

Resolved, That a suitable copy of this solution be sent to each member of the Illinois Congressional delegation.

POM–215. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to enact legislation to repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act; to the Committee on Finance.

HOUSE RESOLUTION NO. 134

Whereas, the federal Social Security Act includes two provisions, the Government Pension Offset and the Windfall Elimination Provision, that reduce the Social Security benefits payable to persons who are entitled to benefits under the public retirement systems of the State under certain conditions; and

Whereas, these provisions penalize individuals who dedicate the majority of their productive years to public service to the State of Illinois, including educators, police officers, and firefighters; and

Whereas, these provisions take away benefits that public employees or their spouses have earned by paying into the Social Security system; and

Whereas, these provisions often leave public employees facing poverty in their retirement; and

Whereas, the State of Illinois is benefited by the recruitment of the best and most able individuals for public employment, but is hindered from doing so because of the offset penalties; and

Whereas, these provisions discourage individuals from moving from private sector employment into positions of public employment: Therefore, be it

Resolved, by the House of Representatives of the Ninety-fifth General Assembly of the State of Illinois, That we encourage and support action by the Congress of the United States to enact legislation to repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act, or reduce the effects thereof; and be it further

Resolved, That copies of this resolution be sent to President George W. Bush and to each member of the Illinois congressional delegation.

POM–216. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act; to the Committee on Finance.

HOUSE RESOLUTION NO. 0134

Whereas, The Federal Social Security Act includes two provisions, the Government Pension Offset and the Windfall Elimination Provision, that reduce the Social Security benefits payable to persons who are entitled to benefits under the public retirement systems of the State under certain conditions; and

Whereas, These provisions penalize individuals who dedicate the majority of their productive years to public service to the State

of Illinois, including educators, police officers, and firefighters; and

Whereas, These provisions take away benefits that public employees or their spouses have earned by paying into the Social Security system; and

Whereas, These provisions often leave public employees facing poverty in their retirement; and

Whereas, The State of Illinois is benefited by the recruitment of the best and most able individuals for public employment, but is hindered from doing so because of the offset penalties; and

Whereas, These provisions discourage individuals from moving from private sector employment into positions of public employment: Therefore be it

Resolved, by the House of Representatives of the Ninety-fifth General Assembly of the State of Illinois, That we encourage and support action by the Congress of the United States to enact legislation to repeal the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act, or reduce the effects thereof; and be it further

Resolved, That copies of this resolution be sent to President George W. Bush and to each member of the Illinois congressional delegation.

POM–217. A resolution adopted by the House of Representatives of the State of Michigan urging Congress to increase efforts to provide assistance in the Darfur region of Sudan; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 59

Whereas, over the past few years, the government of Sudan and the government-backed militia have carried out a campaign of murder, rape, and terror in the Darfur region. More than 1.5 million people are estimated to have been displaced from their homes, while tens of thousands of civilians have been killed or pushed into disease and malnutrition. A 2004 cease-fire agreement has proven ineffective, and the conditions for those who have been displaced can only be described as a nightmare; and

Whereas, the United States, the United Nations, the African Union, and other nations and organizations have largely ignored the grave human rights violations and suffering that are taking place. The situation in the Darfur region is acknowledged to be ethnic cleansing and may amount to genocide; and

Whereas, while the United States and other countries have tried to bring a halt to the suffering, a greater sense of urgency needs to be brought to these efforts. Our country must do all it can to influence the leadership of the United Nations to increase the number of troops on the ground to protect civilians and to bring pressure on the Sudanese government to halt its illegal and immoral acts. Clearly, the United States must play a leadership role in working with other nations, the United Nations, and the African Union in the effort to bring relief to this region of sorrows: Now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States and the United States State Department to increase efforts to halt the violence and to provide humanitarian assistance to the victims of the atrocities in the Darfur region of Sudan; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the United States Secretary of State, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–218. A resolution adopted by the House of Representatives of the State of Michigan urging Congress to enact legislation to prohibit federal funds from going to any business or entity that works with the Sudanese government; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 63

Whereas, with casualties running in the hundreds of thousands and millions displaced, the humanitarian crisis in the Darfur region of the Sudan has defied solution for many years. The heartbreaking atrocities being carried out by the Sudanese government and the Janjaweed militia, which were acknowledged to be genocide by the Bush administration in 2004, clearly cannot be brought to a halt by diplomatic means or by the weight of criticism from around the world; and

Whereas, with each report of tribal massacre, rape, and unspeakable cruelty, the need for effective action grows. Many are reminded of the pressures that were brought to bear upon the South African system of apartheid a generation ago by a rising tide of economic sanctions from the United States and other countries; and

Whereas, it is long past time for the United States to put in place formal measures to halt the flow of American dollars to any entity or business that works with the Sudanese government in any capacity other than those that are purely humanitarian or peacekeeping in nature. Government contracts and pension funds must not be going to businesses or entities operating in the Sudan. American businesses dealing with the Sudanese government should disclose their actions. It is a moral imperative that we must make every possible effort to stop the atrocities so that a long-term solution to the region's problems can be found: Now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to prohibit federal funds from going to any business or entity that works with the Sudanese government in any capacity other than solely humanitarian or peacekeeping efforts; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–219. A resolution adopted by the House of Representatives of the State of Rhode Island urging Congress to fulfill its funding commitments under the Individuals with Disabilities Education Act; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 5227

Whereas, more than thirty years ago, the Congress of the United States enacted the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) with a commitment of forty percent (40%) federal funding for the costs to local school districts and states to carry out the mandates of the Individuals with Disabilities Education Act (''IDEA''); and

Whereas, in 1994, the Congress of the United States recognized their ''commitment of forty percent (40%) federal funding'' was not being met, and states were only being federally funded at a rate of eight percent (8%).

Whereas, the federal appropriation of 10 billion dollars for the 2004 federal fiscal year funded only eighteen and sixty-five hundredths percent (18.65%), and the 10.6 billion dollars for FY 2005 covers only about nineteen percent (19%) of the special education tab. For FY 2006, funding was only at seventeen and eight-tenths percent (17.8%) of the national average per pupil expenditure, still well below the forty percent (40%) federal contribution commitment; and

Whereas, local school districts in Rhode Island and throughout the United States are mandated to meet the spiraling costs of carrying out the provisions of IDEA; and

Whereas, the failure of the Congress of the United States to fully fund its original commitment of forty percent (40%) federal funding has placed a severe burden upon local school districts to meet the costs of the federal mandate, resulting in an insufferable burden upon local taxpayers and diversion of funds from other education programs, thus lessening the quality of education; and

Whereas, more than thirty years after the enactment of IDEA, it is time that the Congress of the United States appropriate the funds necessary to fully fund its original commitment to provide forty percent (40%) federal funding of the costs incurred carrying out the provisions of IDEA: Now, therefore be it

Resolved, That this House of Representatives of the State of Rhode Island and Providence Plantations hereby memorializes the Congress of the United States to fulfill the original commitment of the Congress of the United States to provide for forty percent (40%) federal funding to local school districts to carry out the mandates of the Individuals with Disabilities Education Act; and be it further

Resolved, That the Secretary of State be and he hereby is authorized and directed to transmit duly certified copies of this resolution to: (1) each member of the Rhode Island delegation in the Congress of the United States; (2) the President of the United States; (3) the President of the Senate in the Congress of the United States; (4) the Speaker of the House of Representatives in the Congress of the United States; (5) the Chairmen of the Health, Education, Labor and Pensions Committees in the Senate in the Congress of the United States; and (6) the Chairmen of the Education and the Workforce Committees in the House of Representatives in the Congress of the United States.

POM–220. A joint resolution adopted by the Senate of the State of California urging Congress to renew the Special Statutory Funding Program for Type I Diabetes Research; to the Committee on Health, Education, Labor, and Pensions.

SENATE JOINT RESOLUTION NO. 8

Whereas, diabetes is a chronic, debilitating disease affecting every organ system; and

Whereas, Type 1 diabetes is an autoimmune disease in which a person's pancreas stops producing insulin, a hormone that enables people to get energy from food; and

Whereas, Type 1 diabetes is a nonpreventable and so far incurable chronic disease that is one of the most prevalent diseases affecting children; and

Whereas, Type 2 diabetes is a metabolic disorder in which a person's body still produces insulin but is unable to use it effectively; and

Whereas, Type 2 diabetes disproportionately affects the African-American, Latino, Native American, and Pacific Islander communities; and

Whereas, diabetes affects nearly 21 million American and over two million Californians and is on the rise; and

Whereas, diabetes is the most costly chronic disease, costing the California health care system over 12 billion per year; and

Whereas, the complications from diabetes have devastating effects, such as kidney failure, blindness, nerve damage, amputation, heart attack and stroke; and

Whereas, diabetes is the seventh leading cause of death in California; and

Whereas, caring for diabetic students in public schools has further complicated the lives of parents, students, and school staff alike; and

Whereas, diabetes has significant indirect economic costs in lost production estimated over $37 billion nationwide; and

Whereas, researching a cure for type 1 diabetes will assist in curing type 2 diabetes and many other autoimmune diseases; and

Whereas, finding a cure for diabetes will be far more cost effective than life-long treatment and will improve the quality of life and life expectancy of millions of Americans; and

Whereas, funding for the federal Special Statutory Funding Program for Type 1 Diabetes Research, as mandated by Section 330B of the Public Health Service Act, ends with the 2008 fiscal year; and

Whereas, funding for the Special Diabetes Program for Indians, as mandated by Section 330C of the Public Health Service Act, ends with the 2008 fiscal year: Now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California proclaims its intention to develop a state-funded program for diabetes research; and be it further

Resolved, That the Legislature of the State of California urges the President and Congress of the United States to renew the Special Statutory Funding Program for Type 1 Diabetes Research and the Special Diabetes Program for Indians; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States.

POM–221. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to consider certain issues while contemplating reauthorization of the No Child Left Behind Act of 2001; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 396

Whereas, the federal No Child Left Behind Act of 2001 (NCLB) requires reauthorization in 2007: Therefore be it

Resolved by the House of Representatives of the Ninety-fifth General Assembly of the State of Illinois, That we urge the United States Congress to address the following concerns when considering the reauthorization of NCLB:

(1) allow states the flexibility to use growth model assessment models to enhance existing measures of student progress;

(2) provide flexibility in program implementation with respect to varying student and teacher needs related to diversity of geography, wealth, and background;

(3) revise assessment guidelines for special needs students so that such students are more fairly assessed considering their specific individualized education programs and, therefore, better served;

(4) resolve other contradictions between NCLB and the Individuals with Disabilities Education Act (IDEA);

(5) address issues arising from students who are counted in multiple groups when determining adequate yearly progress;

(6) allow schools to offer, and provide full funding for, important supplemental education services before schools are forced to offer choice;

(7) provide greater flexibility when determining the sizes of groups regarding assessment subgroups;

(8) school improvement grants must be funded so that the sanctions placed on schools will result in improved student achievement and the reversal of negative trends;

(9) seek greater consistency in state certification criteria and the federal ''highly qualified'' designation;

(10) the highly qualified teacher provisions of NCLB require clarification, greater flexibility regarding alignment with state certification, and appropriate, specific, technical assistance in order to ensure compliance; and

(11) resident school districts of special needs students attending private schools must pay for IDEA services delivered at a private school; and be it further

Resolved, That suitable copies of this resolution be delivered to President of the United States George W. Bush, United States Secretary of Education Margaret Spellings, and each member of the Illinois congressional delegation.

POM–222. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to pass legislation that would allow not-for-profit organizations and family members to mail without charge on two days of every month; to the Committee on Homeland Security and Governmental Affairs.

HOUSE RESOLUTION NO. 622

Whereas, legislation has been introduced in previous years to provide free mailing privileges for letters and packages to American troops overseas; two bills have been introduced into the 109th Congress—H.R. 923 and H.R. 2874 (H.R. 2874 supersedes H.R. 887, a very similar bill introduced by former Representative Harold Ford on February 17, 2005); and

Whereas, H.R. 923, the Mailing Support to Troops Act of 2005 (introduced on February 17, 2005 by Representative Fossella, with 71 current cosponsors), in its original form would allow family members of service personnel to mail letters and packages free of charge to active members of the military serving in Afghanistan or Iraq and to servicemen and women hospitalized as a result of disease or injury suffered in Afghanistan or Iraq; mailers would need only to write on the envelope or box, ''Free Matter for Member of the Armed Forces of the United States'', or words to that effect specified by the Postal Service (USPS); mail matter that contains any advertising would specifically be excluded; H.R. 923 would authorize appropriations to reimburse USPS for its extra expenses in transporting such mail; H.R. 923 was referred to the Committee on Government Reform; and

Whereas, H.R. 2874, the Supply Our Soldiers Act of 2005, was introduced by Representative Ford on June 14, 2005, and had 31 cosponsors; it would attempt to make it easier for families and charities to ship letters and packages to soldiers serving in combat zones; soldiers mobilizing for overseas duty would be given an allotment of special stamps (equivalent in value to $150 per calendar quarter) that they can send to their loved ones, or to selected charities, to allow them to send letters and packages without further postage to the service members; there would be a 10-pound limit on packages sent to individuals; the Postal Service would be reimbursed by the Defense Department for providing this service, and Section 3 of the bill would authorize appropriations to the Defense Department for this purpose and for any other expenses it incurs; by putting individual service men and women into the authorization chain for the mail they receive this bill would avoid the problem of subsidizing unsolicited mail to the troops; additionally, by capping the allotment per service member, it would mitigate potential stress on the military postal system; H.R. 2874 was referred to the Committees on Armed Services and Government Reform; and

Whereas, on September 29, 2005, the House Committee on Government Reform marked up H.R. 923, and in doing so, accepted an amendment in the nature of a substitute that adopted the core concept, as well as the title, of H.R. 2874; as amended and ordered to be reported by voice vote of the Committee, H.R. 923 requires the Department of Defense, in consultation with the Postal Service, to establish a one-year program under which qualified members of the armed services would receive a monthly voucher that can be redeemed, by their families or friends, to pay the postal expenses of sending one letter or parcel (weighing up to 15 pounds) to the service member; the Department of Defense would reimburse the Postal Service for the postal benefits provided by the vouchers; Committee Chairman Tom Davis said that the substitute language had the approval of Representative Fossella, the Committee on Armed Services, and the Postal Service; the Congressional Budget Office estimated that nearly all of the about 145,000 American service personnel who would be eligible for the postage benefit would take advantage of it, and assigned it a budget cost of $30 million over fiscal years 2006 and 2007; and

Whereas, the language of H.R. 923 was added by the House Armed Services Committee as Sections 575, 576 (''Funding''), and 577 (''Duration'') to H.R. 5122, the Sonny Montgomery National Defense Authorization Act for fiscal Year 2007; H.R. 5122 was passed by the House on May 11, 2006; on June 22, 2006, the Senate substituted its own defense authorization language for the House language and passed H.R. 5122; the Senate version does not contain the postal benefits authorized in the House bill, so whether the language survives is now a matter to be decided by the conference committee; therefore, be it

Resolved, by the House of Representatives of the Ninety-Fifth General Assembly of the State of Illinois, That we urge the Congress of the United States to pass legislation that would allow not-for-profit organizations and family members to mail without charge, twice per month, on the first and 15th day of each month, letters and packages to members of the U.S. Armed Services in combat zones; and be it further

Resolved, That suitable copies of this resolution be delivered to the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, and each member of the Illinois congressional delegation.

POM–223. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to support a constitutional amendment to allow foreign-born citizens to run for President; to the Committee on the Judiciary.

HOUSE RESOLUTION NO. 71

Whereas, many Americans adopt children from countries and raise them in the United States; and

Whereas, these foreign-born children automatically become United States citizens upon adoption; and

Whereas, we tell these children that we live in a free society where men and women have equal rights and equal worth, that they control their own destinies, and that their opportunities are limitless; then these children are denied the ability to seek the highest office in the land, because of the circumstances of their birth; therefore, be it

Resolved, by the House of Representatives of the Ninety-Fifth General Assembly of the State of Illinois, That we urge the United States Congress to support a constitutional amendment to allow foreign-born citizens to run for President of the United States; and be it further

Resolved, That a suitable copy of this resolution be presented to the Majority Leader of the United States Senate, the Minority Leader of the Senate, the Speaker of the United States House of Representatives, the Minority Leader of the House of Representatives, and to each member of the Illinois congressional delegation.

POM–224. A resolution adopted by the House of Representatives of the State of Missouri urging Congress to repeal the REAL ID Act; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 20

Whereas in May 2005, the United States Congress enacted the REAL ID Act of 2005 as part of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief Act (PL 109–13), which was signed by President Bush on May 11, 2005, and which becomes effective May 11, 2008; and

Whereas some of the requirements of the REAL ID Act are that states shall:

(1) Issue a driver's license or state identification card in a uniform format, containing uniform information, as prescribed by the federal Department of Homeland Security;

(2) Verify the issuance, validity, and completeness of all primary documents used to issue a driver's license, such as those showing that the bearer is a United States citizen or a lawful alien, a lawful refugee, or a person holding a valid visa;

(3) Provide for secure storage of all primary documents that are used to issue a federally approved driver's license or state identification card;

(4) Provide fraudulent document recognition training to all persons engaged in issuing driver's licenses or state identification cards; and

(5) Issue a driver's license or state identification card in a prescribed format if it is a license or card that does not meet the criteria provided for a federally approved license or identification card; and

Whereas use of the federal minimum standards for state driver's licenses and state-issued identification cards will be necessary for any type of federally regulated activity for which an identification card must be displayed, including flying in a commercial airplane, making transactions with a federally licensed bank, entering building, or making application for federally supported public assistance benefits, including Social Security; 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 secured in the Missouri Constitution, for thousands of residents of Missouri; and

Whereas the American Association of Motor Vehicle Administrators, the National Governors' Association, and the National Conference of State Legislatures have estimated, in an impact analysis dated September 2006, that the cost to the states to implement the REAL ID Act will be more than $11 billion over 5 years, and it is estimated that the implementation of the REAL ID Act will cost Missouri millions to fully implement the Act, none of such costs being paid for by the federal government; and

Whereas for all of these reasons, the American Association of Motor Vehicle Administrators, the National Governors' Association, and the National Conference of State Legislatures, in a letter dated March 17, 2005, to the majority and minority leaders of the United States Senate, opposed the adoption of the REAL ID Act, but the opposition of those groups, and the groups' request that Congress rely on driver's license security provisions already passed by Congress in the Intelligence Reform and Terrorism Prevention Act of 2004, was largely ignored by Congress; and

Whereas the regulations that are to be adopted by the U.S. Department of Homeland Security to implement the requirements of the REAL ID Act have yet to be adopted and, in reality, will probably not become effective until the Spring of 2007, effectively giving the states only one year in which to become familiar with the implementing regulations and comply with those regulations and the requirements of the REAL ID Act; and

Whereas the mandate to the states, through federal legislation that provides no funding for its requirements, to issue what is, in effect, a national identification card appears to be an attempt to ''commandeer'' the political machinery of the states and to require the states to be agents of the federal government, in violation of the principles of federalism contained in the Tenth Amendment to the United States Constitution, as interpreted by the United States Supreme Court in New York v. United States, 488 U.S. 1041 (1992), United States v. Lopez, 514 U.S. 549 (1995), and Priniz v. United States, 521 U.S. 898 (1997):

Whereas state legislatures in Georgia, Massachusetts, Montana, New Mexico, New Hampshire, and Washington, have, through legislation or resolutions, opposed the implementation of the REAL ID Act; and

Whereas the Missouri General Assembly affirms its abhorrence of and opposition to global terrorism, and affirms its commitment to protecting the civil rights and civil liberties of all Missouri residents and opposes any measures, including the REAL ID Act, that unconstitutionally infringe upon those civil rights and civil liberties: now therefore, be it

Resolved, That the members of the House of Representatives, Ninety-Fourth General Assembly, First Regular Session, the Senate concurring therein, hereby calls on Congress to repeal the REAL ID Act; and be it further

Resolved, That the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution and be immediately transmitted to the Honorable George W. Bush, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives; and each member of Congress from the State of Missouri.

POM–225. A joint resolution adopted by the House of Representatives of the State of Illinois supporting the campaign against terrorism; to the Committee on the Judiciary.

JOINT RESOLUTION NO. 27

Whereas, the State of Illinois recognizes the Constitution of the United States as our charter of liberty and that the Bill of Rights enshrines the fundamental and inalienable rights of Americans, including the freedoms of privacy and from unreasonable searches; and

Whereas, each of Illinois' duly elected public servants has sworn to defend and uphold the United States Constitution and the Constitution of the State of Illinois; and

Whereas, the State of Illinois denounces and condemns all acts of terrorism by any entity, wherever the acts occur; and

Whereas, terrorist attacks against Americans, such as those that occurred on September 11, 2001, have necessitated the crafting of effective laws to protect citizens of the United States and others from terrorist attacks; and

Whereas, any new security measures of federal, state, and local governments should be carefully designed and employed to enhance public safety without infringing on the civil liberties and rights of innocent citizens of Illinois and the United States; and

Whereas, the federal Real ID Act of 2005 creates a national identification card by requiring uniform information be placed on every state drivers' license, requiring this information to be machine-readable in a standard format and requiring this card for any federal purpose including air travel; and

Whereas, Real ID will be a costly unfunded mandate on the State with the National Governors' Association, the National Conference of State Legislators, and the American Association of Motor Vehicle Administrators estimating that Real ID will cost at least $11 billion nationally over the next 5 years; and

Whereas, Real ID requires the creation of a massive public sector database containing the drivers' license information on every American, accessible to every state motor vehicle employee and state and federal law enforcement officer; and

Whereas, Real ID enables the creation of an additional massive private sector database of drivers' license information gained from scanning the machine-readable information contained on every driver's license; and

Whereas, these public and private databases are certain to contain numerous errors and false information, creating significant hardship for Americans attempting to verify their identity 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 Federal Trade Commission estimates that 10 million Americans are victims of identity theft annually and these thieves are increasingly targeting motor vehicle departments, Real ID will enable the crime of identity theft by making the personal information of all Americans including name, date of birth, gender, driver's license or identification card number, digital photograph, address, and signature accessible from tens of thousands of locations; and

Whereas, Real ID requires the drivers' licenses to contain actual home addresses in all cases and makes no provision for securing personal information for individuals in potential danger such as undercover police officers and victims of stalking or criminal harassment; and

Whereas, Real ID contains no exemption for religion, limits religious liberty, and tramples the beliefs of groups such as the Amish and some Evangelical Christians; and

Whereas, Real ID contains onerous record verification and retention provisions that place unreasonable burdens on both state Driver Services offices and on third parties required to verify records; and

Whereas, Real ID will likely place enormous burdens on consumers seeking a new driver's license including longer lines, higher costs, increased document requests, and a waiting period; and

Whereas, Real ID will put under-resourced motor vehicle administration staff on the front lines of immigration enforcement by forcing them to determine citizenship status, increasing the potential for discrimination based on race and ethnicity, and placing an excessive burden on foreign-born license applicants and motor vehicle staff; and

Whereas, Real ID was passed without sufficient deliberation by Congress and never received a hearing by any Congressional committee or any vote solely on its own merits; and

Whereas, Real ID eliminated a process of negotiated rulemaking initiated under the Intelligence Reform and Terrorism Prevention Act of 2004, which had convened federal, state, and local policy makers, privacy advocates, and industry experts to solve the problem of misuse in identity documents; and

Whereas, more than 600 organizations opposed the passage of Real ID including the American Civil Liberties Union of Illinois; and

Whereas, Real ID would provide little security benefit and still leave identification systems open to insider fraud, counterfeit documentation, and database failures: Therefore be it

Resolved, by the House of Representatives of the Ninety-Fifth General Assembly of the State of Illinois, the Senate concurring herein, That the Illinois General Assembly supports the Government of the United States in its campaign against terrorism and affirms the commitment of the United States that the campaign not be waged at the expense of essential civil rights and liberties of citizens of this country that are protected in the United States Constitution and the Bill of Rights; and be it further

Resolved, That the members of the Illinois General Assembly oppose any portion of the Real ID Act that violates the rights and liberties guaranteed under the Illinois Constitution or the United States Constitution, including the Bill of Rights; and be it further

Resolved, That the Illinois General Assembly urges the Illinois Congressional delegation in the United States Congress to support measures to repeal the Real ID Act of 2005; and be it further

Resolved, That a copy of this resolution be delivered to President George W. Bush, Attorney General Alberto R. Gonzales, Governor Rod R. Blagojevich, Senator Richard Durbin, Senator Barack Obama, and each of the members of the Illinois Congressional delegation.

POM–226. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to enact legislation making each federal election day a national holiday; to the Committee on the Judiciary.

HOUSE RESOLUTION NO. 50

Whereas, citizen participation in the electoral process is the cornerstone of our American democracy; and

Whereas, unfortunately, the rate of voter turnout for elections in this country has declined over the years and is lower than the rate enjoyed by some other democracies around the world; and

Whereas, Germany and Italy, for instance, have experienced a growth in their percentages of voter participation since making their election days national holidays; and

Whereas, making each federal election day a national holiday in the United States would make it easier for Americans to get to the polls, and election authorities would find a greater number of election workers and accessible buildings available; therefore, be it

Resolved, by the House of Representatives of the Ninety-Fifth General Assembly of the State of Illinois, That we urge the United States Congress to enact, and the President to approve, legislation making each federal election day a national holiday; and be it further

Resolved, That copies of this resolution be presented to the President of the United States, the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate, and each member of the Illinois congressional delegation.

POM–227. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to do what is necessary to ensure that returning veterans get the best in healthcare; to the Committee on Veterans' Affairs.

HOUSE RESOLUTION NO. 375

Whereas, a significant growth in Post-Traumatic Stress Disorder (PTSD) has been identified over the past few years with the escalation of combat veterans returning home from the Iraq and Afghanistan conflicts; nation-wide calls for more assistance for those returning with mental issues as a result of combat have been growing, and this resolution is in response to those calls; and

Whereas, as of January 2007, more than 1.6 million U.S. service men and women had served in Afghanistan and Iraq; and

Whereas, in October 2005, the U.S. Department of Veterans Affairs reported that more than 430,000 U.S. soldiers have been discharged from the military following service in Afghanistan and Iraq; more than 119,000 have sought help for medical or mental health issues from the Department of Veterans Affairs to date; and

Whereas, in January 2006, the Journal of the American Medical Association reported that 35% of Iraq Veterans have already sought help for mental health concerns; a 2003 New England Journal of Medicine Study found that more than 60% of Operation Iraqi Freedom/Operation Enduring Freedom veterans showing symptoms of PTSD were unlikely to seek help due to fears of stigmatization or loss of career advancement opportunities; and

Whereas, in 2005, the Department of Veterans Affairs reported that 18% of Afghanistan Veterans and 20% of Iraq Veterans in their care were suffering from some type of service-connected psychological disorder; and

Whereas, the Department of Veterans Affairs has seen a tenfold increase in PTSD cases in 2006; according to the VA, more than 37,000 Vets of Iraq and Afghanistan are suffering from mental health disorders, and more than 16,000 have already been diagnosed with PTSD; and

Whereas, according to the Army, since March 2003, at least 45 U.S. soldiers and 9 Marines have committed suicide in Iraq; at least 20 soldiers and 23 Marines have committed suicide since returning home, though exact numbers are not available; and

Whereas, the United States Congress is currently considering H.R. 612, H.R. 1538, S. 713, and H.R. 1268, which address the tragic Post-Traumatic Stress Disorder situation among our returning veterans; therefore, be it

Resolved, by the House of Representatives of the Ninety-Fifth General Assembly of the State of Illinois, That our returning veterans deserve the very best in healthcare, including mental care, and that both the Federal Government and State Governments must work together to provide this healthcare; and be it further

Resolved, That the State of Illinois wishes to be a model State for the medical care that we offer to our returning soldiers in joint partnership with the Federal Government; and be it further

Resolved, That we urge Congress to act on H.R. 612, H.R. 1538, S. 713, and H.R. 1268 for the safety and well-being of our returning veterans who face mental illness caused by their fulfillment of their duties; and be it further

Resolved, That suitable copies of this resolution be sent to the Majority Leader and the Minority Leader of the U.S. Senate, the Speaker and the Minority Leader of the U.S. House of Representatives, the Illinois Congressional Delegation, and the Director of the Illinois Department of Veterans' Affairs.

POM–228. A concurrent resolution adopted by the Legislature of the State of Texas urging Congress to support the Belated Thank You to the Merchant Mariners of World War II Act of 2005; to the Committee on Veterans' Affairs.

HOUSE CONCURRENT RESOLUTION NO. 16

Whereas, the United States Merchant Marine is made up of a fleet of ships used for commercial transport during peace time and as an auxiliary to the United States Navy during times of war; and

Whereas, the members of the U.S. Merchant Marine served the United States bravely in World War II, suffering the highest casualty rate of any branch of the military; in spite of their dedicated and heroic service, these men and women are not considered veterans under the Social Security Act, thereby denying them the financial support in their later years that is afforded to those whom they served alongside in war time; and

Whereas, merchant mariners are considered military personnel in times of war and have an illustrious history of defending this country that started with contributing to American independence by disrupting the British supply chain during the Revolutionary War; and

Whereas, the Merchant Marine ranks during World War II were filled through campaigns by the War Shipping Administration and military recruiters, served under the auspices of the military, included transferred members from other branches of the military, and instructed by their commanders about the critical, patriotic importance of service on troop and supply ships; and

Whereas, the delivery of tanks, aircraft, jeeps, gasoline, medicine, and food rations by the Merchant Marine to troops in every theater of World War II was integral to the Allies' victory; and

Whereas, despite accolades from then General Dwight D. Eisenhower and President Franklin D. Roosevelt for the vital military contribution and service in every invasion from Normandy to Okinawa, the merchant mariners were excluded from the GI Bill of Rights enacted in 1945, and for 43 years the U.S. government denied them benefits ranging from housing to health care until Congress awarded them veterans' status in 1988—too late for 125,000 mariners to benefit, roughly half of those who had served; moreover, these merchant mariners continue to be denied veterans' benefits under the Social Security Act; and

Whereas, the Belated Thank You to the Merchant Mariners of World War II Act of 2005 appropriately honors the service of World War II merchant mariners and attempts to rectify the previous denial of financial benefits by providing a monthly monetary benefit, from the U.S. Department of Veterans Affairs, for each Merchant Marine World War II veteran, or surviving spouse, and bestowing veteran status upon them under the Social Security Act, qualifying these brave individuals for Social Security veterans' benefits: Now, therefore, be it

Resolved, That the 80th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to support the

Belated Thank You to the Merchant Mariners of World War II Act of 2005; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the CONGRESSIONAL RECORD as a memorial to the Congress of the United States of America.

REPORTS OF COMMITTEES DURING ADJOURNMENT OF THE SENATE

Under the authority of the order of the Senate of January 4, 2007, the following reports of committees were submitted on September 14, 2007.

By Mr. BYRD (for Mr. INOUYE), from the Committee on Appropriations, with an amendment in the nature of a substitute.

H.R. 3222. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes (Rept. No. 110–155).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 471. A bill 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 an historical interpretive site along the trail (Rept. No. 110–156).

S. 637. A bill 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, and for other purposes (Rept. No. 110–157).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 645. A bill to amend the Energy Policy Act of 2005 to provide an alternate sulfur dioxide removal measurement for certain coal gasification project goals (Rept. No. 110–158).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1182. A bill 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 (Rept. No. 110–159).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 1203. A bill to enhance the management of electricity programs at the Department of Energy (Rept. No. 110–160).

S. 1728. A bill to amend the National Parks and Recreation Act of 1978 to reauthorize the Na Hoa Pili O Kaloko-Honokohau Advisory Commission (Rept. No. 110–161).

H.R. 85. A bill to provide for the establishment of centers to encourage demonstration and commercial application of advanced energy methods and technologies (Rept. No. 110–162).

H.R. 247. A bill 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 (Rept. No. 110–163).

H.R. 407. A bill to direct the Secretary of the Interior to conduct a study to determine the feasibility of establishing the Columbia-Pacific National Heritage Area in the States of Washington and Oregon, and for other purposes (Rept. No. 110–164).

H.R. 995. A bill 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 (Rept. No. 110–165).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment and with a preamble:

H. Con. Res. 116. A concurrent resolution expressing the sense of Congress that the National Museum of Wildlife Art, located in Jackson, Wyoming, shall be designated as the ''National Museum of Wildlife Art of the United States'' (Rept. No. 110–166).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 169. A bill 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, and for other purposes (Rept. No. 110–167).

S. 278. A bill to establish a program and criteria for National Heritage Areas in the United States, and for other purposes (Rept. No. 110–168).

S. 289. A bill to establish the Journey Through Hallowed Ground National Heritage Area, and for other purposes (Rept. No. 110–169).

S. 443. A bill to establish the Sangre de Cristo National Heritage Area in the State of Colorado, and for other purposes (Rept. No. 110–170).

S. 444. A bill to establish the South Park National Heritage Area in the State of Colorado, and for other purposes (Rept. No. 110–171).

S. 647. A bill to designate certain land in the State of Oregon as wilderness, and for other purposes (Rept. No. 110–172).

S. 722. A bill 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 (Rept. No. 110–173).

S. 800. A bill to establish the Niagara Falls National Heritage Area in the State of New York, and for other purposes (Rept. No. 110–174).

S. 817. A bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide additional authorizations for certain National Heritage Areas, and for other purposes (Rept. No. 110–175).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

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 (Rept. No. 110–176).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 955. A bill to establish the Abraham Lincoln National Heritage Area, and for other purposes (Rept. No. 110–177).

S. 1089. A bill to amend the Alaska Natural Gas Pipeline Act to allow the Federal Coordinator for Alaska Natural Gas Transportation Projects to hire employees more efficiently, and for other purposes (Rept. No. 110–178).

S. 1148. A bill to establish the Champlain Quadricentennial Commemoration Commission and the Hudson-Fulton 400th Commemoration Commission, and for other purposes (Rept. No. 110–179).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 1100. A bill to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes (Rept. No. 110–180).

H.R. 1126. A bill to reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988 (Rept. No. 110–181).

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. CONRAD (for himself and Ms. COLLINS):

S. 2051. A bill to amend the small rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself, Mr. SPECTER, and Mr. FEINGOLD):

S. 2052. A bill to allow for certiorari review of certain cases denied relief or review by the United States Court of Appeals for the Armed Forces; to the Committee on the Judiciary.

By Mr. FEINGOLD (for himself and Mr. LEAHY):

S. 2053. A bill to amend part A of title I of the Elementary and Secondary Education Act of 1965 to improve elementary and secondary education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mrs. CLINTON):

S. 2054. A bill to authorize the Secretary of Housing and Urban Development to make grants to assist cities with a vacant housing problem, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DODD:

S. 2055. A bill for the relief of Alejandro Gomez and Juan Sebastian Gomez; to the Committee on the Judiciary.

By Mr. ROCKEFELLER (for himself, Mr. KYL, Mrs. MCCASKILL, Mr. VITTER, Ms. SNOWE, Mr. COBURN, Mrs. DOLE, Mr. DOMENICI, Mr. INHOFE, Mr. COLEMAN, Mr. CORNYN, Mr. MARTINEZ, Mr. HAGEL, Mr. COCHRAN, and Mr. LOTT):

S. 2056. A bill to amend title XVIII of the Social Security Act to restore financial stability to Medicare anesthesiology teaching programs for resident physicians; to the Committee on Finance.

By Mr. AKAKA:

S. 2057. A bill to reauthorize the Merit Systems Protection Board and the Office of Special Counsel, to modify the procedures of the Merit Systems Protection Board and the Office of Special Counsel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEVIN:

S. 2058. A bill to amend the Commodity Exchange Act to close the Enron loophole, prevent price manipulation and excessive speculation in the trading of energy commodities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself and Mr. CORNYN):

S. Con. Res. 45. A concurrent resolution commending the Ed Block Courage Award Foundation for its work in aiding children and families affected by child abuse, and designating November 2007 as National Courage Month; to the Committee on the Judiciary.

By Mr. OBAMA:

S. Con. Res. 46. A concurrent resolution supporting the goals and ideals of Sickle Cell Disease Awareness Month; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 29

At the request of Mr. VITTER, his name was added as a cosponsor of S. 29, a bill to clarify the tax treatment of certain payments made to homeowners by the Louisiana Recovery Authority and the Mississippi Development Authority.

S. 36

At the request of Mr. THUNE, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 36, a bill to amend the Farm Security and Rural Investment Act to establish a biofuels promotion program to promote sustainable production of biofuels and biomass, and for other purposes.

S. 65

At the request of Mr. INHOFE, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 65, a bill to modify the age-60 standard for certain pilots and for other purposes.

S. 154

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 154, a bill to promote coal-to-liquid fuel activities.

S. 155

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 155, a bill to promote coal-to-liquid fuel activities.

S. 283

At the request of Mr. BINGAMAN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 283, a bill to amend the Compact of Free Association Amendments Act of 2003, and for other purposes.

S. 380

At the request of Mr. WYDEN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 380, a bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes.

S. 469

At the request of Mr. BAUCUS, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 469, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 613

At the request of Mr. LUGAR, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 613, a bill to enhance the overseas stabilization and reconstruction capabilities of the United States Government, and for other purposes.

S. 626

At the request of Mr. KENNEDY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 626, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 644

At the request of Mrs. LINCOLN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 644, a bill to amend title 38, United States Code, to recodify as part of that title certain educational assistance programs for members of the reserve components of the Armed Forces, to improve such programs, and for other purposes.

S. 645

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 645, a bill to amend the Energy Policy Act of 2005 to provide an alternate sulfur dioxide removal measurement for certain coal gasification project goals.

S. 648

At the request of Mr. CHAMBLISS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 648, a bill to amend title 10, United States Code, to reduce the eligibility age for receipt of non-regular military service retired pay for members of the Ready Reserve in active federal status or on active duty for significant periods.

S. 667

At the request of Mrs. CLINTON, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 667, a bill to expand programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and for other purposes.

S. 721

At the request of Mr. ENZI, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 721, a bill to allow travel between the United States and Cuba.

S. 773

At the request of Mr. WARNER, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Texas (Mr. CORNYN) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 773, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 803

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts (Mr. KERRY) 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. 805

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 805, a bill to amend the Foreign Assistance Act of 1961 to assist countries in sub-Saharan Africa in the effort to achieve internationally recognized goals in the treatment and prevention of HIV/AIDS and other major diseases and the reduction of maternal and child mortality by improving human health care capacity and improving retention of medical health professionals in sub-Saharan Africa, and for other purposes.

S. 819

At the request of Mr. DORGAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 819, a bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes.

S. 908

At the request of Mr. COLEMAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 908, a bill to establish a Consortium on the Impact of Technology in Aging Health Services.

S. 935

At the request of Mr. NELSON of Florida, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 935, a bill to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 962

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 962, a bill to amend the Energy Policy Act of 2005 to reauthorize and improve the carbon capture and storage research, development, and demonstration program of the Department of Energy and for other purposes.

S. 969

At the request of Mr. CARDIN, his name was added as a cosponsor of S. 969, a bill to amend the National Labor Relations Act to modify the definition of supervisor.

S. 1015

At the request of Mr. COCHRAN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1015, a bill to reauthorize the National Writing Project.

S. 1159

At the request of Mr. HAGEL, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1159, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 1160

At the request of Ms. STABENOW, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1160, a bill to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American

consumers and international markets by enhancing the competitiveness of United States-grown specialty crops.

S. 1172

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1172, a bill to reduce hunger in the United States.

S. 1175

At the request of Mr. DURBIN, the names of the Senator from Illinois (Mr. OBAMA) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 1175, a bill to end the use of child soldiers in hostilities around the world, and for other purposes.

S. 1190

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1190, a bill to promote the deployment and adoption of telecommunications services and information technologies, and for other purposes.

S. 1257

At the request of Mr. LIEBERMAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1257, a bill to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

S. 1261

At the request of Ms. CANTWELL, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1261, a bill to amend title 10 and 38, United States Code, to repeal the 10-year limit on use of Montgomery GI Bill educational assistance benefits, and for other purposes.

S. 1267

At the request of Mr. LUGAR, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1267, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 1443

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 1443, a bill to provide standards for renewable fuels and coal-derived fuels.

S. 1451

At the request of Mr. WHITEHOUSE, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1451, a bill to encourage the development of coordinated quality reforms to improve health care delivery and reduce the cost of care in the health care system.

S. 1545

At the request of Mr. SALAZAR, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1545, a bill to implement the recommendations of the Iraq Study Group.

S. 1638

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1638, a bill to adjust the salaries of Federal justices and judges, and for other purposes.

S. 1669

At the request of Ms. STABENOW, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1669, a bill to amend titles XIX and XXI of the Social Security Act to ensure payment under Medicaid and the State Children's Health Insurance Program (SCHIP) for covered items and services furnished by school-based health clinics.

S. 1718

At the request of Mr. BROWN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1718, a bill to amend the Servicemembers Civil Relief Act to provide for reimbursement to servicemembers of tuition for programs of education interrupted by military service, for deferment of student loans and reduced interest rates for servicemembers during periods of military service, and for other purposes.

S. 1760

At the request of Mr. BROWN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1760, a bill to amend the Public Health Service Act with respect to the Healthy Start Initiative.

S. 1800

At the request of Mrs. CLINTON, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1800, a bill to amend title 10, United States Code, to require emergency contraception to be available at all military health care treatment facilities.

S. 1827

At the request of Mr. COCHRAN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1827, a bill to amend title XVIII of the Social Security Act to require prompt payment to pharmacies under part D, to restrict pharmacy cobranding on prescription drug cards issued under such part, and to provide guidelines for Medication Therapy Management Services programs offered by prescription drug plans and MA–PD plans under such part.

S. 1842

At the request of Mr. KENNEDY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor 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 name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor 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. 1885

At the request of Mr. OBAMA, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 1885, a bill to provide certain employment protections for family members who are caring for members of the Armed Forces recovering from illnesses and injuries incurred on active duty.

S. 1895

At the request of Mr. REED, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from Minnesota (Mr. COLEMAN), the Senator from New York (Mrs. CLINTON) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1895, a bill to aid and support pediatric involvement in reading and education.

S. 1905

At the request of Ms. KLOBUCHAR, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from Texas (Mrs. HUTCHISON) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 1905, a bill to provide for a rotating schedule for regional selection of delegates to a national Presidential nominating convention, and for other purposes.

S. 1930

At the request of Mr. WYDEN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. 1930, a bill to amend the Lacey Act Amendments of 1981 to prevent illegal logging practices, and for other purposes.

S. 1944

At the request of Mr. LAUTENBERG, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 1944, a bill to provide justice for victims of state-sponsored terrorism.

S. 1951

At the request of Mr. BAUCUS, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Illinois (Mr. DURBIN), the Senator from Vermont (Mr. SANDERS), the Senator from North Dakota (Mr. DORGAN), the Senator from Minnesota (Mr. COLEMAN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 1951, a bill to amend title XIX of the Social Security Act to ensure that individuals eligible for medical assistance under the Medicaid program continue to have access to prescription drugs, and for other purposes.

S. 1954

At the request of Mr. BAUCUS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1954, a bill to amend title XVIII of the Social Security Act to improve access to pharmacies under part D.

S. 1971

At the request of Mr. KERRY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1971, a bill to authorize a competitive grant program to assist members of the National Guard and Reserve and former and current members of the Armed Forces in securing employment in the private sector, and for other purposes.

S. 1998

At the request of Mr. DURBIN, the names of the Senator from California (Mrs. BOXER) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 1998, a bill to reduce child marriage, and for other purposes.

S. 2017

At the request of Mr. BINGAMAN, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 2017, a bill to amend the Energy Policy and Conservation Act to provide for national energy efficiency standards for general service incandescent lamps, and for other purposes.

S. 2020

At the request of Mr. LUGAR, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 2020, a bill to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2010, to rename the Tropical Forest Conservation Act of 1998 as the ''Tropical Forest and Coral Conservation Act of 2007'', and for other purposes.

S.J. RES. 13

At the request of Mr. LEAHY, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S.J. Res. 13, a joint resolution granting the consent of Congress to the International Emergency Management Assistance Memorandum of Understanding.

S. CON. RES. 39

At the request of Mr. DODD, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Con. Res. 39, a concurrent resolution supporting the goals and ideals of a world day of remembrance for road crash victims.

S. RES. 201

At the request of Mr. CHAMBLISS, the names of the Senator from New Hampshire (Mr. SUNUNU) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. Res. 201, a resolution supporting the goals and ideals of ''National Life Insurance Awareness Month''.

S. RES. 222

At the request of Mrs. CLINTON, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. Res. 222, a resolution supporting the goals and ideals of Pancreatic Cancer Awareness Month.

S. RES. 224

At the request of Mrs. FEINSTEIN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. Res. 224, a resolution expressing the sense of the Senate regarding the Israeli-Palestinian peace process.

AMENDMENT NO. 2000

At the request of Mr. NELSON of Nebraska, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Iowa (Mr. HARKIN), the Senator from Alabama (Mr. SESSIONS), the Senator from Connecticut (Mr. DODD) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of amendment No. 2000 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. 2049

At the request of Mr. CHAMBLISS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 2049 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. 2067

At the request of Mr. KENNEDY, the name of the Senator from California (Mrs. BOXER) 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. 2072

At the request of Mrs. LINCOLN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 2072 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. 2074

At the request of Mrs. LINCOLN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 2074 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. 2086

At the request of Mr. OBAMA, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of amendment No. 2086 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. SPECTER, and Mr. FEINGOLD):

S. 2052. A bill to allow for certiorari review of certain cases denied relief or review by the United States Court of Appeals for the Armed Forces; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am pleased to join with Senators SPECTER and FEINGOLD in introducing the Equal Justice for U.S. Service Members Act. The act would eliminate an inequity in current law by allowing all court-martialed U.S. service-members who face dismissal, discharge or confinement for a year or more to petition the U.S. Supreme Court for discretionary review through a writ of certiorari.

The bill is a simple one, and would do the following: It would allow a writ of certiorari to be filed in any case in which the U.S. Court of Appeals for the Armed Forces has denied review; and it would allow a writ of certiorari to be filed in any case in which the U.S. Court of Appeals for the Armed Forces has denied a petition for extraordinary relief.

All persons convicted of a crime in U.S. civilian courts today, including illegal aliens, and regardless of the crime they may have committed, have an absolute right to petition the U.S. Supreme Court for discretionary review if they lose in the court of appeals. By contrast, however, our men and women in uniform do not share this same right as their civilian counterparts. Our military personnel can apply to our highest court on direct appeal for a writ of certiorari only if the U.S. Court of Appeals for the Armed Forces actually conducts a review of their case, or grants a petition for extraordinary relief. That happens only about 10 percent of the time.

In other words, the other 90 percent of the time, our U.S. servicemembers are precluded from ever seeking or obtaining direct review from the highest court of the country that they fight and die for.

A disparity not only exists between our civilian and military court systems. A similar disparity exists even within our military court system itself. The Government routinely has

the opportunity to petition the Supreme Court for review of adverse court-martial rulings in any case where the charges are severe enough to make a punitive discharge possible. But our military personnel do not share these same rights to petition the Supreme Court as their opponents, even on the other side of the same case.

That is wrong, and this inequity was recently noted by the American Bar Association. At its annual meeting in August 2006, the ABA House of Delegates passed a resolution calling on Congress to fix this long-standing ''disparity in our laws governing procedural due process.''

That is perhaps reason enough to fix this problem, but I also must note that this existing disparity has only become more acute now that Congress has enacted the Military Commission Act. Section 950g(d) of that law, which Congress passed last September, gives the Supreme Court the ability to review by writ of certiorari any final judgment issued by the U.S. Court of Appeals for the D.C. Circuit, in an appeal filed by terrorists and war criminals who get convicted by U.S. military commissions.

So the worst of the worst at Guantanamo will have a right to petition our Supreme Court to hear their case. Yet unless we act, those same Supreme Court doors will continue to be closed to almost all of our U.S. service personnel who would seek direct review in their own highest Court. Even servicemembers who apprehended those same terrorists, or served in judgment on their military commissions, or who guard them at Guantanamo, will continue to be treated as second-class citizens, deprived of the opportunity to seek Supreme Court review if they ever need it themselves.

Our U.S. service personnel regularly place their lives on the line in defense of American rights. It is simply unacceptable for us to continue to routinely deprive our men and women in uniform of one of those basic rights, the ability to petition their Nation's highest court for direct relief, that is given to all convicted persons in our civilian courts, that is given to their prosecutorial adversaries in our military courts, and that we have now given even to the terrorists we expect to prosecute as war criminals in our upcoming military commission process.

It is time to give equal justice to our U.S. servicemembers. That is what this act does.

I urge my colleagues to support this legislation.

I ask unanimous consent the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2052

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 ''Equal Justice for United States Military Personnel Act of 2007''.

SEC. 2. CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES.

(a) IN GENERAL.—Section 1259 of title 28, United States Code, is amended—

(1) in paragraph (3), by inserting ''or denied'' after ''granted''; and

(2) in paragraph (4), by inserting ''or denied'' after ''granted''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 867a(a) of title 10, United States Code, is amended by striking ''The Supreme Court may not review by a writ of certiorari under this section any action of the Court of Appeals for the Armed Forces in refusing to grant a petition for review.''.

By Mr. FEINGOLD (for himself and Mr. LEAHY):

S. 2053. A bill to amend part A of title I of the Elementary and Secondary Education Act of 1965 to improve elementary and secondary education; to the Committee on Health, Education, Labor, and Pensions.

Mr. FEINGOLD. Mr. President, this month millions of American schoolchildren are returning to classrooms to begin the new school year, making this a time of hope and possibilities. Students in my State of Wisconsin and around the country are meeting new teachers, getting reacquainted with old friends, joining clubs or athletic teams, and embarking on the next step in their educational careers. Teachers and administrators around the country are starting a new school year with fresh lesson plans and high goals for all the students in their schools. And many educators, parents, and school officials are continuing to work diligently toward the goal of closing the achievement gap that continues to exist throughout many communities across the country.

These students, teachers, and administrators will also face their sixth year under the Federal No Child Left Behind Act, NCLB, the centerpiece of President Bush's domestic agenda. NCLB, which is 2001–2002 reauthorization of the Elementary and Secondary Education Act, ESEA, requires that students be tested annually in reading and math, and starting this school year, in science. The law is up for reauthorization this year and it remains unknown how much change students, teachers, parents, and administrators can expect as Congress works to reauthorize the law.

I voted against No Child Left Behind in 2001 in large part because of the law's new Federal testing mandate. The comments that I heard from Wisconsinites during the 2001 debate and that I continue to hear 6 years later have been almost universally negative. While Wisconsinites support holding their schools accountable for results and closing the achievement gap, they are concerned about the Federal law's primary focus on standardized testing.

Let me make clear at the outset that this country has a long way to go toward ensuring that all students, regardless of their backgrounds, have a chance to get a good education. I remain troubled by the inequality in funding and resources provided to our Nation's schools and by the persistent segregation that schools around the country, including those in Wisconsin, continue to face. Moreover, I am deeply concerned that NCLB's testing and sanctions approach has forced some schools, particularly those in our inner cities and rural areas, to become places where students are not taught, but are drilled with workbooks and test-taking strategies, while in wealthy suburban schools, these tests do not greatly impact school curriculums rich in social studies, civics, arts, music, and other important subjects.

All levels of government—local, State, and Federal—need to act to ensure that equal educational opportunities are afforded to every student in our country.

I do not necessarily oppose the use of standardized testing in our Nation's schools. I agree that some tests are needed to ensure that our children are keeping pace and that schools, districts, and States are held accountable for closing the persistent achievement gap that continues to exist among different groups of students, including among students in Wisconsin. But the Federal one-size-fits-all testing-and-punishment approach that NCLB takes is not providing an equal education for all, eradicating the achievement gap that exists in our country or ensuring that each student reaches his or her full potential.

Rather, the reauthorized ESEA needs to recognize that States and local communities have the primary responsibility for providing a good public education to our students. The reauthorized ESEA should also encourage States and local districts to pursue innovative reform efforts including utilizing more robust accountability systems that can measure student academic growth from year to year and measure student academic growth using multiple forms of assessment, rather than just standardized tests.

Today, I am introducing the Improving Student Testing Act to overhaul the Federal testing mandate and provide States and local districts flexibility to determine the frequency and use of standardized testing in their accountability systems. My legislation is fully offset, while providing approximately $200 million in deficit reduction over the next 5 years.

Nothing in my legislation would force States to alter their accountability systems in recognition of the fact that different States are at different stages of their education reform efforts and may wish to maintain their current assessment systems. However, my legislation says that for Federal accountability purposes, States can choose to test once in grades 3 to 5, 6 to 9, and 10 to 12 rather than the current Federal requirement for annual testing in grades 3 through 8 and once in high school.

For States that choose to test in grade spans instead of annually, my

legislation encourages them to use more than high-stakes standardized tests in their accountability systems. By removing the Federal requirement to test annually, Congress can encourage States and local districts to lead innovative school reform efforts, including developing more robust assessment systems that use a range of academic assessments, such as valid and reliable performance-based assessments, formative assessments that provide meaningful and timely feedback to both students and teachers, and portfolio assessments that allow students to accumulate a broad range of student work and assess their own learning as they progress through school.

I have heard from a number of teachers and administrators who are concerned about the testing burden NCLB imposed on our Nation's educational system. The Federal mandate to test annually has strapped State and local districts' financial resources. Congress promised States specific funding levels for Title I, part A in NCLB, but Congress has failed to live up to those promised resources every year since NCLB was enacted. Despite the lack of adequate resources, our schools continue to be forced to test and to ratchet up the consequences associated with these tests.

NCLB's testing mandates have also led to a substantial demand for increased numbers of standardized tests and I have heard from some Wisconsinites concerned that the testing industry cannot keep up with this demand. There have been stories coming in from around the country documenting the burden faced by the testing industry, including incorrectly scored tests, test scores arriving much later than expected, and schools given incorrect testing booklets and supplies by the testing companies.

My legislation would help alleviate this testing burden by providing States with the option to reduce the number of grades tested for Federal accountability purposes. Eighteen States would then be able to dedicate more of their critical Title I dollars toward efforts that will help close the achievement including improving teacher quality through professional development and providing more targeted instruction to disadvantaged students in critical subject areas.

Some may say that with a Federal requirement to test in grade spans and not every year, the students in the nontested years will be ignored. I have more faith in Wisconsin's teachers and other dedicated teachers around the country than to assume that because there is no external, federally required test, teachers will not teach their kids or ensure that their students make academic progress. Effective schools contain teachers who work collaboratively within grade levels and across grades to raise the academic achievement of every student. Good teachers know that they are responsible for ensuring all their students make substantial academic progress in a given year regardless of whether those students must take a federally imposed standardized test.

My legislation also provides States with the flexibility and resources to develop high-quality assessments that can be used to give a more accurate picture of student achievement. I have heard a number of criticisms of the standardized tests used in Wisconsin and around the country—namely, that they may not measure higher–order thinking skills and that the results are returned to teachers too late in the school year, preventing teachers from receiving feedback that could help inform their instructional techniques to increase student learning. It is important that Congress listen to the feedback provided by teachers and administrators from around the country and provide States and local districts with the flexibility to develop and use other types of assessments in their accountability systems.

My bill authorizes a competitive grant program to help States and local districts develop multiple forms of high-quality assessments, including formative assessments, performance-based assessments, and portfolio assessments. These assessments can give a more accurate and detailed picture of student achievement than a single standardized test. These assessments can also be designed to provide more immediate feedback to teachers and students than the statewide standardized tests used for Federal accountability purposes. By incorporating these richer assessments, teachers can better assess student learning throughout the school year and continuously modify their instruction to ensure all students continue to learn.

These high-quality, multiple measures can be more expensive for States to develop and my bill recognizes that cost by authorizing a competitive grant program to assist States in developing these assessments. States and local districts can use these funds for a variety of purposes, including training teachers in how to use these assessments, creating the assessments, aligning the assessments with State standards, and collaborating with other States to share information about assessment creation.

My legislation makes clear that these funds are not to be used for the purchase of additional test preparation materials. I have long been concerned that NCLB could result in a generation of students who know how to take tests, but who do not have the skills necessary to become successful adults. This grant program will help innovative States develop higher quality assessments to better ensure that the students in their State are prepared for careers in the 21st century, including the ability to think critically, analyze new situations, and work collaboratively with others.

My legislation also makes clear that these multiple forms of assessment are not a loophole for States and local districts to avoid accountability. Rather, my legislation recognizes that these multiple measures can provide a more accurate and more complete picture of student achievement. My legislation makes clear that these assessments must: be aligned with States' academic and content standards, be peer reviewed by the Federal Department of Education, produce timely evidence about student learning and achievement, and provide teachers with meaningful feedback so that teachers can modify and improve their classroom instruction to address specific student needs.

Congress also needs to reform NCLB's accountability provisions during the reauthorization process, including providing credit to schools that demonstrate their students have made substantial growth from year to year. Right now, NCLB measures students' achievement based primarily on reading and math tests, and students either achieve the cut score on the NCLB tests or they do not. A number of teachers and parents in Wisconsin have expressed concerned that NCLB's current approach leads schools to focus on students who are closest to achieving the cut score on tests so as to continue to boost the number of kids passing the test each year. As a result, parents and teachers are concern that the lowest achieving students who are not yet proficient and the highest performing students who are already proficient may be ignored in the effort to meet AYP each year.

My legislation seeks to address this concern by providing flexibility for States that maintain annual testing to develop accountability models capable of tracking student growth from year to year to better ensure that every student, regardless of his or her current academic level, continues to make academic progress. States seeking to use growth models in their accountability systems would have to prove that such growth models meet a number of minimum technical requirements, including ensuring the growth model: is of sufficient technical capacity to function fairly and accurately for all students, uses valid, reliable, and accurate measures, has a statewide privacy-protected data system capable of tracking student growth, does not set performance measures based on a student's background, and is capable of tracking student progress in at least reading and math. I am pleased there is substantial agreement in Congress that growth models should be part of a reauthorized ESEA, and I will work with my colleagues to ensure that any growth models included in the ESEA can be fairly implemented and are flexible enough for States and local districts to utilize in their accountability systems.

NCLB set the ambitious goal that all children will be proficient on State reading and math tests by the year 2014. I have heard from a number of

educators and administrators in Wisconsin and around the country who are concerned that very few States will be able to meet NCLB's 2014 deadline. I understand their concern, particularly in light of the fact that Congress has failed to provide the promised financial resources to meet NCLB's mandates. Our Nation needs to have high academic expectations for all of our students, but if Congress is going to set such ambitious goals for our schools to meet, we need to provide our schools with the resources to meet those goals.

So far, the Federal Government has not lived up to the funding promises it made when Congess passed NCLB in late 2001. The appropriated levels for title I, part A have failed to match the authorized levels for title I, part A every year from 2002 to 2007, resulting in an underfunding of title I, part A by over $40 billion since 2002. It is one thing to set ambitious targets for our Nation's schools with adequate resources provided to reach those targets. It is something entirely different to hold our schools accountable for ensuring all students are proficient by 2014 and providing our schools with less resources than were promised to them when NCLB passed. My legislation includes a funding trigger that will waive the 2014 deadline unless Congress fully funds title I, part A from now until 2014. If Congress maintains the 2014 deadline and does not provide additional resources to our Nation's schools, we are only setting our schools up for further failure as we approach 2014.

My legislation also reforms the peer-review provisions of NCLB to ensure that there is more transparency and consistency in the peer-review process. States are currently required to submit their State plans for approval by the Department of Education, and I have heard a number of concerns from my State and others that States do not receive consistent or timely information from the Department of Education during peer review. States have also voiced concern about their inability to speak directly with peer reviewers during the peer-review process in order to clarify reviewers' comments made about their State plans.

My bill would amend the peer-review language to ensure that the peer-review teams contain balanced representation from State education agencies, local education agencies, and practicing educators. My legislation also includes language that requires the Secretary to provide consistency in peer-review decisions among the States and requires the Department's inspector general to conduct independent evaluations every 2 years to ensure consistency of approval and denial decisions by the Department of Education from State to State. My bill would also require the Secretary to ensure that States are given the opportunity to receive timely feedback from peer-review teams as well as directly interact with peer-review panels on issues that need clarification during the peer-review process.

Despite my concerns regarding the testing provisions of NCLB, there are other provisions of the law that I continue to support. I have consistently heard from educators and other interested parties in my State of Wisconsin in favor of NCLB's requirement to disaggregate data by specific groups of children, including students from major racial and ethnic groups, students with disabilities, economically disadvantaged students, and English language learners. Teachers have told me that these provisions have added more transparency to school data and help to ensure that schools continue to remain focused on closing the achievement gap among these various groups of students and remain attentive to the academic needs of all students. My legislation builds on the requirement to disaggregate data by also requiring States to disaggregate high school graduation rates on the State report cards required under NCLB.

Justice Louis Brandeis once said, ''sunlight is said to be the best of disinfectants,'' and I think his statement can be properly applied to NCLB's requirement to disaggregate and report academic data by student subgroups. Information about the achievement gaps that exist throughout our Nation's schools, whether they are gaps in academic achievement or graduation rates, can help parents, educators, local school board members, and others continue to advocate for education reform at the local level. Some States already have the ability to disaggregate graduation rates by NCLB's subgroups, and my legislation provides funding to all States to comply with this public reporting requirement.

Tracking students' achievement and disaggregating student data are fundamental components of No Child Left Behind and require States to maintain large data systems containing detailed information about students. The bill that I am introducing will also ensure that these data systems are maintained in a way that safeguards individual privacy. Use of the data by educational entities, as well as disclosures of student-level data to third parties, will be carefully limited, and individuals will have a right to know who is inspecting their information and for what purpose.

My legislation also provides additional funding for States to build additional infrastructure at the State and local level in order to improve their educational accountability systems. States and local districts will have to secure additional resources in order to implement growth models or utilize multiple forms of assessment in their accountability systems. My bill creates a competitive and flexible grant program to help ensure the Federal Government does its part in assisting States in accessing these resourses.

States have varying capacity needs and funds under this program can help States build their privacy-protected educational databases, train individuals in how to use multiple measures of student achievement in State accountability systems, and provide additional professional development opportunities for both state education agency and local education agency staff members. I have heard from a number of State and local administrators who are trying diligently to reconcile increased Federal and State mandates with less financial resources. Providing additional resources will help build State and local educational infrastructure and will help encourage States to move to accountability systems that can measure student growth and use more than standardized test scores when making decisions about students and schools.

There are a number of other issues that we need to address in the NCLB reauthorization. My bill seeks to address some of the top concerns I have heard about from constituents around the State related to testing. During the reauthorization process, we need to examine and modify NCLB sanctions structure to address implementation problems that rural and large urban districts have faced. We also need to recognize that every school and every school district is different and the rigid sanctions of NCLB may not allow States and local districts the opportunity to implement a variety of other innvative school reform efforts.

We also need to address the diverse learning needs of students with disabilities and English language learners. We need to ensure that NCLB works in concert with the Individuals with Disabilities Education Act, IDEA, and that students with disabilities are provided with proper modifications on assessments without holding lower academic expectations for these students. I have long supported full funding for IDEA and strongly support high academic expectations for students with disabilities. I was disappointed the final NCLB conference report in 2001 dropped the Senate language on full funding of the Federal share of IDEA, and I hope we can be successful during this reauthorization process in efforts to fully fund IDEA.

The number of English language learners is growing around the country, including in my State of Wisconsin. I have heard concerns from educators around Wisconsin that NCLB does not properly address the unique learning needs of English language learners. Teachers are concerned about the lack of valid and reliable assessments for English language learners and the unfairness of testing these students when they may not yet have learned English well enough to take standardized tests in English. During the reauthorization, we need to ensure that additional resources are provided to develop valid and reliable assessments for English language learners so that these students are fairly assessed while learning the English language.

There are many issues that need to be addressed during the reauthorization process, and my bill seeks to address some of the issues related to testing under NCLB. I am pleased this bill is cosponsored by my friend and colleague, Senator PATRICK LEAHY, and that it has the support of the American Association of School Administrators, the National Education Association, the National Association of Elementary School Principals, the School Social Work Association of America, the Wisconsin Department of Public Instruction, the Wisconsin Education Association Council, the Milwaukee Teachers Education Association, the Wisconsin National Board Network of Wisconsin National Board Certified Teachers, and the Wisconsin School Administrator's Alliance, which includes the Association of Wisconsin School Administrators, the Wisconsin Association of School District Administrators, the Wisconsin Association of School Business Officials, and the Wisconsin Council of Administrators of Special Services.

The Elementary and Secondary Education Act of 1965 is the key Federal law impacting our nation's schools, and I have long supported the law's commitment to improving the quality of education provided to our Nation's most disadvantaged students. I strongly support holding schools accountable for both providing equal educational opportunities to all our students and for continuing to work to close the achievement gaps that exist in our Nation's schools.

I also strongly support ensuring that classroom teachers, local school districts, and States have the primary responsibility for making decisions regarding day-to-day classroom instruction. Unfortunately, under NCLB, too much of the activity in classrooms is being dictated by the Federal one-size-fits-all testing mandates and accountability provisions. The Federal Government should leave decisions about the frequency of standardized testing up to the States and local school districts that a bear the responsibility for educating our children. While standardized testing does have a role to play in measuring and improving student achievement, one high-stakes test alone cannot accurately or responsibly measure our students or our schools.

NCLB was based on a flawed premise—that the way to hold schools accountable and close the achievement gap was for the Federal Government to pile on more tests and use the tests as the primary tool to evaluate schools. Now, 5 years into the law's implementation, we have evidence showing the need to reduce NCLB's burden on schools, by providing real support for students and teachers and by providing flexibility to Sates to use more than standardized tests to measure the achievement of students. This country has a long way to go before the opportunity for an equal education is afforded to all of America's students and Congress can take a step toward helping to ensure that opportunity by substantially reforming the mandates of NCLB. It is time to fix No Child Left Behind, and to get back to learning—not just testing—in all of our Nation's public schools.

By Mr. DODD:

S. 2055. A bill for the relief of Alejandro Gomez and Juan Sebastian Gomez; to the Committee on the Judiciary.

Mr. DODD. Mr. President, today I send to the desk a private relief bill to provide permanent resident status to Juan and Alejandro Gomez, and ask that it be appropriately referred.

Juan, 18, and Alejandro, 20, are natives of Colombia who came to the U.S. with their parents in August 1990 on B–2 visitors visas. They currently reside in Miami, FL with their parents. They are now the subjects of an October 14, 2007, voluntary departure date under an order of deportation. The date of their departure has been extended from September 14, 2007. Juan and Alejandro have lived continuously in the U.S. for the last 17 years. They have both graduated from Miami Killian High School and are currently enrolled in Miami Dade Community College. They have the strong support of their community. It would be an extreme hardship to uproot Juan and Alejandro from their community, which has wholeheartedly embraced them, to send them back to Colombia where there lives could be in serious danger.

We all know that the circumstances of Juan and Alejandro aren't unique. Just like many other children here illegally, they had no control over their parents' decision to overstay their visas a number of years ago. Most of these young people work hard to complete school and contribute to their communities. Cases like Juan's and Alejandro's are the reason why the so called DREAM Act was attached to the comprehensive immigration reform legislation that the Senate attempted to pass earlier this year, only to face a filibuster from opponents of any comprehensive immigration reform proposal.

The DREAM Act has broad partisan support and is not the reason that the immigration bill has stalled in the Senate. I would hope that consideration could be given to de-linking the DREAM Act from the larger bill so that we can put in place a legal framework for dealing with young people who are caught in this unfortunate immigration status. But that is not likely to happen soon enough to address the problems confronting Juan and Alejandro.

That is why I have decided to introduce a private bill on their behalf. I will also be writing to Senator EDWARD KENNEDY, Chairman of the Subcommittee on Immigration to request, pursuant to the Subcommittee's Rules of Procedure, that the Subcommittee formally request an expedited departmental report from the Bureau of Citizenship and Immigration Services regarding the Gomez brothers so that the Subcommittee can then move forward to give consideration to this bill as soon as possible.

I had an opportunity to meet Juan and Alejandro recently. They believe that America is their home. They love our country and want to have an opportunity to fulfill their dreams of becoming full participants in this country. Passage of the private bill would give them that opportunity. I look forward to working with the Subcommittee to facilitate its passage.

By Mr. ROCKEFELLER (for himself, Mr. KYL, Mrs. MCCASKILL, Mr. VITTER, Ms. SNOWE, Mr. COBURN, Mrs. DOLE, Mr. DOMENICI, Mr. INHOFE, Mr. COLEMAN, Mr. CORNYN, Mr. MARTINEZ, Mr. HAGEL, Mr. COCHRAN, and Mr. LOTT):

S. 2056. A bill to amend title XVIII of the Social Security Act to restore financial stability to Medicare anesthesiology teaching programs for resident physicians; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, I rise today with Senators KYL and MCCASKILL, as well as 12 original cosponsors, to introduce an important piece of legislation, the Medicare Teaching Anesthesiology Funding Restoration Act of 2007. This legislation would restore equitable Medicare reimbursement for teaching anesthesiologists and address our nation's growing shortage of trained anesthesiologists.

As many of my colleagues are aware, in 1991, the Centers for Medicare & Medicaid Services, CMS, rolled out a new rule that singled out academic anesthesiology programs for a 50 percent reduction in Medicare reimbursement when teaching anesthesiologists supervise residents in two concurrent cases. The rule took effect in 1994. No other medical specialties or nonphysician providers were affected by this policy change. In fact, payments to non-anesthesiology teaching physicians continue to be paid using the conventional Medicare Physician Fee Schedule. All teaching physicians, except anesthesiologists, can collect the full Medicare fee for working with one resident and also collect an additional full Medicare fee for working with a second resident on an overlapping case as long as the teaching physician is present during the ''critical and key'' portions of each procedure and is immediately available to return to a case when not physically present.

This arbitrary and unfair payment reduction has had a devastating impact on the training of anesthesiologists across the country, anesthesiologists who we rely on daily for safe surgical procedures, cesarean deliveries during childbirth, emergency and critical care procedures, pain management, and care of our wounded warriors. Because of this policy change, teaching hospitals

receive only half the cost of anesthesiology treatment for Medicare patients. This shortchanges academic anesthesiology programs an average of $400,000 annually, with some programs losing more than $1 million per year. As a result, academic anesthesiology programs have experienced increased difficulty filling faculty appointments and sustaining vital research and development programs. But even more disturbing is the fact that this inconsistent and arbitrary payment policy has forced 28 academic anesthesiology programs to close since 1994, leaving only 129 programs nationwide.

In my home State, we have only one academic anesthesiology program, at the West Virginia University in Morgantown. This program is losing nearly $700,000 per year because of this unfair Medicare payment policy. When you take into account the fact that many private insurance companies follow Medicare's lead on reimbursement, the final dollar impact is even greater. Other departments within the medical school are being called upon to subsidize these losses instead of using their resources to advance important research initiatives or recruit highly qualified faculty.

West Virginia students interested in studying anesthesiology are also at risk. Because this is the only academic anesthesiology program in the State, far fewer West Virginians will have the opportunity to enter the specialty of anesthesiology if this program is forced to close. This will have a direct impact on our State's health care infrastructure because the majority of graduates from West Virginia University's anesthesiology residency program stay in West Virginia. If this program closes, the number of qualified anesthesiologists in West Virginia could plummet, leaving residents with severe access problems for surgery, emergency care, and other high risk procedures.

This is not just a West Virginia problem. This is a national problem with severe implications in every community. Academic anesthesiology programs treat the sickest of the sick, patients with multiple diagnoses, unusual conditions and/or in need of highly complex and sophisticated surgeries. The arbitrary Medicare payment reductions for teaching anesthesiologists could mean that patients of all ages and in all communities could see increased anesthesiology shortages in operating rooms, pain clinics, the military, critical care units, labor and delivery rooms, and emergency rooms.

In order to address this problem, the Medicare Anesthesiology Teaching Funding Restoration Act eliminates the Medicare payment inequity for physicians who teach anesthesiology. It restores Medicare reimbursement for academic anesthesiology programs to the level in existence before 1994 and subjects teaching anesthesiologists to the same ''critical and key'' portion rule as other physicians under Medicare. This payment restoration will provide physician residents with sufficient opportunities to pursue the specialty of anesthesiology. It will also provide patients, especially high risk patients, with continued access to quality anesthesia care when they need it. And, finally, this vital legislation will allow academic anesthesiology programs to continue making advances in patient safety through research and development.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2056

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 ''Medicare Anesthesiology Teaching Funding Restoration Act of 2007''.

SEC. 2. SPECIAL PAYMENT RULE FOR TEACHING ANESTHESIOLOGISTS.

Section 1848(a) of the Social Security Act (42 U.S.C. 1395w–4(a)) is amended—

(1) in paragraph (4)(A), by inserting ''except as provided in paragraph (5),'' after ''anesthesia cases,''; and

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

''(5) SPECIAL RULE FOR TEACHING ANESTHESIOLOGISTS.—With respect to physicians' services furnished on or after January 1, 2008, in the case of teaching anesthesiologists involved in the training of physician residents in a single anesthesia case or two concurrent anesthesia cases, the fee schedule amount to be applied shall be 100 percent of the fee schedule amount otherwise applicable under this section if the anesthesia services were personally performed by the teaching anesthesiologist alone and paragraph (4) shall not apply if—

''(A) the teaching anesthesiologist is present during all critical or key portions of the anesthesia service or procedure involved; and

''(B) the teaching anesthesiologist (or another anesthesiologist with whom the teaching anesthesiologist has entered into an arrangement) is immediately available to furnish anesthesia services during the entire procedure.''.

Mr. KYL. Mr. President, today Senator ROCKEFELLER and I introduce the Medicare Anesthesiology Teaching Funding Restoration Act of 2007.

I want to thank Senator ROCKEFELLER for his leadership, as well as Senator VITTER who introduced a similar bill last Congress.

As my colleagues may be aware, Arizona is the Nation's fastest growing State, and as its population grows, so does the demand for health care services. Yet Arizona suffers from a critical shortage of health care professionals.

Inadequate Medicare reimbursement exacerbates physician shortages and disrupts patient access to care. In fact, each year Medicare shortchanges academic anesthesiology programs nearly $40 million.

Currently, a teaching physician may receive the full Medicare fee schedule if he or she is involved in two concurrent cases with residents.

In 1994 the Centers for Medicare and Medicaid Services, CMS, singled out anesthesiology teaching programs and implemented a payment change. The payment change required that teaching anesthesiologists receive only 50 percent of the Medicare fee schedule if he or she is involved in two concurrent cases with residents.

As a result, 28 academic anesthesiology programs have closed, leaving 129 academic anesthesiology programs in existence today.

As one of the remaining teaching programs, the University of Arizona loses over $300,000 each year.

This is likely a conservative estimate as private payers are increasingly adopting Medicare's payment policy, compounding a teaching program's total financial loss. Medicare's policy challenges a teaching program's ability to fill vacant faculty positions, retain expert faculty, and train residents, particularly in rural and underserved communities.

Additionally, and perhaps most importantly, as training I programs close, patients will increasingly encounter anesthesiologist shortages.

In Arizona alone, the Health Resources and Services Administration, HRSA, projects that between 2000 and 2020 the State's population will grow 18 percent and the population 65 and older will grow 72 percent.

The Medicare Anesthesiology Teaching Funding Restoration Act of 2007 repeals the 1994 payment change and restores Medicare payment to teaching anesthesiologists.

Under this bill, the clear winners are patients. Restoring funding helps preserve patient access to safe, quality health care and alleviate growing health professional shortages.

I urge my colleagues to cosponsor this critical legislation.

By Mr. AKAKA:

S. 2057. A bill to reauthorize the Merit Sytems Protection Board and the Office of Special Counsel, to modify the procedures of the Merit Systems Protection Board and the Office of Special Counsel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

● Mr. AKAKA. Mr. President, today I rise to introduce the Federal Merit System Reauthorization Act of 2007 to reauthorize the Office of Special Counsel, OSC, and the Merit Systems Protection Board, MSPB, and make other changes to improve the performance of both agencies. I am pleased to note that Representative DANNY DAVIS, Chairman of the House Federal Workforce Subcommittee, is introducing companion legislation today as well.

Both MSPB and OSC were created by the Civil Service Reform Act of 1978 to safeguard the merit system principles and to help ensure that federal employees are free from discriminatory, arbitrary, and retaliatory actions, especially against those who step forward to disclose government waste, fraud,

and abuse. These protections are essential so that employees can perform their duties in the best interests of the American public, which, in turn, helps ensure that the federal government is an employer of choice.

MSPB is charged with monitoring the Federal Government's merit-based system of employment by hearing and deciding appeals from Federal employees regarding job removal and other major personnel actions. The board also reviews regulations of the Office of Personnel Management, OPM, and conducts studies of the merit systems.

OSC is charged with protecting Federal employees and job applicants from reprisal for whistleblowing and other prohibited personnel practices. OSC is to serve as a safe and secure channel for Federal workers who wish to disclose violations of law, gross mismanagement or waste of funds, abuse of authority, and a specific danger to the public health and safety. In addition, OSC enforces the Hatch Act, which restricts the political activities of Federal employees, and the Uniformed Services Employment and Reemployment Rights Act of 1994.

OSC and MSPB are to be the stalwarts of the merit system. However, both agencies have been criticized for failing to live up to their mission.

For example, as the author of the Federal Employee Protection of Disclosures Act, S. 274, I am deeply concerned by the fact that no Federal whistleblower has won on the merits of their claim before the Board since 2003. At the Federal Circuit Court of Appeals, whistleblowers have won on the merits twice since October 1994, when Congress last strengthened the Whistleblower Protection Act.

In addition, testimony provided at the House and Senate reauthorization hearings earlier this year raised several concerns about the structure of the MPSB and the rights and responsibilities of the Chairman of the MSPB compared to the other Members. This raises concerns about the structure of the MSPB and warrants a closer review.

At OSC, the most recent Federal employee satisfaction survey shows that less than five percent of the respondents reported any degree of satisfaction with the results obtained by OSC while over 92 percent were dissatisfied. Moreover, in the past few years, OSC has become subject to numerous allegations by employees, good government groups, and employee unions who allege that OSC is acting counter to its mission by: ignoring whistleblower complaints, failing to protect employees subjected to sexual orientation discrimination, and retaliating against whistleblowers at OSC.

If true, these practices violate OSC's legal responsibility to be the protector of civil service employees. Given the fact that OSC employees could not make their disclosure to the Special Counsel, the alleged individual who engaged in the wrongdoing and retaliated against them, the employees and stakeholders filed a complaint with the President's Council on Integrity and Efficiency, PCIE. Unfortunately, the investigation is still ongoing.

As such, the Federal Merit System Reauthorization Act would reauthorize OSC and MSPB for a period of three years instead of the 5 years requested by both agencies in order to give Congress a chance to take a closer review of the two agencies. The bill would also legislatively establish a process for OSC employees to bring allegations of retaliation against the Special Counsel or the Deputy Special Counsel to the PCIE and clarify that Federal employees are protected from discrimination based on their sexual orientation. Finally the bill would make procedural changes at OSC and MSPB to improve agency operations and customer service and impose new reporting requirements on both agencies.

Both OSC and MSPB must be free from allegations of wrongdoing and the appearance of any activity that would question their independence. I believe that the provisions in this bill will make needed improvements in both agencies to build trust in the Federal workforce and the American people. I ask unanimous consent that the text of the bill be printed in the RECORD.●

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2057

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Federal Merit System Reauthorization Act of 2007''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Authorization of appropriations.
Sec. 3. Allegations of wrongdoing against Special Counsel or Deputy Special Counsel.
Sec. 4. Discrimination on the basis of sexual orientation prohibited.
Sec. 5. Procedures of the Merit Systems Protection Board.
Sec. 6. Procedures of the Office of Special Counsel.
Sec. 7. Reporting requirements.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) MERIT SYSTEMS PROTECTION BOARD.—Section 8(a)(1) of the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note) is amended by striking ''2003, 2004, 2005, 2006, and 2007'' and inserting ''2008, 2009, and 2010''.

(b) OFFICE OF SPECIAL COUNSEL.—Section 8(a)(2) of the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note) is amended by striking ''2003, 2004, 2005, 2006, and 2007'' and inserting ''2008, 2009, and 2010''.

(c) EFFECTIVE DATE.—This section shall take effect as of October 1, 2007.

SEC. 3. ALLEGATIONS OF WRONGDOING AGAINST SPECIAL COUNSEL OR DEPUTY SPECIAL COUNSEL.

(a) DEFINITIONS.—In this section—

(1) the term ''Special Counsel'' refers to the Special Counsel appointed under section 1211(b) of title 5, United States Code;

(2) the term ''Integrity Committee'' refers to the Integrity Committee described in Executive Order 12993 (relating to administrative allegations against inspectors general) or its successor in function (as identified by the President); and

(3) the terms ''wrongdoing'' and ''Inspector General'' have the same respective meanings as under the Executive order cited in paragraph (2).

(b) AUTHORITY OF INTEGRITY COMMITTEE.—

(1) IN GENERAL.—An allegation of wrongdoing against the Special Counsel (or the Deputy Special Counsel) may be received, reviewed, and referred for investigation by the Integrity Committee to the same extent and in the same manner as in the case of an allegation against an Inspector General (or a member of the staff of an Office of Inspector General), subject to the requirement that the Special Counsel recuse himself or herself from the consideration of any allegation brought under this subsection.

(2) COORDINATION WITH EXISTING PROVISIONS OF LAW.—This section does not eliminate access to the Merit Systems Protection Board for review under section 7701 of title 5, United States Code. To the extent that an allegation brought under this subsection involves section 2302(b)(8) of such title, a failure to obtain corrective action within 120 days after the date on which that allegation is received by the Integrity Committee shall, for purposes of section 1221 of such title, be considered to satisfy section 1214(a)(3)(B) of such title.

(c) REGULATIONS.—The Integrity Committee may prescribe any rules or regulations necessary to carry out this section, subject to such consultation or other requirements as might otherwise apply.

SEC. 4. DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION PROHIBITED.

(a) REPUDIATION.—In order to dispel any public confusion, Congress repudiates any assertion that Federal employees are not protected from discrimination on the basis of sexual orientation.

(b) AFFIRMATION.—It is the sense of Congress that, in the absence of the amendment made by subsection (c), discrimination against Federal employees and applicants for Federal employment on the basis of sexual orientation is prohibited by section 2302(b)(10) of title 5, United States Code.

(c) DISCRIMINATION BASED ON SEXUAL ORIENTATION PROHIBITED.—Section 2302(b)(1) of title 5, United States Code, is amended—

(1) in subparagraph (D), by striking ''or'' at the end;

(2) in subparagraph (E), by inserting ''or'' at the end; and

(3) by adding at the end the following:

''(F) on the basis of sexual orientation;''.

SEC. 5. PROCEDURES OF THE MERIT SYSTEMS PROTECTION BOARD.

(a) PROOF OF EXHAUSTION FOR INDIVIDUAL RIGHT OF ACTION.—Section 1221(a) of title 5, United States Code, is amended—

(1) by striking ''(a)'' and inserting ''(a)(1)''; and

(2) by adding at the end the following:

''(2) For purposes of paragraph (1), an employee, former employee, or applicant for employment may demonstrate compliance with section 1214(a)(3)(B) by—

''(A) submitting a copy of the complaint or other pleading pursuant to which such employee, former employee, or applicant sought corrective action from the Special Counsel with respect to the personnel action involved; and

''(B) certifying that the Special Counsel did not provide notice of intent to seek such corrective action to such employee, former employee, or applicant within the 120-day period described in such section 1214(a)(3)(B).''.

(b) INDIVIDUAL REQUESTS FOR STAYS.—Section 1221(c) of title 5, United States Code, is amended by striking paragraph (2) and inserting the following:

''(2) Any stay requested under paragraph (1) shall be granted within 10 calendar days (excluding Saturdays, Sundays, and legal holidays) after the date the request is made, if the Board determines that the employee, former employee, or applicant has demonstrated that protected activity described under section 2302(b)(8) was a contributing factor to the personnel action involved. If the stay request is denied, the employee, former employee, or applicant may submit an interlocutory appeal for expedited review by the Board.''.

(c) JOINING SUBSEQUENT AND RELATED CLAIMS WITH PENDING LITIGATION.—

(1) IN GENERAL.—Section 1221 of title 5, United States Code, is amended—

(A) by redesignating subsections (h), (i), and (j) as subsections (i), (j), and (k), respectively; and

(B) inserting after subsection (g) the following:

''(h) During a pending proceeding, subsequent personnel actions may be joined if the employee, former employee, or applicant for employment demonstrates that retaliation for protected activity at issue in the pending proceeding was a contributing factor to subsequent alleged prohibited personnel practices.''.

(2) CONFORMING AMENDMENT.—Section 1222 of title 5, United States Code, is amended by striking ''section 1221(i)'' and inserting ''section 1221(j)''.

(d) PROCEDURAL DUE PROCESS.—Section 1204(b)(1) of title 5, United States Code, is amended by inserting ''in accordance with regulations consistent with the Federal Rules of Civil Procedure, so far as practicable'' before the period.

(e) ATTORNEY FEES.—Section 7701(g)(1) of title 5, United States Code, is amended by striking ''if the employee or applicant is the prevailing party and'' and inserting ''if the claim or claims raised by the employee or applicant were not frivolous, unreasonable, or groundless; the case was a substantial or significant factor in the agency's action providing some relief or benefit to the employee or applicant; and''.

SEC. 6. PROCEDURES OF THE OFFICE OF SPECIAL COUNSEL.

(a) INVESTIGATIONS OF ALLEGED PROHIBITED PERSONNEL PRACTICES.—Section 1212(e) of title 5, United States Code, is amended by striking ''may prescribe such regulations as may be necessary to perform the functions'' and inserting ''shall prescribe such regulations as may be necessary to carry out subsection (a)(2) and may prescribe any regulations necessary to carry out any of the other functions''.

(b) MANDATORY COMMUNICATIONS WITH COMPLAINANTS.—

(1) CONTACT INFORMATION.—Section 1214(a)(1)(B) of title 5, United States Code, is amended by striking clause (ii) and inserting the following:

''(ii) shall include the name and contact information of a person at the Office of Special Counsel who—

''(I) shall be responsible for interviewing the complainant and making recommendations to the Special Counsel regarding the allegations of the complainant; and

''(II) shall be available to respond to reasonable questions from the complainant regarding the investigation or review conducted by the Special Counsel, the relevant facts ascertained by the Special Counsel, and the law applicable to the allegations of the complainant.''.

(2) STATEMENT AFTER TERMINATION OF INVESTIGATION.—Section 1214(a)(2)(A)(iv) of title 5, United States Code, is amended by striking ''a response'' and inserting ''specific responses''.

(c) QUALIFICATIONS OF SPECIAL COUNSEL.—The third sentence of section 1211(b) of title 5, United States Code, is amended by striking ''position.'' and inserting ''position and has professional experience that demonstrates an understanding of and a commitment to protecting the merit based civil service.''.

(d) ALTERNATIVE DISPUTE RESOLUTION PROGRAM OF THE OFFICE OF SPECIAL COUNSEL.—Section 1212 of title 5, United States Code, is amended by adding at the end the following:

''(h) The Office of Special Counsel shall by regulation provide for one or more alternative methods for settling matters subject to the jurisdiction of the Office which shall be applicable at the election of an employee, former employee, or applicant for employment or at the direction of the Special Counsel with the consent of the employee, former employee, or applicant concerned. In order to carry out this subsection, the Special Counsel shall provide for appropriate offices in the District of Columbia and other appropriate locations.''.

(e) SUBSTANTIAL LIKELIHOOD DETERMINATIONS.—Section 1213 of title 5, United States Code, is amended—

(1) in subsection (b), by striking ''15 days'' and inserting ''45 days''; and

(2) in subsection (c)(1), by inserting '', after consulting with the person who made the disclosure on how to characterize the issues,'' after ''appropriate agency head''.

(f) DETERMINATION OF STATUTORY REQUIREMENTS MET.—Section 1213(e) of title 5, United States Code, is amended—

(1) in paragraph (3), by striking ''subsection (e)(1)'' and inserting ''paragraph (1)'';

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(3) by inserting after paragraph (2) the following:

''(3) Upon receipt of any report of the head of an agency required under subsection (c), if the Special Counsel is unable to make a determination under paragraph (2)(A) or (B), the Special Counsel shall require the agency head to submit any additional information necessary for the Special Counsel to make such determinations before any information is transmitted under paragraph (4).''.

(g) PUBLIC AND INTERNET ACCESS FOR AGENCY INVESTIGATIONS.—Section 1219 of title 5, United States Code, is amended by striking subsections (a) and (b) and inserting the following:

''(a) The Special Counsel shall maintain and make available to the public (including on the website of the Office of Special Counsel)—

''(1) a list of noncriminal matters referred to heads of agencies under subsection (c) of section 1213, together with—

''(A) reports from heads of agencies under subsection (c)(1)(B) of such section relating to such matters;

''(B) comments submitted under subsection (e)(1) of such section relating to such matters, if the person making the disclosure consents; and

''(C) comments or recommendations by the Special Counsel under subsection (e)(4) of such section relating to such matters;

''(2) a list of matters referred to heads of agencies under section 1215(c)(2);

''(3) a list of matters referred to heads of agencies under subsection (e) of section 1214, together with certifications from heads of agencies under such subsection; and

''(4) reports from heads of agencies under section 1213(g)(1).

''(b) The Special Counsel shall take steps to ensure that any list or report made available to the public or placed on the website of the Office of Special Counsel under this section does not contain any information the disclosure of which is prohibited by law or by Executive order requiring that information be kept secret in the interest of national defense or the conduct of foreign affairs.''.

SEC. 7. REPORTING REQUIREMENTS.

(a) MERIT SYSTEMS PROTECTION BOARD.—Each annual report submitted by the Merit Systems Protection Board under section 1206 of title 5, United States Code, shall, with respect to the period covered by such report, include—

(1) the number of cases and alleged violations of section 2302 of such title 5 filed with the Board for each agency, itemized for each prohibited personnel practice;

(2) the number of cases and alleged violations of section 2302 of such title 5 that the Board determines for each agency, itemized for each prohibited personnel practice and compared to the total number of cases and allegations filed with the Board for each, both with respect to the initial decisions by administrative judges and final Board decisions;

(3) the number of cases and allegations in which corrective action was provided, compared to the total number of cases and allegations filed with the Board for each, itemized separately for settlements and final Board decisions; and

(4) with respect to paragraphs (8) and (9) of section 2302 (b) of such title 5, the number of cases in which the Board has ruled in favor of the employee on the merits of the claim compared to the total number of cases and allegations filed with the Board for each, where findings of fact and conclusions of law were issued on whether those provisions were violated, independent from cases disposed by procedural determinations, including a separate itemization of both initial decisions by administrative judges and final Board decisions for each category.

(b) OFFICE OF SPECIAL COUNSEL.—Each annual report submitted under section 1218 of title 5, United States Code, by the Special Counsel or an employee designated by the Special Counsel shall, with respect to the period covered by such report, include—

(1) the number of cases and allegations for each prohibited personnel practice, delineated by type of prohibited personnel practice;

(2) for each type of prohibited personnel practice, the number of cases and allegations as to which the Office of Special Counsel found reasonable grounds to believe section 2302 of such title 5 had been violated;

(3) for each type of prohibited personnel practice, the number of cases and allegations as to which the Office of Special Counsel referred the complaint for full field investigation;

(4) for each prohibited personnel practice, the number of cases and allegations as to which the Office of Special Counsel recommended corrective action;

(5) for each prohibited personnel practice, the number of cases and allegations as to which the Office of Special Counsel conducted a mediation or other form of alternative dispute resolution, with statistics and illustrative examples describing the results with particularity;

(6) the number of instances in which the Office of Special Counsel referred disclosures submitted under section 1213 of such title 5 to an agency head, without any finding under subsection (c) or (g) of such section;

(7) a statistical tabulation of results for each customer satisfaction survey question, both with respect to allegations of prohibited personnel practice submitted under section 1214 of such title 5 and disclosures submitted under section 1213 of such title; and

(8) for each provision under section 1216(a)(1) through (5) and (c) of such title 5, the number of cases and allegations, the number of field investigations opened, the number of instances in which corrective action was sought, and the number of instances in which corrective action was obtained.

(c) ANNUAL SURVEY.—Section 13(a) of the Act entitled ''An Act to reauthorize the Office of Special Counsel, and for other purposes'', approved October 29, 1994 (5 U.S.C. 1212 note; Public Law 103–424) is amended in the first sentence by inserting '', including individuals who disclose information to the Office of Special Counsel under section 1213'' before the period.

By Mr. LEVIN:

S. 2058. A bill to amend the Commodity Exchange Act to close the Enron loophole, prevent price manipulation and excessive speculation in the trading of energy commodities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. LEVIN. Mr. President, today I am introducing the Close the Enron Loophole Act to help prevent price manipulation and dampen the excessive speculation that have unfairly increased the cost of energy in the U.S.

This legislation is the product of more than 4 years of work examining U.S. energy commodity markets by the Senate Permanent Subcommittee on Investigations, which I chair. That work has shown that U.S. market prices for crude oil, natural gas, jet fuel, diesel fuel and other energy commodities are more unpredictable and variable than ever before, and too often are imposing huge cost increases on the backs of working American families and businesses. The legislation I am introducing today is essential to help ensure that our energy markets provide prices that reflect the fundamentals of supply and demand for energy instead of prices boosted by manipulation or excessive speculation. It is also essential to close an egregious loophole in the law that was championed by Enron and other large energy traders in the heyday of deregulation and that continues to haunt our energy markets and harm American consumers through inflated and distorted energy prices.

The ''Enron loophole'' is a provision that was inserted at the last-minute, without opportunity for debate, into commodity legislation that was attached to an omnibus appropriations bill and passed by Congress in late December 2000, in the waning hours of the 106 Congress. This loophole exempted from U.S. Government regulation the electronic trading of energy commodities by large traders. The loophole has helped foster the explosive growth of trading on unregulated electronic energy exchanges. It has also rendered U.S. energy markets more vulnerable to price manipulation and excessive speculation with resulting price distortions. This legislation is necessary to close the Enron loophole and reduce our vulnerability to manipulation and excessive speculation by providing for regulation of the electronic trading of energy commodities by large traders.

A stable and affordable supply of energy is vital to the national and economic security of the United States. We need energy to heat and cool our homes and offices, to generate electricity for lighting, manufacturing, and vital services, and to power our transportation sector—automobiles, trucks, boats, and airplanes.

Over 80 percent of our energy comes from fossil fuels—oil, natural gas, and coal. About 50 percent is from oil and natural gas. The U.S. consumes around 20 million barrels of crude oil each day, over half of which is imported. About 90 percent of this oil is refined into products such as gasoline, home heating oil, jet fuel, and diesel fuel.

The crude oil market is the largest commodity market in the world, and hundreds of millions of barrels are traded daily in the various crude oil futures, over-the-counter, and spot markets. The world's leading exchanges for crude oil futures contracts are the New York Mercantile Exchange, NYMEX, and the Intercontinental Exchange, known as ICE Futures in London. Futures contracts for gasoline, heating oil, and diesel fuel are also traded on these exchanges. Presently, regulatory authority over the U.S. crude oil market is split between British and U.S. regulators.

Natural gas heats the majority of American homes, is used to harvest crops, powers 20 percent of our electrical plants, and plays a critical role in many industries, including manufacturers of fertilizers, paints, medicines, and chemicals. It is one of the cleanest fuels we have, and we produce most of it ourselves with only 15 percent being imported, primarily from Canada. In 2005 alone, U.S. consumers and businesses spent about $200 billion on natural gas.

Only part of the natural gas futures market is regulated. Natural gas produced in the United States is traded on NYMEX and on an unregulated ICE electronic trading platform located in Georgia. The price of natural gas in both the futures market and in the spot or physical market depends on the prices on both of these U.S. exchanges.

Trading abuses plague existing energy markets. The key federal regulator, the Commodity Futures Trading Commission, CFTC, reports that overall in recent years it has issued several hundred million dollars in fines for trading abuses in the energy markets. Several major enforcement actions are pending.

Since 2001, the Senate Permanent Subcommittee on Investigations has been examining the vulnerability of U.S. energy markets to price manipulation and excessive speculation due to the lack of regulation of electronic energy exchanges under the so called ''Enron loophole.'' Although the CFTC and Federal Energy Regulatory Commission have brought a number of enforcement cases against energy traders, the CFTC's ability to prevent abuses before they occur is severely hampered by its lack of regulatory authority over key energy markets.

The Subcommittee first documented the weaknesses in the regulation of our energy markets in a 2003 staff report I initiated called, ''U.S. Strategic Petroleum Reserve: Recent Policy Has Increased Costs to Consumers But Not Overall U.S. Energy Security.'' The report found that crude oil prices were ''affected by trading not only regulated exchanges like the NYMEX, but also on unregulated 'over-the-counter', OTC, markets which have become major trading centers for energy contracts and derivatives. The lack of information on prices and large positions in these OTC markets makes it difficult in many instances, if not impossible in practice, to determine whether traders have manipulated crude oil prices.''

In June 2006, the Subcommittee issued a staff report entitled, ''The Role of Market Speculation in Rising Oil and Gas Prices: A Need To Put the Cop Back on the Beat.'' This bipartisan staff report analyzed the extent to which the increasing amount of financial speculation in energy markets had contributed to the steep rise in energy prices over the past few years. The report concluded that ''[s]peculation has contributed to rising U.S. energy prices,'' and endorsed the estimate of various analysts that the influx of speculative investments into crude oil futures accounted for approximately $20 of the then-prevailing crude oil price of approximately $70 per barrel.

The 2006 report recommended that the CFTC be provided with the same authority to regulate and monitor electronic energy exchanges, such as ICE, as it has with respect to the fully regulated futures markets, such as NYMEX, to ensure that excessive speculation in the energy markets did not adversely effect the availability and affordability of vital energy commodities through unwarranted price increases.

In June 2007, the Subcommittee released another report, ''Excessive Speculation in the Natural Gas Market.'' Our report found that a single hedge fund named Amaranth dominated the natural gas market during the spring and summer of 2006, and Amaranth's large-scale trading significantly distorted natural gas prices from their fundamental values based on supply and demand.

The report concluded that the current regulatory system was unable to prevent these distortions because much of Amaranth's trading took place on an unregulated electronic market. The report recommended that Congress close the ''Enron loophole'' that exempted such markets from regulation.

The Subcommittee's Report describes how Amaranth used the major unregulated electronic market, ICE, to amass huge positions in natural gas contracts, outside regulatory scrutiny, and beyond any regulatory authority. During the spring and summer of 2006, Amaranth held by far the largest positions of any trader in the natural gas market. According to traders interviewed by the Subcommittee, during this period natural gas prices for the following winter were ''clearly out of whack,'' at ''ridiculous levels,'' and unrelated to supply and demand. At the

Subcommittee's hearing in June of this year, natural gas purchasers, such as the American Public Gas Association and the Industrial Energy Consumers of America, explained how these price distortions increased the cost of hedging for natural gas consumers, which ultimately led to increased costs for American industries and households. The Municipal Gas Authority of Georgia calculated that Amaranth's excesses increased the cost of their winter gas purchases by $18 million.

Finally, when Amaranth's positions on the regulated futures market, NYMEX, became so large that NYMEX directed Amaranth to reduce the size of its positions on NYMEX, Amaranth simply switched those positions to ICE, an unregulated market that is beyond the reach of the CFTC. In other words, in response to NYMEX's order, Amaranth did not reduce its size; it merely moved it from a regulated market to an unregulated market.

This regulatory system makes no sense. It is as if a cop on the beat tells a liquor store owner that he must obey the law and stop selling liquor to minors, yet the store owner is allowed to move his store across the street and sell to whomever he wants because the cop has no jurisdiction on the other side of the street and none of the same laws apply. The Amaranth case history shows it is clearly time to put the cop on the beat in all of our energy exchanges.

The Subcommittee held two days of hearings relating to issues covered in its 2007 report. Both of the major energy exchanges, NYMEX and ICE, testified that they would support a change in the law that would eliminate the current exemption from regulation for electronic energy markets, in order to reduce the potential for manipulation and excessive speculation. Consumers and users of natural gas and other energy commodities—the American Public Gas Association, the New England Fuel Institute, the Petroleum Marketers Association of America, and the Industrial Energy Consumers of America—also testified in favor of closing the Enron loophole.

The legislation I am introducing today is intended to end the exemption from regulation that electronic energy trading facilities now have. The bill includes suggestions made by the exchanges, the CFTC, and natural gas users, and I will continue to seek their input as the legislative process moves forward.

Essentially, this bill would restore the CFTC's ability to police all U.S. energy exchanges to prevent price manipulation and excessive speculation from hiking energy prices. In particular, it would restore CFTC oversight of large-trader energy exchanges that were exempted from regulation in the 2000 Commodity Futures Modernization Act by means of the Enron loophole. The bill would require the CFTC to oversee these facilities in the same manner and according to the same standards that currently apply to futures exchanges like NYMEX. Because these energy exchanges currently restrict trading to large traders, however, the bill would not require them to comply with rules applicable to retail trading or trading by brokers on behalf of smaller traders. In all other respects, however, including the rules that create position limits and accountability levels to stop price manipulation and excessive speculation, the bill would apply the same rules to energy exchanges like ICE as currently apply to futures exchanges like NYMEX.

The bill also would require large trades in U.S. energy commodities conducted from within the United States on a foreign board of trade to be reported to the CFTC. This provision is intended to ensure that the CFTC has a more complete view of the positions of U.S. energy traders buying or selling energy commodities for delivery in the United States. This provision could be waived by the CFTC if the CFTC reaches agreement with the foreign board of trade to obtain the same information.

Preventing price manipulation and excessive speculation in U.S. energy markets is not an easy undertaking. I welcome good-faith comments on how this bill can be improved. I want to make it clear, however, that in my opinion the Enron loophole has got to be closed. Recent cases have shown us that market abuses and failures did not stop with the fall of Enron. They are still with us. We cannot afford to let the current situation continue, allowing energy traders to use unregulated markets to avoid regulated markets. It's time to put the cop back on the beat in all U.S. energy markets. The stakes for our energy security and for competition in the market place are too high to do otherwise.

I ask unanimous consent that the text of the bill, a bill summary, and a section-by-section analysis be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2058

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 ''Close the Enron Loophole Act''.

SEC. 2. ENERGY TRADING FACILITIES.

(a) DEFINITIONS.—Section 1a of the Commodity Exchange Act (7 U.S.C. 1a) is amended by redesignating paragraphs (13) through (33) as paragraphs (15) through (35), respectively, and by inserting after paragraph (12) the following:

''(13) ENERGY COMMODITY.—The term 'energy commodity' means a commodity (other than an excluded commodity, a metal, or an agricultural commodity) that is—

''(A) used as a source of energy, including but not limited to—

''(i) crude oil;

''(ii) gasoline, diesel fuel, heating oil, and any other product derived or refined from crude oil;

''(iii) natural gas, including methane, propane, and any other gas or liquid derived from natural gas; and

''(iv) electricity; or

''(B) results from the burning of fossil fuels to produce energy, including but not limited to carbon dioxide and sulfur dioxide.

''(14) ENERGY TRADING FACILITY.—The term 'energy trading facility' means a trading facility that—

''(A) is not a designated contract market; and

''(B) facilitates the execution or trading of agreements, contracts, or transactions in an energy commodity that are not spot sales of a cash commodity or sales of a cash commodity for deferred shipment or delivery, and that are entered into on a principal-to-principal basis solely between persons that are eligible commercial entities at the time the persons enter into the agreement, contract, or transaction; and

''(i) facilitates the clearance and settlement of such agreements, contracts, or transactions; or

''(ii) the Commission determines performs a significant price discovery function in relation to an energy commodity listed for trading on a trading facility or in the cash market for the energy commodity. In making a determination whether a trading facility performs a significant price discovery function the Commission may consider, as appropriate—

''(I) the extent to which the price of an agreement, contract, or transaction traded or executed on the trading facility is derived from or linked to the price of a contract in an energy commodity listed for trading on a designated contract market;

''(II) the extent to which cash market bids, offers, or transactions in an energy commodity are directly based on, or quoted at a differential to, the prices generated by agreements, contracts, or transactions in the same energy commodity being traded or executed on the trading facility;

''(III) the volume of agreements, contracts, or transactions in the energy commodity being traded on the trading facility;

''(IV) the extent to which data regarding completed transactions are posted, disseminated, or made available immediately after completion of such transactions, with or without a fee, to other market participants and other persons;

''(V) the extent to which an arbitrage market exists between the agreements, contracts, or transactions traded or executed on the trading facility and a contract in an energy commodity listed for trading on a designated contract market; and

''(VI) such other factors as the Commission determines appropriate.''.

(b) COMMISSION OVERSIGHT OF ENERGY TRADING FACILITIES.—Section 2(h) of the Commodity Exchange Act (7 U.S.C. 2(h)) is amended—

(1) in paragraph (3)(B) after ''an electronic trading facility'' by inserting ''that is not an energy trading facility''; and

(2) by adding at the end the following:

''(7) ENERGY TRADING FACILITIES.—Notwithstanding any other provision of this Act, an energy trading facility shall be subject to the provisions of section 2(j) of this Act.''.

(c) STANDARDS APPLICABLE TO ENERGY TRADING FACILITIES.—Section 2 of the Commodity Exchange Act (7 U.S.C. 2) is amended by adding the following new subsection:

''(j) REGISTRATION OF ENERGY TRADING FACILITIES.—

''(1) IN GENERAL.—It shall be unlawful for any person to enter into an agreement, contract, or transaction for future delivery of an energy commodity that is not a spot sale of a cash commodity or a sale of a cash commodity for deferred shipment or delivery, on

or through an energy trading facility unless such facility is registered with the Commission as an energy trading facility.

''(2) APPLICATIONS.—Any trading facility applying to the Commission for registration as an energy trading facility shall submit an application to the Commission that includes any relevant materials and records, consistent with the Act, that the Commission may require.

''(3) COMMISSION ACTION.—The Commission shall make a determination whether to approve an application for registration as an energy trading facility within 120 days after such application is submitted.

''(4) CRITERIA FOR REGISTRATION.—To be registered as an energy trading facility, the applicant shall demonstrate to the Commission that the trading facility meets the criteria specified in this paragraph.

''(A) PREVENTION OF PRICE MANIPULATION AND EXCESSIVE SPECULATION.—The trading facility shall have the capacity to prevent price manipulation, excessive speculation, price distortion, and disruption of the delivery or cash-settlement process through market surveillance, compliance, and enforcement practices and procedures, including methods for conducting real-time monitoring of trading and comprehensive and accurate trade reconstructions.

''(B) MONITORING OF TRADING.—The trading facility shall monitor trading to prevent price manipulation, excessive speculation, price distortion, and disruption of the delivery or cash-settlement process.

''(C) CONTRACTS NOT READILY SUSCEPTIBLE TO MANIPULATION.—The trading facility shall list for trading only contracts that are not readily susceptible to manipulation.

''(D) FINANCIAL INTEGRITY OF TRANSACTIONS.—A trading facility that facilitates the clearance and settlement of agreements, contracts, or transactions by a derivatives clearing organization shall establish and enforce rules and procedures for ensuring the financial integrity of such agreements, contracts, and transactions.

''(E) ABILITY TO OBTAIN INFORMATION.—The trading facility shall establish and enforce rules that will allow the trading facility to obtain any necessary information to perform any of the functions described in this subsection, including the capacity to carry out such international information-sharing agreements as the Commission may require.

''(F) POSITION LIMITS OR ACCOUNTABILITY LEVELS.—To reduce the threat of price manipulation, excessive speculation, price distortion, or disruption of the delivery or cash-settlement process, the trading facility shall adopt position limits or position accountability levels for speculators, where necessary and appropriate.

''(G) EMERGENCY AUTHORITY.—The trading facility shall adopt rules to provide for the exercise of emergency authority, in consultation and cooperation with the Commission, where necessary and appropriate, including the authority to—

''(i) liquidate open positions in any contract;

''(ii) suspend or curtail trading in any contract; and

''(iii) require market participants in any contract to meet special margin requirements.

''(H) DAILY PUBLICATION OF TRADING INFORMATION.—The trading facility shall make public daily information on settlement prices, volume, open interest, and opening and closing ranges for actively traded contracts on the facility.

''(I) DETERRENCE OF ABUSES.—The trading facility shall establish and enforce trading and participation rules that will deter abuses and shall have the capacity to detect, investigate violations of, and enforce those rules, including means to—

''(i) obtain information necessary to perform the functions required under this section; or

''(ii) use technological means to capture information that may be used in establishing whether rule violations have occurred.

''(J) TRADE INFORMATION.—The trading facility shall maintain rules and procedures to provide for the recording and safe storage of all identifying trade information in a manner that enables the facility to use the information for the purposes of assisting in the prevention of price manipulation, excessive speculation, price distortion, or disruption of the delivery or cash-settlement process, and providing evidence of any violations of the rules of the facility.

''(K) TRADING PROCEDURES.—The trading facility shall establish and enforce rules or terms and conditions defining, or specifications detailing, trading procedures to be used in entering and executing orders traded on the facility, including procedures to provide participants with impartial access to the trading facility.

''(L) COMPLIANCE WITH RULES.—The trading facility shall monitor and enforce the rules of the facility, including any terms and conditions of any contracts traded on or through the facility and any limitations on access to the facility.

''(M) DISCLOSURE OF GENERAL INFORMATION.—The trading facility shall disclose publicly and to the Commission information concerning—

''(i) contract terms and conditions;

''(ii) trading conventions, mechanisms, and practices;

''(iii) financial integrity protections; and

''(iv) other information relevant to participation in trading on the facility.

''(N) FITNESS STANDARDS.—The trading facility shall establish and enforce appropriate fitness standards for directors, members of any disciplinary committee, and any other persons with direct access to the facility, including any parties affiliated with any of the persons described in this paragraph.

''(O) CONFLICTS OF INTEREST.—The trading facility shall establish and enforce rules to minimize conflicts of interest in the decision making process of the facility and establish a process for resolving such conflicts of interest.

''(P) RECORDKEEPING.—The trading facility shall maintain records of all activities related to the business of the facility in a form and manner acceptable to the Commission for a period of 5 years.

''(Q) ANTITRUST CONSIDERATIONS.—Unless necessary or appropriate to achieve the purposes of this Act, the trading facility shall endeavor to avoid—

''(i) adopting any rules or taking any actions that result in any unreasonable restraint of trade; or

''(ii) imposing any material anticompetitive burden on trading on the facility.

''(5) CRITERIA FOR ENERGY TRADING FACILITIES.—To maintain the registration as an energy trading facility, the trading facility shall comply with all of the criteria in paragraph (4). Failure to comply with any of these criteria shall constitute a violation of this Act. The trading facility shall have reasonable discretion in establishing the manner in which it complies with the criteria in paragraph (4).

''(6) POSITION LIMITS AND ACCOUNTABILITY LEVELS.—

''(A) DUTY OF COMMISSION.—The Commission shall ensure that the position limits and accountability levels applicable to contracts in an energy commodity listed for trading on a designated contract market and the position limits and accountability levels applicable to similar contracts in the same energy commodity listed for trading on an energy trading facility—

''(i) appropriately prevent price manipulation, excessive speculation, price distortion, and disruption of the delivery or cash-settlement process; and

''(ii) are on a parity with each other and applied in a functionally equivalent manner.

''(B) COMMISSION REVIEW.—Upon learning that a person has exceeded an applicable position limit or accountability level in an energy commodity, the Commission shall obtain such information as it determines to be necessary and appropriate regarding all of the positions held by such person in such energy commodity and take such action as may be necessary and appropriate, in addition to any action taken by an energy trading facility or a designated contract market, to require, or direct an energy trading facility or a designated contract market to require, such person to limit, reduce, or liquidate any position to prevent or reduce the threat of price manipulation, excessive speculation, price distortion, or disruption of the delivery or cash-settlement process.

''(C) INFORMATION TO COMMISSION.—In order to make any determination required under this section, the Commission may request all relevant information regarding all of the positions held by any person in the energy commodity for which the person has exceeded a position limit or accountability level, including positions held or controlled or transactions executed on or through a designated contract market, an energy trading facility, an exempt commercial markets operating pursuant to sections 2(h)(3) through paragraph (5) of this Act, an exempt board of trade operating pursuant to section 5d of this Act, a derivative transaction execution facility, a foreign board of trade, over-the-counter pursuant to sections 2(g), or 2(h)(1) and (2) of this Act, and in the cash market for the commodity. Any person entering into or executing an agreement, contract, or transaction with respect to an energy commodity on a designated contract market or on an energy trading facility shall retain such books and records as the Commission may require in order to provide such information upon request, and upon request shall promptly provide such information to the Commission or the Department of Justice. Notwithstanding this requirement to retain and provide position information, the Commission may alternatively choose to obtain any of the position information specified in this paragraph from the trading facility at which such positions are maintained.

''(D) CRITERIA FOR COMMISSION DETERMINATION.—In making any determination to require a limitation, reduction, or liquidation of any position with respect to an energy commodity, the Commission may consider, as appropriate—

''(i) the person's open interest in a contract, agreement, or transaction involving an energy commodity relative to the total open interest in such contracts, agreements, or transactions;

''(ii) the daily volume of trading in such contracts, agreements or transactions;

''(iii) the person's overall position in related contracts, including options, and the overall open interest or liquidity in such related contracts and options;

''(iv) the potential for such positions to cause or allow price manipulation, excessive speculation, price distortion, or disruption of the delivery or cash-settlement process;

''(v) the person's record of compliance with rules, regulations, and orders of the Commission, a designated contract market, or an energy trading facility, as appropriate;

''(vi) the person's financial ability to support such positions on an ongoing basis;

''(vii) any justification provided by the person for such positions; and

''(viii) other such factors determined to be appropriate by the Commission.''.

(d) INFORMATION FOR PRICE DISCOVERY DETERMINATION.—

(1) Section 2(h)(5)(B) of the Commodity Exchange Act (7 U.S.C. 2(h)(5)(B)) is amended by adding the following new clause:

''(iv) to the extent that the electronic trading facility provides for the trading of agreements, contracts, or transactions in an energy commodity, provide the Commission with such information as the Commission determines necessary to evaluate whether the energy trading facility performs a significant price discovery function in relation to a contract in an energy commodity listed for trading on a trading facility or in the cash market for the energy commodity, including the provision of such requested information on a continuous basis.''.

(2) Section 5a(b) of the Commodity Exchange Act (7 U.S.C. 7a(b)) is amended by adding the following new paragraph:

''(5) PRICE DISCOVERY FOR ENERGY COMMODITY.—A registered derivatives transaction execution facility shall, to the extent that it provides for the trading of any contract of sale of a commodity for future delivery (or option on such contract) based on an energy commodity, provide the Commission with such information as the Commission determines necessary to evaluate whether the registered derivatives transaction execution facility performs a significant price discovery function in relation to a contract in an energy commodity listed for trading on a trading facility or in the cash market for the energy commodity, including the provision of such requested information on a continuous basis.''.

(e) CONFORMING AMENDMENTS.—The Commodity Exchange Act is amended—

(1) in paragraph 29 of section 1a (7 U.S.C. 1a)—

(A) in subparagraph (C) by deleting ''and'';

(B) in subparagraph (D) by deleting the period and inserting ''; and'';

(C) by adding at the end the following:

''(E) an energy trading facility registered under section 2(j).'';

(2) in subsection (a) of section 4 (7 U.S.C. 6(a))—

(A) in paragraph (1) by inserting ''registered energy trading facility or a'' after ''subject to the rules of a''; and

(B) in paragraph (2) by inserting ''or energy trading facility'' after ''derivatives transaction execution facility'';

(3) in subsection (c) of section 4 (7 U.S.C. 6(c)), by inserting ''registered energy trading facility or'' in the parenthetical after ''including any'';

(4) in subsection (a) of section 4a (7 U.S.C. 6a)—

(A) in the first sentence by inserting ''or energy trading facilities'' after ''derivatives transaction execution facilities''; and

(B) in the second sentence by inserting ''or energy trading facility'' after ''derivatives transaction execution facility'';

(5) in subsection (b) of section 4a (7 U.S.C. 6a), by inserting ''or energy trading facility'' after ''derivatives transaction execution facility'' wherever it appears;

(6) in subsection (e) of section 4a (7 U.S.C. 6a)—

(A) in the first sentence—

(i) by inserting ''or by any energy trading facility'' after ''registered by the Commission'';

(ii) by inserting ''or energy trading facility'' after ''derivatives transaction execution facility'' the second time it appears;

(iii) by inserting ''energy trading facility'' before ''or such board of trade'' each time it appears; and

(B) in the second sentence, by inserting ''or energy trading facility'' after ''registered by the Commission'';

(7) in section 4e (7 U.S.C. 6e), by inserting ''or energy trading facility'' after ''or derivatives transaction execution facility'';

(8) in section 4i (7 U.S.C. 6i), by inserting ''or energy trading facility'' after ''derivatives transaction execution facility'';

(9) in section 4l (7 U.S.C. 6l), by inserting ''or energy trading facilities'' after ''derivatives transaction execution facilities'' wherever it appears in paragraphs (2) and (3);

(10) in section 5c(b) (7 U.S.C. 7a–2(b)), by inserting ''or energy trading facility'' after ''derivatives transaction execution facility'' wherever it appears in paragraphs (1), (2), and (3);

(11) in section 6(b) (7 U.S.C. 8(b))—

(A) by inserting ''or energy trading facility'' after ''derivatives transaction execution facility'' wherever it appears; and

(B) by inserting ''section 2(j) or'' before ''sections 5 through 5b''; and

(12) in section 6d(1) (7 U.S.C. 13a–2(1)), by inserting ''energy trading facility'' after ''derivatives transaction execution facility''.

SEC. 3. REPORTING OF U.S. ENERGY TRADES.

Section 2 of the Commodity Exchange Act (7 U.S.C. 1a) is amended by adding at the end the following:

''(k) DOMESTIC ENERGY TRADES ON A FOREIGN BOARD OF TRADE.—

''(1) DEFINITIONS.—In this subsection:

''(A) DOMESTIC TERMINAL.—The term 'domestic terminal' means a technology, software, or other means of providing electronic access within the United States to a contract, agreement, or transaction traded on a foreign board of trade.

''(B) REPORTABLE CONTRACT.—The term 'reportable contract' means a contract, agreement, or transaction for future delivery of an energy commodity (or option thereon), or an option on an energy commodity, for which the underlying commodity has a physical delivery point within the United States and that is executed through a domestic terminal.

''(2) RECORD KEEPING.—The Commission, by rule, shall require any person holding, maintaining, or controlling any position in any reportable contract under this section—

''(A) to maintain such records as directed by the Commission for a period of 5 years, or longer, if directed by the Commission; and

''(B) to provide such records upon request to the Commission or the Department of Justice.

''(3) REPORTING.—The Commission shall prescribe rules requiring such regular or continuous reporting of positions in a reportable contract in accordance with such requirements regarding size limits for reportable contracts and the form, timing, and manner of filing such reports under this paragraph, as the Commission shall determine.

''(4) EQUIVALENT MEANS OF OBTAINING INFORMATION.—The Commission may waive the requirement under paragraph (3) if the Commission determines that the foreign board of trade is providing the Commission with equivalent information in a usable format pursuant to an agreement between the Commission and the foreign board of trade or a foreign futures authority, department or agency of a foreign government, or political subdivision thereof.

''(5) OTHER RULES NOT AFFECTED.—

''(A) IN GENERAL.—Except as provided in clause (ii), this paragraph does not prohibit or impair the adoption by any board of trade or energy trading facility licensed, designated, or registered by the Commission of any bylaw, rule, regulation, or resolution requiring reports of positions in any agreement, contract, or transaction for future delivery of an energy commodity (or option thereon), or option on an energy commodity, including any bylaw, rule, regulation, or resolution pertaining to filing or recordkeeping, which may be held by any person subject to the rules of the board of trade or energy trading facility.

''(B) EXCEPTION.—Any bylaw, rule, regulation, or resolution established by a board of trade or energy trading facility described in clause (i) shall not be inconsistent with any requirement prescribed by the Commission under this paragraph.''.

SEC. 4. ANTIFRAUD AUTHORITY.

Section 4b of the Commodity Exchange Act (7 U.S.C. 6b) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by striking ''**SEC. 4b.**'' and all that follows through the end of subsection (a) and inserting the following:

''SEC. 4b. CONTRACTS DESIGNED TO DEFRAUD OR MISLEAD.

''(a) UNLAWFUL ACTIONS.—It shall be unlawful—

''(1) for any person, in or in connection with any order to make, or the making of, any contract of sale of any commodity in interstate commerce or for future delivery that is made, or to be made, on or subject to the rules of a designated contract market, for or on behalf of any other person; or

''(2) for any person, in or in connection with any order to make, or the making of, any contract of sale of any commodity for future delivery, or other agreement, contract, or transaction subject to paragraphs (1) and (2) of section 5a(g), that is made, or to be made, for or on behalf of, or with, any other person, other than on or subject to the rules of a designated contract market—

''(A) to cheat or defraud or attempt to cheat or defraud the other person;

''(B) willfully to make or cause to be made to the other person any false report or statement or willfully to enter or cause to be entered for the other person any false record;

''(C) willfully to deceive or attempt to deceive the other person by any means whatsoever in regard to any order or contract or the disposition or execution of any order or contract, or in regard to any act of agency performed, with respect to any order or contract for or, in the case of paragraph (2), with the other person; or

''(D)(i) to bucket an order if the order is represented by the person as an order to be executed, or is required to be executed, on or subject to the rules of a designated contract market; or

''(ii) to fill an order by offset against the order or orders of any other person, or willfully and knowingly and without the prior consent of the other person to become the buyer in respect to any selling order of the other person, or become the seller in respect to any buying order of the other person, if the order is represented by the person as an order to be executed, or is required to be executed, on or subject to the rules of a designated contract market unless the order is executed in accordance with the rules of the designated contract market.

''(b) CLARIFICATION.—Subsection (a)(2) of this section shall not obligate any person, in or in connection with a transaction in a contract of sale of a commodity for future delivery, or other agreement, contract or transaction subject to paragraphs (1) and (2) of section 5a(g), with another person, to disclose to the other person nonpublic information that may be material to the market price, rate, or level of the commodity or transaction, except as necessary to make any statement made to the other person in or in connection with the transaction, not misleading in any material respect.''.

SEC. 5. COMMISSION RULEMAKING.

Not later than 180 days after the date of enactment of this Act, the Commission shall issue a proposed rule regarding the requirements for an application for registration for an energy trading facility, and not later than 270 days after the date of enactment of this Act, shall issue a final rule.

SEC. 6. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in this section, this Act shall become effective immediately upon enactment.

(b) TRADING FACILITIES.—With respect to any trading facility operating on the date of enactment of this Act in reliance upon the exemption set forth in section 2(h)(3) of the Commodity Exchange Act with respect to an energy commodity, the prohibition in section 2(j)(1) of the Commodity Exchange Act, as added by this Act, shall not apply, if the trading facility submits an application to the Commission for registration as an energy trading facility within 180 days after the Commission promulgates a final rule regarding the requirements for an application for registration for an energy trading facility, prior to a determination by the Commission on whether to approve such application.

(c) EXTENSIONS.—(1) At the time the Commission approves an application by a trading facility operating on the date of enactment of this Act in reliance on the exemption set forth in section 2(h)(3) of the Commodity Exchange Act for registration as an energy trading facility, the Commission shall, upon the written request of the facility, grant an extension of up to 180 days to fully implement a requirement applicable under this Act to an energy trading facility.

(2) The Commission may in its discretion, upon the written request of the facility and for good cause, grant an additional extension of up to 6 months to fully implement a requirement for which an initial extension has been granted under paragraph (1).

(3) The Commission may not grant any extension under paragraphs (1) or (2) for any information reporting or recordkeeping requirement.

(d) DOMESTIC TRADING ON FOREIGN BOARDS OF TRADE.—Section 3 of this Act shall take effect 180 days after the date of the enactment of this Act.

SUMMARY OF THE CLOSE THE ENRON LOOPHOLE ACT

Closes the ''Enron Loophole.'' The bill would close the Enron loophole and require government oversight of the trading of energy commodities by large traders to prevent price manipulation and excessive speculation.

Since 2000, the ''Enron loophole'' in §2(h)(3) of the Commodity Exchange Act has exempted from oversight the electronic trading of energy commodities by large traders. As a hedge fund known as Amaranth Advisors demonstrated in the natural gas market in 2006, the Enron loophole makes it impossible to prevent traders from distorting energy prices through large trades on these unregulated exchanges. Under this bill, a trading facility that functions as an energy exchange would be subject to Commodity Futures Trading Commission (CFTC) oversight to prevent price manipulation and excessive speculation. The bill would:

Require oversight of Energy Trading Facilities (ETFs). ETFs would have to comply with the same standards that apply to futures exchanges, like NYMEX, to prevent price manipulation and excessive speculation. The only difference would be that regulatory provisions governing retail trading and brokers on a futures exchange would not apply because trading on an ETF is restricted to large traders trading amongst themselves. ETFs would function as self-regulatory organizations under CFTC oversight in the same manner as futures exchanges.

Require ETFs to establish trading limits on traders, such as position limits or accountability levels, to prevent price manipulation and excessive speculation, subject to CFTC approval, in the same manner as futures exchanges. Position limits set a ceiling on the number of contracts that a trader can hold at one time on a trading facility; accountability levels, when exceeded, trigger a review by regulators of a trader's holdings in order to prevent price manipulation and excessive speculation. The CFTC would ensure that position limits and accountability levels for similar contracts on different exchanges are on parity with each other and applied in a functionally equivalent manner. The CFTC would also ensure that a trader's positions on multiple exchanges and other markets, when combined, are not excessive.

Define ''energy commodity'' as a commodity used as a source of energy, including crude oil, gasoline, heating oil, diesel fuel, natural gas, and electricity, or results from the burning of fossil fuels, including carbon dioxide and sulfur dioxide.

Define ''energy trading facility'' as a trading facility that trades contracts in an energy commodity (other than in the cash or spot market) between large traders (''eligible commercial entities''), and provides either for the clearing of those contracts or a price discovery function in the futures or cash market for that energy commodity. Clearing services, which are already subject to CFTC oversight, generally guarantee the performance of a contract, and facilitate the trading of those contracts. A trading facility performs a price discovery function when the price of transactions are publicly disseminated and can affect the prices of subsequent transactions.

Require large-trader reporting for domestic trades on foreign exchanges. Large trades of U.S. energy commodities taking place from the United States on foreign exchanges would have to be reported to the CFTC. Traders would be relieved of this reporting requirement if the CFTC reached agreement with a foreign board of trade to obtain the same information.

CLOSE THE ENRON LOOPHOLE ACT SECTION-BY-SECTION ANALYSIS

Section 1. Short Title

The title of this bill is the ''Close the Enron Loophole Act''.

Sec. 2. Energy trading facilities

This section amends the Commodity Exchange Act (CEA) to regulate energy trading facilities that are currently exempt from Commodity Futures Trading Commission (CFTC) oversight under section 2(h)(3) of the CEA. After defining the terms ''energy commodity'' and ''energy trading facility,'' this section delineates the criteria required for an energy trading facility to be registered with the CFTC. The specified criteria are based upon existing criteria in the CEA for futures markets (designated contract markets) and derivatives transaction execution facilities so that energy trading facilities will operate under a comparable degree of self-regulation and CFTC oversight as current facilities, taking into account certain differences between the types of markets.

Section 2(a). Definitions. This section defines the terms ''energy commodity'' and ''energy trading facility.''

The term ''energy commodity'' means a commodity (other than an excluded commodity, a metal, or an agricultural commodity) that is used as a source of energy or that results from the burning of fossil fuels to produce energy. Examples of energy commodities that are used as a source of energy include crude oil; gasoline, heating oil and other products refined from crude oil; natural gas; and electricity. Examples of energy commodities that result from the burning of fossil fuels to produce energy include carbon dioxide and sulfur dioxide.

The term ''energy trading facility'' means a trading facility (as defined in section 1a(33) of the CEA) that: (A) is not a designated contract market (DCM); and (B) facilitates the trading of energy commodities between eligible commercial entities (essentially large, sophisticated traders); and either (i) provides a clearing service for products traded on the facility or (ii) the CFTC determines that trading on the facility provides a price discovery function on a trading facility or in the cash market for an energy commodity.

The definition of ''energy trading facility'' represents a subset of trading facilities that would otherwise qualify as ''exempt commercial markets'' under current law. In essence, it requires the regulation of energy trading facilities that exhibit the key attributes of a futures exchange—the trading of standardized and cleared contracts for future delivery of a commodity having a finite supply.

The definition of ''energy trading facility'' excludes the trading of energy commodities that are ''spot sales of a cash commodity or sales of a cash commodity for deferred shipment or delivery,'' since the bill is not intended to apply to the cash market for energy commodities. This exclusion, however, does not encompass contracts that are commonly referred to as ''swaps,'' since swaps are not spot sales of a cash commodity or sales of a cash commodity for deferred shipment or delivery. Because swaps in the energy market are economically and functionally equivalent to futures contracts for energy commodities, this bill ensures that they will be regulated in a functionally equivalent manner.

The definition restricts the bill's application to energy trading facilities that allow only ''exempt commercial entities'' (ECEs) to participate, meaning large sophisticated traders who trade with each other on a principal-to-principal basis. This restriction is identical to the restriction in current law for trading facilities that qualify as exempt commercial markets under section 2(h)(3). A trading facility that permits brokered or intermediated transactions or participation by persons other than ECEs would not qualify as an energy trading facility subject to the type of regulation provided under this bill. Instead, as is the case under current law, a facility that allows the trading of futures contracts by persons other than ECEs must register with and be designated by the CFTC as a contract market subject to the regulations that apply to a DCM.

The definition also addresses the concern that, despite the advantages and widespread use of clearing services to facilitate trading, if the presence of a clearing function triggers regulatory oversight, then alternative trading platforms may develop that do not provide clearing services in order to avoid the reporting and monitoring requirements essential to an effective regulatory system. To address this concern, the bill provides that a trading facility that does not provide clearing services still may qualify as an energy trading facility subject to regulation if the CFTC determines the facility ''performs a significant price discovery function in relation to an energy commodity listed for trading on a trading facility or in the cash market for the energy commodity.'' Factors for the CFTC to consider in determining whether a trading facility performs such a significant price discovery function include the extent to which the prices of contracts traded on the facility are linked to or derived from

the prices of futures contracts traded on a DCM, the volume of trading on the facility, whether prices of completed transactions are immediately posted or disseminated, and the extent to which traders engage in arbitrage trading between the contracts traded on the facility and those traded on a regulated market.

Section 2(b). Oversight of Energy Trading Facilities. This section specifies that an energy trading facility, and any agreement, contract, or transaction traded on that facility, shall be subject to the regulatory requirements established in a new CEA section 2(j).

Section 2(b)(1) amends CEA section 2(h)(3) to exclude energy trading facilities from qualifying as an exempt commercial market in order to make it clear that those facilities must instead comply with the new CEA section 2(j).

Section 2(b)(2) adds a new section 2(h)(7) to the CEA. This new section provides that notwithstanding any other provision of the CEA, an energy trading facility and persons trading on an energy trading facility are subject to the new CEA section 2(j). This clarifying provision means, for example, that a trading facility that meets the criteria for an energy trading facility could not operate as a derivatives transaction execution facility (DTEF) under another provision of the CEA.

Section 2(c). Standards Applicable to Energy Trading Facilities. This section adds a new section 2(j) to the CEA, specifying the standards that an applicant must meet to register with the CFTC as an energy trading facility.

Commission Approval of Energy Trading Facilities. A new section 2(j)(1) makes it illegal for any person to enter into an agreement, contract, or transaction on an energy trading facility unless such facility has been registered with the Commission as an energy trading facility. Section 6 of this bill provides a timeline for facilities in operation on the date of enactment of this Act under CEA section 2(h)(3) to submit an application, obtain registration, and comply with these requirements.

Applications for Operation as Energy Trading Facility. New section 2(j)(2) provides that a facility must submit an application to the Commission for operation as an energy trading facility in order to register as an energy trading facility. The Commission is authorized to establish such application requirements as it deems appropriate. New section 2(j)(3) provides that the Commission shall make a determination on any such application within 120 days after receiving it.

Criteria for Approval of Applications. New section 2(j)(4) specifies the criteria that an applicant must meet for registration as an energy trading facility. Because an energy trading facility may trade instruments that possess the same characteristics as futures contracts traded on a designated contract market, several of the criteria, particularly those regarding prevention of price manipulation, excessive speculation, and price distortion, are identical to the criteria applicable to a designated contract market (DCM). Other DCM criteria are not used, such as those applicable to intermediated or brokered transactions, since those types of transactions are not permitted on an energy trading facility. In addition, because energy trading facilities conduct all trading on a principal-to-principal basis, a number of the criteria applicable to a derivatives transaction execution facility are included in the section. The criteria are as follows.

New section 2(j)(4)(A): PREVENTION OF PRICE MANIPULATION AND EXCESSIVE SPECULATION.—This section requires the facility to have the capacity to prevent price manipulation, excessive speculation, price distortion, and disruption through market surveillance, compliance, and enforcement practices and procedures, including methods for conducting real-time monitoring of trading and comprehensive and accurate trade reconstructions. The term ''excessive speculation'' as used in this bill has the same meaning as the term ''excessive speculation'' in section 4a(a) of the Act as ''causing sudden or unreasonable fluctuations or unwarranted changes in the price of such commodity.'' [Equivalent to DCM Criteria: Prevention of Market Manipulation, CEA §5(b)(2)].

New Section 2(j)(4)(B): MONITORING OF TRADING.—This section requires the facility to monitor trading to prevent price manipulation, excessive speculation, price distortion, and disruption of the delivery or cash-settlement process. [Equivalent to DCM Core Principles: Monitoring of Trading, CEA §5(d)(4); see also DTEF Core Principles: Monitoring of Trading, CEA §5a(d)(3)].

New Section 2(j)(4)(C): CONTRACTS NOT READILY SUSCEPTIBLE TO MANIPULATION.—This section requires the facility to list for trading only contracts that are not readily susceptible to manipulation. [Equivalent to DCM Core Principles: Contracts Not Readily Susceptible to Manipulation, CEA §5(d)(3)].

New Section 2(j)(4)(D): FINANCIAL INTEGRITY OF TRANSACTIONS.—This section requires the facility to establish and enforce rules and procedures for ensuring the financial integrity of transactions cleared and settled through the facilities of the energy trading facility. [Based on DCM Criteria: Financial Integrity of Transactions, CEA §5(b)(5); and DTEF Registration Criteria: Transactional Financial Integrity, CEA §5a(c)(4)].

New Section 2(j)(4)(E): ABILITY TO OBTAIN INFORMATION.—This section requires the facility to establish and enforce rules that will allow the facility to obtain any necessary information to perform any of the functions described in this subsection, including the capacity to carry out such international information-sharing agreements as the Commission may require. [Equivalent to DCM Criteria: Ability to Obtain Information, CEA §5(b)(8)].

New Section 2(j)(4)(F): POSITION LIMITS OR ACCOUNTABILITY LEVELS.—This section requires the facility to reduce the potential threat of price manipulation, excessive speculation, price distortion, or disruption of the delivery or cash-settlement process, by adopting position limits or position accountability levels for speculators, where necessary and appropriate. [Equivalent to DCM Core Principles: Position Limitation or Accountability, CEA §5(d)(5)].

New Section 2(j)(4)(G): EMERGENCY AUTHORITY.—This section requires the facility to adopt rules to provide for the exercise of emergency authority to liquidate or transfer open positions in any contract, suspend or curtail trading in any contract, and require market participants in any contract to meet special margin requirements. [Equivalent to DCM Core Principles: Emergency Authority, CEA §5(d)(6)].

New Section 2(j)(4)(H): DAILY PUBLICATION OF TRADING INFORMATION.—This section requires the facility to make public daily information on settlement prices, volume, open interest, and opening and closing ranges for actively traded contracts on the facility. [Equivalent to DCM Core Principle: Daily Publication of Trading Information; CEA §5(d)(8); see also DTEF Core Principles: Daily Publication of Trading Information, CEA §5a(d)(5)].

New Section 2(j)(4)(I): DETERRENCE OF ABUSES.—This section requires the facility to establish and enforce trading and participation rules that will deter abuses and to maintain the capacity to detect, investigate, and enforce those rules. [Based on DTEF Registration Criteria: Deterrence of Abuses, CEA §5a(c)(2)].

New Section 2(j)(4)(J): TRADE INFORMATION.—This section requires the facility to maintain rules and procedures to provide for the recording and safe storage of all identifying trade information in a manner that enables the facility to use the information for the purposes of assisting in the prevention of price manipulation, excessive speculation, price distortion, or disruption of the delivery or cash-settlement process, and providing evidence of any violations of the rules of the facility. [Based on DCM Core Principles: Trade Information, CEA §5(d)(10)].

New Section 2(j)(4)(K): TRADING PROCEDURES.—This section requires the facility to establish and enforce rules or terms and conditions defining, or specifications detailing, trading procedures to be used in entering and executing orders traded on the facility. [Based on DTEF Registration Criteria: Trading Procedures, CEA §5a(c)(3); see also DCM Criteria: Trade Execution Facility, CEA §5(b)(4)].

New Section 2(j)(4)(L): COMPLIANCE WITH RULES.—This section requires the facility to monitor and enforce the rules of the facility, including any terms and conditions of any contracts traded on or through the facility and any limitations on access to the facility. [Equivalent to DTEF Core Principles: Compliance with Rules, CEA §5a(d)(2); see also DCM Core Principles: Compliance with Rules, CEA §5(d)(2)].

New Section 2(j)(4)(M): DISCLOSURE OF GENERAL INFORMATION.—This section requires the facility to disclose publicly and to the Commission information concerning: (i) contract terms and conditions; (ii) trading conventions, mechanisms, and practices; (iii) financial integrity protections; and (iv) other information relevant to participation in trading on the facility. [Equivalent to DTEF Core Principles: Disclosure of General Information, CEA §5a(d)(4); see also DCM Core Principles: Availability of General Information, CEA §5(d)(7)].

New Section 2(j)(4)(N): FITNESS STANDARDS.—This section requires the facility to establish and enforce appropriate fitness standards for directors, members of any disciplinary committee, and any other persons with direct access to the facility, including any parties affiliated with any of the persons described in this paragraph. [Equivalent to DTEF Core Principles: Fitness Standards, CEA §5a(d)(6); see also DCM Core Principles: Governance Fitness Standards, CEA §5(d)(14)].

New Section 2(j)(4)(O): CONFLICTS OF INTEREST.—This section requires the facility to establish and enforce rules to minimize conflicts of interest in the decision making process of the facility and establish a process for resolving such conflicts of interest. [Equivalent to DTEF Core Principles: Conflicts of Interest, CEA §5a(d)(7); and DCM Core Principles: Conflicts of Interest, CEA §5(d)(15)].

New Section 2(j)(4)(P): RECORDKEEPING.—This section requires the facility to maintain business records for a period of 5 years. [Equivalent to DTEF Core Principles: Recordkeeping, CEA §5a(d)(8); and DCM Core Principles: Recordkeeping, CEA §5(d)(17)].

New Section 2(j)(4)(Q): ANTITRUST CONSIDERATIONS.—This section requires the facility to endeavor to avoid: (i) adopting rules or taking any actions that result in any unreasonable restraint of trade; or (ii) imposing any material anticompetitive burden on trading on the facility. [Equivalent to DTEF Core Principles: Antitrust Considerations, CEA §5a(d)(9); and DCM Core Principles: Antitrust Considerations, CEA §5(d)(18)].

Compliance with Criteria. New section 2(j)(5) provides that an energy trading facility must continue to comply with all of the criteria in section 2(j)(4) to continue operation, and that violation of any of the criteria shall constitute a violation of the Commodity Exchange Act. The trading facility shall have reasonable discretion in establishing the manner in which it complies with these criteria.

Position Limits and Accountability Levels. New section 2(j)(6) directs the Commission to ensure that the position limits and accountability levels that are established for energy trading facilities are on a parity with the position limits and accountability levels established for similar contracts traded on a designated contract market and applied in a functionally equivalent manner. This provision is designed to ensure that there is no regulatory advantage to trading on an energy trading facility compared to a designated contract market, or vice versa.

Additionally, once a trader's position exceeds a position limit or an accountability level on a particular trading facility, this section directs the Commission to take such action as may be necessary and appropriate, in light of the trader's overall positions in that commodity, to reduce the potential threat of price manipulation, excessive speculation, price distortion, or disruption of the delivery or cash-settlement process.

Such a comprehensive approach may have to be undertaken by the CFTC, since it may be beyond the authority of a particular trading facility to obtain information about or limit a trader's relevant positions when those positions are outside of the exchange itself. The Commission may direct a trader, or direct a trading facility to direct a trader, to limit, reduce or liquidate any position in any market, as the Commission determines necessary to reduce the potential threat of price manipulation, excessive speculation, price distortion or disruption of the delivery or cash-settlement process.

In order to make a determination on the appropriate action to take, the Commission is authorized to obtain from a trader information regarding all of the trader's exchange and off-exchange positions in that commodity. The Commission will be receiving on a regular basis, through its large trader reporting system, information regarding any trader's positions on a designated contract market or an energy trading facility that exceed the levels for reportable positions; the Commission may choose to request additional information on other positions in the commodity held by the trader if the Commission determines this additional information is necessary to make any determinations required by this section. The authority to obtain this position information parallels the Commission's existing authority under CEA sections 3(b), 4i, and 8a(5) to require traders to retain transaction records for commodities traded on CFTC-regulated facilities and provide them to the Commission upon request. The Commission recently described this authority in its proposed rulemaking ''Maintenance of Books, Records and Reports by Traders,'' 72 Fed. Reg. 34413 (June 22, 2007). The information specified to be provided to the Commission under the new section 2(j)(5)(C) is identical to the information specified to be provided to the Commission in that proposed rulemaking.

The Commission's review of a trader's entire position does not relieve an individual exchange of the authority and responsibility to review a trader's position on that exchange once a position limit or accountability level on that exchange has been exceeded. Rather, it is anticipated that the Commission's comprehensive review of the trader's entire position in a commodity will be undertaken in addition to the review conducted by the individual exchange on which the trader has taken a position in excess of an accountability level or position limit. Based on this comprehensive review, the Commission will then determine whether any additional action, beyond that initially taken by the exchange, is necessary to limit, reduce or liquidate the trader's position to reduce the potential threat of price manipulation, excessive speculation, price distortion, or disruption of the delivery or cash-settlement process. In making or implementing any such determinations, the Commission should continue to work in consultation and cooperation with the affected exchanges.

New section 2(j)(6)(D) specifies criteria the Commission or an exchange may consider when determining whether to require a trader to limit, reduce, or liquidate a position in an energy commodity in excess of an accountability level. In making any such determination with respect to an energy commodity, the Commission, a designated contract market, or an energy trading facility should consider, as appropriate: (i) the person's open interest in a contract, agreement, or transaction involving an energy commodity relative to the total open interest in such contracts, agreements or transactions; (ii) the daily volume of trading such contracts, agreements or transactions; (iii) the person's overall position in related contracts, including options, and the overall open interest or liquidity in such related contracts and options; (iv) the potential for such positions to cause or allow price manipulation, excessive speculation, price distortion, or disruption of the delivery or cash-settlement process; (v) the person's record of compliance with rules, regulations, and orders of the Commission, a designated contract market, or an energy trading facility, as appropriate; (vi) any justification provided by the person for such positions; and (vii) other such factors determined to be appropriate by the Commission.

The criteria specified in this section are not intended to be the exclusive criteria that may be applied, but are set forth to provide additional guidance to the Commission, the exchanges, and persons trading on the exchanges in addition to the general language pertaining to ''excessive speculation'' in section 4 of the CEA.

Section 2(d). Information for Price Discovery Determination. This section provides the Commission with the authority to obtain from an electronic trading facility or a derivatives transaction execution facility any information the Commission determines is necessary for the Commission to evaluate whether such a facility performs a price discovery function in relation to a contract in an energy commodity under the definition of energy trading facility.

Section 2(e). Conforming Amendments. This section amends the CEA in a variety of sections to provide the Commission with a comparable degree of authority over the operation of an energy trading facility that it possesses with respect to a designated contract market or a derivatives transaction execution facility.

Sec. 3. Reporting of Energy Trades

Section 3 of the bill adds a new CEA section 2(k) to require persons that trade from within the United States on a foreign board of trade a contract for future delivery of an energy commodity that has a physical delivery point within the United States to keep records of such trades and to report large trades in such contracts to the Commission. The Commission is authorized to waive the reporting requirement if the Commission determines that a foreign board of trade is providing the Commission with equivalent information in a usable format pursuant to an agreement between the Commission and the foreign board of trade. The purpose of this provision is to ensure that U.S. commodity regulators have full access to trading information from U.S. traders conducting transactions from U.S. locations involving U.S. energy commodities such as crude oil and gasoline.

Sec. 4. Antifraud authority

Section 4 of the bill amends Section 4b of the CEA, the CFTC's main anti-fraud authority. Section 4b is revised to clarify the CFTC's authority to bring fraud actions in off-exchange principal-to-principal futures transactions. In November 2000, the Seventh Circuit Court of Appeals ruled that the CFTC could only use Section 4b in intermediated transactions—those involving a broker. Commodity Trend Service, Inc. v. CFTC, 233 F.3d 981, 991–992 (7th Cir. 2000). As subsequently amended by the CFMA, the CEA now permits off-exchange futures and options transactions that are done on a principal-to-principal basis, such as energy transactions pursuant to CEA Sections 2(h)(1) and 2(h)(3).

Subsection 4b(a)(2) is amended by adding the words 'or with' to address the principal-to-principal transactions. This new language clarifies that the CFTC has the authority to bring anti-fraud actions in off-exchange principal-to-principal futures transactions, including exempt commodity transactions in energy under Section 2(h) as well as all transactions conducted on derivatives transaction execution facilities. The new Section 4b clarifies that market participants in these transactions are not required to disclose information that may be material to the market price, rate or level of the commodity in such off-exchange transactions. It also codifies existing law that prohibits market participants from using half-truths in negotiations and solicitations by requiring a person to disclose all necessary information to make any statement they have made not misleading in any material respect. The prohibitions in subparagraphs (A) through (D) of the new Section 4b(a) would apply to all transactions covered by paragraphs (1) and (2). Derivatives clearing organizations (DCOs) are not subject to fraud actions under Section 4b in connection with their clearing activities.

The amendments to Section 4b(a) of the CEA regarding transactions currently prohibited under subparagraph (iv) (found in paragraph 2(D) of this bill) are not intended to affect in any way the CFTC's historical ability to prosecute cases of indirect bucketing of orders executed on designated contract markets. See, e.g., Reddy v. CFTC, 191 F.3d 109 (2nd Cir. 1999); In re DeFrancesco, et al., CFTC Docket No. 02–09 (CFTC May 22, 2003) (Order Making Findings and Imposing Remedial Sanctions as to Respondent Brian Thornton).

This language clarifying the Commission's anti-fraud authority was included in bills in the previous Congress to reauthorize the Commodity Exchange Act, one of which was passed by the House of Representatives (H.R. 4473, passed by the House on Dec. 14, 2005) and the other of which was reported to the full Senate by the Senate Committee on Agriculture, Nutrition, and Forestry (S. 1566, S. Rpt. No. 109–119; 109th Cong., 1st Sess.).

Sec. 5. Commission rulemaking

Section 5 of the bill requires the CFTC, within 180 days after enactment of this Act, to issue a proposed rule setting forth the process for submitting an application for registration as an energy trading facility. The section requires the CFTC, within 270 days after the date of enactment, to finalize this rule.

Sec. 6. Effective date

Section 6(a) of the bill provides that it shall be immediately effective upon enactment, with several exceptions.

Existing trading facilities. The first exception applies to existing trading facilities. Section 6(b) provides that a trading facility operating under the exemption in CEA section 2(h)(3) on the date of enactment shall have 180 days after the Commission issues a final rule on registration applications to submit such an application. Section 5 of the bill authorizes the Commission to take 270 days to issue this rule. During this period (270 days plus 180 days), the prohibition on trading in the new section 2(j)(1) shall not apply. For any such facility in operation on the date of enactment of this Act that submits an application to the Commission for operation as an energy trading facility within the 180-day period, the suspension of the prohibition in section 2(j)(1) is extended until the Commission makes a determination on whether to approve that application.

Subsection (c) provides that if the Commission approves the registration as an energy trading facility of a facility operating under the exemption under CEA section 2(h)(3) on the date of enactment of this Act, the facility may submit a written request to the Commission for a 6-month extension to fully implement any requirement made applicable by this Act—other than an information reporting or recordkeeping requirement—and that the Commission shall grant any such request. The Commission, in its discretion, may grant an additional 6-month extension. The Commission may not grant any extension for any information reporting or recordkeeping requirement. This section is intended to ensure that facilities currently in operation that must register as an energy trading facility will have sufficient time to come into compliance with the new requirements of this Act, and that the operations of those facilities will not be disrupted during the transition period. Altogether, this section effectively provides existing trading facilities with over two years to come into compliance with the Act.

Requirements applicable to domestic use of a foreign board of trade. Section 6(d) of the bill states that the reporting requirements applicable to trades from domestic terminals on a foreign board of trade are effective 180 days after enactment.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 45—COMMENDING THE ED BLOCK COURAGE AWARD FOUNDATION FOR ITS WORK IN AIDING CHILDREN AND FAMILIES AFFECTED BY CHILD ABUSE, AND DESIGNATING NOVEMBER 2007 AS NATIONAL COURAGE MONTH

Mr. CARDIN (for himself and Mr. CORNYN) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 45

Whereas the Ed Block Courage Award was established by Sam Lamantia in 1978 in honor of Ed Block, the head athletic trainer of the Baltimore Colts and a respected humanitarian;

Whereas each year in Baltimore, Maryland, the Foundation honors recipients from the National Football League who have been chosen by their teammates as exemplifying sportsmanship and courage;

Whereas the Ed Block Courage Award has become one of the most esteemed honors bestowed upon players in the NFL;

Whereas the Ed Block Courage Award Foundation has grown from a Baltimore-based local charity to the Courage House National Support Network for Kids operated in partnership with 17 NFL teams in their respective cities; and

Whereas Courage Houses are facilities that provide support and care for abused children and their families in these 17 locations across the country: Baltimore, Maryland, Pittsburgh, Pennsylvania, Chicago, Illinois, Miami, Florida, Detroit, Michigan, Dallas, Texas, Westchester County, New York, Oakland, California, Seattle, Washington, Charlotte, North Carolina, Cleveland, Ohio, Atlanta, Georgia, St. Louis, Missouri, Indianapolis, Indiana, Buffalo, New York, San Francisco, California, and Minneapolis, Minnesota: Now, therefore, be it

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

(1) National Courage Month provides an opportunity to educate the people of the United States about the positive role that professional athletes can play as inspirations for America's youth; and

(2) the Ed Block Courage Award Foundation should be recognized for its outstanding contributions toward helping those affected by child abuse.

SENATE CONCURRENT RESOLUTION 46—SUPPORTING THE GOALS AND IDEALS OF SICKLE CELL DISEASE AWARENESS MONTH

Mr. OBAMA submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 46

Whereas Sickle Cell Disease is an inherited blood disorder that is a major health problem in the United States, primarily affecting African Americans;

Whereas Sickle Cell Disease causes the rapid destruction of sickle cells, which results in multiple medical complications, including anemia, jaundice, gallstones, strokes, and restricted blood flow, damaging tissue in the liver, spleen, and kidneys, and death;

Whereas Sickle Cell Disease causes episodes of considerable pain in one's arms, legs, chest, and abdomen;

Whereas Sickle Cell Disease affects over 70,000 Americans;

Whereas approximately 1,000 babies are born with Sickle Cell Disease each year in the United States, with the disease occurring in approximately 1 in 300 newborn African American infants;

Whereas more than 2,000,000 Americans have the sickle cell trait, and 1 in 12 African Americans carry the trait;

Whereas there is a 1 in 4 chance that a child born to parents who both have the sickle cell trait will have the disease;

Whereas the life expectancy of a person with Sickle Cell Disease is severely limited, with an average life span for an adult being 45 years;

Whereas, though researchers have yet to identify a cure for this painful disease, advances in treating the associated complications have occurred;

Whereas researchers are hopeful that in less than two decades, Sickle Cell Disease may join the ranks of chronic illnesses that, when properly treated, do not interfere with the activity, growth, or mental development of affected children;

Whereas Congress recognized the importance of researching, preventing, and treating Sickle Cell Disease by authorizing treatment centers to provide medical intervention, education, and other services and by permitting the Medicaid program to cover some primary and secondary preventative medical strategies for children and adults with Sickle Cell Disease;

Whereas the Sickle Cell Disease Association of America, Inc. remains the preeminent advocacy organization that serves the sickle cell community by focusing its efforts on public policy, research funding, patient services, public awareness, and education related to developing effective treatments and a cure for Sickle Cell Disease; and

Whereas the Sickle Cell Disease Association of America, Inc. has requested that the Congress designate September as Sickle Cell Disease Awareness Month in order to educate communities across the Nation about sickle cell and the need for research funding, early detection methods, effective treatments, and prevention programs: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress supports the goals and ideals of Sickle Cell Disease Awareness Month.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2864. Mr. NELSON of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table.

SA 2865. Mr. NELSON of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2866. Mr. NELSON of Nebraska (for himself, Mr. GRAHAM, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2867. Mr. NELSON of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2868. Mr. NELSON of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2869. Mr. NELSON of Nebraska (for himself, Mr. GRAHAM, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2870. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2871. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2872. Mr. KENNEDY (for himself, Mr. SMITH, Mr. LIEBERMAN, Mr. BROWNBACK, Mr. BIDEN, Mr. HAGEL, Mr. LEAHY, Ms. SNOWE, Mr. DURBIN, Mrs . FEINSTEIN, Mr. OBAMA, Mr. MENENDEZ, Mr. LEVIN, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2873. Mrs. FEINSTEIN (for herself, Mr. SPECTER, and Mr. FEINGOLD) submitted an amendment intended to be proposed by her to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2874. Mr. LUGAR (for himself and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2875. Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2876. Mr. KERRY (for himself, Mr. DOMENICI, Mr. TESTER, Mr. HAGEL, and Mr. OBAMA) submitted an amendment intended to be proposed to amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2877. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2878. Mr. HATCH (for himself and Mr. BENNETT) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2879. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2880. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2881. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2882. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2883. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2884. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2885. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2886. Mrs. FEINSTEIN (for herself and Mr. SPECTER) submitted an amendment intended to be proposed to amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2864. Mr. NELSON of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill 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 personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 96, line 6, insert after ''commissioned service'' the following: ''or on the fifth anniversary of the date of the officer's appointment in the grade of lieutenant general or vice admiral, whichever is later''.

SA 2865. Mr. NELSON of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 703. AUTHORITY FOR EXPANSION OF PERSONS ELIGIBLE FOR CONTINUED HEALTH BENEFITS COVERAGE.

(a) AUTHORITY TO SPECIFY ADDITIONAL ELIGIBLE PERSONS.—Subsection (b) of section 1078a of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) Any other person specified in regulations prescribed by the Secretary of Defense for purposes of this paragraph who loses entitlement to health care services under this chapter or section 1145 of this title, subject to such terms and conditions as the Secretary shall prescribe in the regulations.''.

(b) ELECTION OF COVERAGE.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

''(4) In the case of a person described in subsection (b)(4), by such date as the Secretary shall prescribe in the regulations required for purposes of that subsection.''.

(c) PERIOD OF COVERAGE.—Subsection (g)(1) of such section is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and ''; and

(3) by adding at the end the following new subparagraph:

''(D) in the case of a person described in subsection (b)(4), the date that is 36 months after the date on which the person loses entitlement to health care services as described in that subsection.''.

SA 2866. Mr. NELSON of Nebraska (for himself, Mr. GRAHAM, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 594. DEMONSTRATION PROJECTS ON THE PROVISION OF SERVICES TO MILITARY DEPENDENT CHILDREN WITH AUTISM.

(a) DEMONSTRATION PROJECTS AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense may conduct one or more demonstration projects to evaluate improved approaches to the provision of education and treatment services to military dependent children with autism.

(2) PURPOSE.—The purpose of any demonstration project carried out under this section shall be to evaluate strategies for integrated treatment and case manager services that include early intervention and diagnosis, medical care, parent involvement, special education services, intensive behavioral intervention, and language, communications, and other interventions considered appropriate by the Secretary.

(b) REVIEW OF BEST PRACTICES.—In carrying out demonstration projects under this section, the Secretary of Defense shall, in coordination with the Secretary of Education, conduct a review of best practices in the United States in the provision of education and treatment services for children with autism, including an assessment of Federal and State education and treatment services for children with autism in each State, with an emphasis on locations where members of the Armed Forces who qualify for enrollment in the Exceptional Family Member Program of the Department of Defense are assigned.

(c) ELEMENTS.—

(1) ENROLLMENT IN EXCEPTIONAL FAMILY MEMBER PROGRAM.—Military dependent children may participate in a demonstration project under this section only if their military sponsor is enrolled in the Exceptional Family Member Program of the Department of Defense.

(2) CASE MANAGERS.—Each demonstration project shall include the assignment of both medical and special education services case managers which shall be required under the Exceptional Family Member Program pursuant to the policy established by the Secretary of Defense.

(3) INDIVIDUALIZED SERVICES PLAN.—Each demonstration project shall provide for the voluntary development for military dependent children with autism participating in such demonstration project of individualized autism services plans for use by Department of Defense medical and special education services case managers, caregivers, and families to ensure continuity of services throughout the active military service of their military sponsor.

(4) SUPERVISORY LEVEL PROVIDERS.—The Secretary of Defense may utilize for purposes of the demonstration projects personnel who are professionals with a level (as determined by the Secretary) of post-secondary education that is appropriate for the provision of safe and effective services for autism and who are from an accredited educational facility in the mental health, human development, social work, or education field to act as supervisory level providers of behavioral intervention services for autism. In so acting, such personnel may be authorized—

(A) to develop and monitor intensive behavior intervention plans for military dependent children with autism who are participating in the demonstration projects; and

(B) to provide appropriate training in the provision of approved services to such children.

(5) SERVICES UNDER CORPORATE SERVICES PROVIDER MODEL.—(A) In carrying out the demonstration projects, the Secretary may utilize a corporate services provider model.

(B) Employees of a provider under a model referred to in subparagraph (A) shall include personnel who implement special educational and behavioral intervention plans for military dependent children with autism that are developed, reviewed, and maintained by supervisory level providers approved by the Secretary.

(C) In authorizing such a model, the. Secretary shall establish—

(i) minimum education, training, and experience criteria required to be met by employees who provide services to military dependent children with autism;

(ii) requirements for supervisory personnel and supervision, including requirements for supervisor credentials and for the frequency and intensity of supervision; and

(iii) such other requirements as the Secretary considers appropriate to ensure safety

and the protection of the children who receive services from such employees under the demonstration projects.

(6) CONSTRUCTION WITH OTHER SERVICES.—Services provided to military dependent children with autism under the demonstration projects under this section shall be in addition to any other publicly-funded special education services available in a location in which their military sponsor resides.

(d) PERIOD.—

(1) COMMENCEMENT.—If the Secretary determines to conduct demonstration projects under this section, the Secretary shall commence any such demonstration projects not later than 180 days after the date of the enactment of this Act.

(2) MINIMUM PERIOD.—Any demonstration projects conducted under this section shall be conducted for not less than two years.

(e) EVALUATION.—

(1) IN GENERAL.—The Secretary shall conduct an evaluation of each demonstration project conducted under this section.

(2) ELEMENTS.—The evaluation of a demonstration project under this subsection shall include the following:

(A) An assessment of the extent to which the activities under the demonstration project contributed to positive outcomes for military dependent children with autism and their families.

(B) An assessment of the extent to which the activities under the demonstration project led to improvements in services and continuity of care for children with autism.

(C) An assessment of the extent to which the activities under the demonstration project improved military family readiness and enhanced military retention.

(f) REPORTS.—Not later than 30 months after the commencement of any demonstration project authorized by this section, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on such demonstration project. The report on a demonstration project shall include a description of such project, the results of the evaluation under subsection (e) with respect to such project, and a description of plans for the further provision of services for military dependent children with autism under such project.

SA 2867. Mr. NELSON of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1107. REPEAL OF AUTHORITY FOR PAYMENT OF UNIFORM ALLOWANCE TO CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) REPEAL.—Section 1593 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of such title is amended by striking the item relating to section 1593.

SA 2868. Mr. NELSON of Nebraska (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 703. CONTINUATION OF ELIGIBILITY FOR TRICARE STANDARD COVERAGE FOR CERTAIN MEMBERS OF THE SELECTED RESERVE.

(a) IN GENERAL.—Section 706(f) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2282; 10 U.S.C. 1076d note) is amended—

(1) by striking ''Enrollments'' and inserting ''(1) Except as provided in paragraph (2), enrollments''; and

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

''(2) The enrollment of a member in TRICARE Standard that is in effect on the day before health care under TRICARE Standard is provided pursuant to the effective date in subsection (g) shall not be terminated by operation of the exclusion of eligibility under subsection (a)(2) of such section 1076d, as so amended, for the duration of the eligibility of the member under TRICARE Standard as in effect on October 16, 2006.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2007.

SA 2869. Mr. NELSON of Nebraska (for himself, Mr. GRAHAM, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1107. AUTHORIZATION FOR INCREASED COMPENSATION FOR FACULTY AND STAFF OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

Section 2113(f) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''so as'' and inserting ''after consideration of the compensation necessary''; and

(B) by striking ''within the vicinity of the District of Columbia'' and inserting ''identified by the Secretary for purposes of this paragraph''; and

(2) in paragraph (4)—

(A) by striking ''section 5373'' and inserting ''sections 5307 and 5373''; and

(B) by adding at the end the following new sentence: ''In no case may the total amount of compensation paid under paragraph (1) in any year exceed the total amount of annual compensation (excluding expenses) specified in section 102 of title 3.''.

SA 2870. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1044. ANNUAL REPORT ON CASES REVIEWED BY NATIONAL COMMITTEE FOR EMPLOYER SUPPORT OF THE GUARD AND RESERVE.

Section 4332 of title 38, United States Code, is amended—

(1) by redesignating paragraphs (2), (3), (4), (5), and (6) as paragraphs (3), (4), (5), (6), and (7) respectively;

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) The number of cases reviewed by the Secretary of Defense under the National Committee for Employer Support of the Guard and Reserve of the Department of Defense during the fiscal year for which the report is made.''; and

(3) in paragraph (5), as so redesignated, by striking ''(2), or (3)'' and inserting ''(2), (3), or (4)''.

SA 2871. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. FLEXIBILITY IN PAYING ANNUITIES TO CERTAIN FEDERAL RETIREES WHO RETURN TO WORK.

(a) IN GENERAL.—Section 9902(j) of title 5, United States Code, is amended to read as follows:

''(j) PROVISIONS RELATING TO REEMPLOYMENT.—

''(1) Except as provided under paragraph (2), if an annuitant receiving an annuity from the Civil Service Retirement and Disability Fund becomes employed in a position within the Department of Defense, his annuity shall continue. An annuitant so reemployed shall not be considered an employee for purposes of chapter 83 or 84.

''(2)(A) An annuitant receiving an annuity from the Civil Service Retirement and Disability Fund who becomes employed in a position within the Department of Defense following retirement under section 8336(d)(1) or 8414(b)(1)(A) shall be subject to section 8344 or 8468.

''(B) The Secretary of Defense may, under procedures and criteria prescribed under subparagraph (C), waive the application of the provisions of section 8344 or 8468 on a case-by-case or group basis, for employment of an annuitant referred to in subparagraph (A) in a position in the Department of Defense.

''(C) The Secretary shall prescribe procedures for the exercise of any authority under this paragraph, including criteria for any exercise of authority and procedures for a delegation of authority.

''(D) An employee as to whom a waiver under this paragraph is in effect shall not be considered an employee for purposes of subchapter III of chapter 83 or chapter 84.

''(3)(A) An annuitant retired under section 8336(d)(1) or 8414(b)(1)(A) receiving an annuity from the Civil Service Retirement and Disability Fund, who is employed in a position within the Department of Defense after the date of enactment of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136), may elect to begin coverage under paragraph (2) of this subsection.

''(B) An election for coverage under this paragraph shall be filed not later than the

later of 90 days after the date the Department of Defense—

''(i) prescribes regulations to carry out this subsection; or

''(ii) takes reasonable actions to notify employees who may file an election.

''(C) If an employee files an election under this paragraph, coverage shall be effective beginning on the date of the filing of the election.

''(D) Paragraph (1) shall apply to an individual who is eligible to file an election under subparagraph (A) of this paragraph and does not file a timely election under subparagraph (B) of this paragraph.''.

(b) REGULATIONS.—Not later than 60 days after the date of enactment of this Act, the Secretary of Defense shall prescribe regulations to carry out the amendment made by this section.

SA 2872. Mr. KENNEDY (for himself, Mr. SMITH, Mr. LIEBERMAN, Mr. BROWNBACK, Mr. BIDEN, Mr. HAGEL, Mr. LEAHY, Ms. SNOWE, Mr. DURBIN, Mrs. FEINSTEIN, Mr. OBAMA, Mr. MENENDEZ, Mr. LEVIN, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

At the end title VI, insert the following:

Subtitle D—Iraq Refugee Crisis

SEC. 1541. SHORT TITLE.

This subtitle may be cited as the ''Refugee Crisis in Iraq Act''.

SEC. 1542. PROCESSING MECHANISMS.

(a) IN GENERAL.—The Secretary of State shall establish processing mechanisms in Iraq and in countries in the region in which—

(1) aliens described in section 1543 may apply and interview for admission to the United States as refugees; and

(2) aliens described in section 1544(b) may apply and interview for admission to the United States as special immigrants.

(b) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Homeland Security, shall submit a report that contains the plans and assessment described in paragraph (2) to—

(A) the Committee on the Judiciary of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on the Judiciary of the House of Representatives; and

(D) the Committee on Foreign Affairs of the House of Representatives.

(2) CONTENTS.—The report submitted under paragraph (1) shall—

(A) describe the Secretary's plans to establish the processing mechanisms described in subsection (a); and

(B) contain an assessment of in-country processing that makes use of videoconferencing.

SEC. 1543. UNITED STATES REFUGEE PROGRAM PRIORITIES.

(a) IN GENERAL.—Priority 2 refugees of special humanitarian concern under the refugee resettlement priority system shall include—

(1) Iraqis who were employed by, or worked for or directly with the United States Government, in Iraq;

(2) Iraqis who were employed in Iraq by—

(A) a media or nongovernmental organization headquartered in the United States; or

(B) an organization or entity that has received United States Government funding through an official and documented contract, award, grant, or cooperative agreement;

(3) spouses, children, sons, daughters, siblings, and parents of aliens described in paragraph (1) or section 1544(b)(1); and

(4) Iraqis who are members of a religious or minority community, have been identified by the Department of State as a persecuted group, and have close family members (as described in section 201(b)(2)(A)(i) or 203(a) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(2)(A)(i) and 1153(a))) in the United States.

(b) IDENTIFICATION OF OTHER PERSECUTED GROUPS.—The Secretary of State is authorized to identify other Priority 2 groups in Iraq.

(c) INELIGIBLE ORGANIZATIONS AND ENTITIES.—Organizations and entities described in section 1543 shall not include any that appear on the Department of the Treasury's list of Specially Designated Nationals.

(d) SECURITY.—An alien is not eligible to participate in the program authorized under this section if the alien is otherwise inadmissible to the United States under section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)).

SEC. 1544. SPECIAL IMMIGRANT STATUS FOR CERTAIN IRAQIS.

(a) IN GENERAL.—Subject to subsection (c)(1) and notwithstanding any other provision of law, for purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), the Secretary of Homeland Security may provide an alien described in subsection (b) with the status of a special immigrant under section 101(a)(27) of such Act (8 U.S.C. 1101(a)(27)), if the alien—

(1) or an agent acting on behalf of the alien, submits to the Secretary a petition under section 204 of such Act (8 U.S.C. 1154) for classification under section 203(b)(4) of such Act (8 U.S.C. 1153(b)(4));

(2) is otherwise eligible to receive an immigrant visa; and

(3) is otherwise admissible to the United States for permanent residence (excluding the grounds for inadmissibility specified in section 212(a)(4) of such Act (8 U.S.C. 1182(a)(4)).

(b) ALIENS DESCRIBED.—

(1) PRINCIPAL ALIENS.—An alien is described in this subsection if the alien—

(A) is a national of Iraq;

(B) was employed by, or worked for or directly with the United States Government in Iraq, in or after 2003, for an aggregate period of not less than 1 year; and

(C) provided faithful service to the United States Government, which is documented in a positive recommendation or evaluation.

(2) SPOUSES AND CHILDREN.—An alien is described in this subsection if the alien is—

(A) the spouse or child of a principal alien described in paragraph (1); and

(B) is following or accompanying to join the principal alien in the United States.

(c) NUMERICAL LIMITATIONS AND BENEFITS.—

(1) IN GENERAL.—The total number of principal aliens who may be provided special immigrant status under this section may not exceed 5,000 per year for each of the 5 fiscal years beginning after the date of the enactment of this Act.

(2) EXCLUSION FROM NUMERICAL LIMITATIONS.—Aliens provided special immigrant status under this section shall not be counted against any numerical limitation under sections 201(d), 202(a), or 203(b)(4) of the Immigration and Nationality Act (8 U.S.C. 1151(d), 1152(a), and 1153(b)(4)).

(3) BENEFITS.—Aliens provided special immigrant status under this section shall be eligible for the same resettlement assistance, entitlement programs, and other benefits as refugees admitted under section 207 of the Immigration and Naturalization Act (8 U.S.C. 1157).

(4) CARRY FORWARD.—If the numerical limitation under paragraph (1) is not reached during a given fiscal year, the numerical limitation under paragraph (1) for the following fiscal year shall be increased by a number equal to the difference between—

(A) the number of visas authorized under paragraph (1) for the given fiscal year; and

(B) the number of principal aliens provided special immigrant status under this section during the given fiscal year.

(d) VISA AND PASSPORT ISSUANCE AND FEES.—Neither the Secretary of State nor the Secretary of Homeland Security may charge an alien described in subsection (b) any fee in connection with an application for, or issuance of, a special immigrant visa. The Secretary of State shall ensure that aliens described in this section who are issued special immigrant visas are provided with the appropriate series Iraqi passport necessary to enter the United States.

(e) PROTECTION OF ALIENS.—The Secretary of State, in consultation with other relevant Federal agencies, shall provide an alien described in this section who is applying for a special immigrant visa with protection or the immediate removal from Iraq of such alien if the Secretary determines that such alien is in imminent danger.

(f) SECURITY.—An alien is not eligible to participate in the program authorized under this section if the alien is otherwise inadmissible to the United States under section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)).

(g) DEFINITIONS.—The terms defined in subsections (a) and (b) of section 101 of the Immigration and Nationality Act (8 U.S.C. 1101) have the same meanings when used in this section.

(h) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall promulgate regulations to carry out the provisions of this section, including requirements for background checks.

(i) SAVINGS PROVISION.—Nothing in this section may be construed to affect the authority of the Secretary of Homeland Security under section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163).

SEC. 1545. MINISTER COUNSELORS FOR IRAQI REFUGEES AND INTERNALLY DISPLACED PERSONS.

(a) IN GENERAL.—The Secretary of State shall establish in the embassy of the United States located in Baghdad, Iraq, a Minister Counselor for Iraqi Refugees and Internally Displaced Persons (referred to in this section as the ''Minister Counselor for Iraq'').

(b) DUTIES.—The Minister Counselor for Iraq shall be responsible for the oversight of processing for resettlement of persons considered Priority 2 refugees of special humanitarian concern, special immigrant visa programs in Iraq, and the development and implementation of other appropriate policies and programs concerning Iraqi refugees and internally displaced persons. The Minister Counselor for Iraq shall have the authority to refer persons to the United States refugee resettlement program.

(c) DESIGNATION OF MINISTER COUNSELORS.—The Secretary of State shall designate in the embassies of the United States located in Cairo, Egypt; Amman, Jordan; Damascus, Syria; and Beirut, Lebanon a Minister Counselor to oversee resettlement to

the United States of persons considered Priority 2 refugees of special humanitarian concern in those countries to ensure their applications to the United States refugee resettlement program are processed in an orderly manner and without delay.

SEC. 1546. COUNTRIES WITH SIGNIFICANT POPULATIONS OF DISPLACED IRAQIS.

(a) IN GENERAL.—With respect to each country with a significant population of displaced Iraqis, including Iraq, Jordan, Egypt, Syria, Turkey, and Lebanon, the Secretary of State shall—

(1) as appropriate, consult with other countries regarding resettlement of the most vulnerable members of such refugee populations; and

(2) as appropriate, except where otherwise prohibited by the laws of the United States, develop mechanisms in and provide assistance to countries with a significant population of displaced Iraqis to ensure the well-being and safety of such populations in their host environments.

(b) NUMERICAL LIMITATIONS.—In determining the number of Iraqi refugees who should be resettled in the United States under sections (a) and (b) of section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), the President shall consult nongovernmental organizations that have a presence in Iraq or experience in assessing the problems faced by Iraqi refugees.

(c) ELIGIBILITY FOR ADMISSION AS REFUGEE.—Section 207(c)(1) of the Immigration and Nationality Act (8 U.S.C. 1157(c)(1)) is amended by adding at the end the following: ''No alien shall be denied the opportunity to apply for admission under this section solely because such alien qualifies as an immediate relative or is eligible for classification as a special immigrant.''.

SEC. 1547. DENIAL OR TERMINATION OF ASYLUM.

Section 208(b) of the Immigration and Nationality Act (8 U.S.C. 1158) is amended by adding at the end the following:

''(4) CHANGED COUNTRY CONDITIONS.—An applicant for asylum or withholding of removal, whose claim was denied by an immigration judge solely on the basis of changed country conditions on or after March 1, 2003, may file a motion to reopen to reconsider his or her claim not later than 6 months after the date of the enactment of the Refugee Crisis in Iraq Act if the applicant—

''(A) is a national of Iraq; and

''(B) remained in the United States on such date of enactment.''.

SEC. 1548. REPORTS.

(a) SECRETARY OF HOMELAND SECURITY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report containing plans to expedite the processing of Iraqi refugees for resettlement to—

(A) the Committee on the Judiciary of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on the Judiciary of the House of Representatives; and

(D) the Committee on Foreign Affairs of the House of Representatives.

(2) CONTENTS.—The report submitted under paragraph (1) shall—

(A) detail the plans of the Secretary for expediting the processing of Iraqi refugees for resettlement including through temporary expansion of the Refugee Corps of United States Citizenship and Immigration Services; and

(B) describe the plans of the Secretary for enhancing existing systems for conducting background and security checks of persons applying for Special Immigrant Visas and of persons considered Priority 2 refugees of special humanitarian concern under this subtitle, which enhancements shall support immigration security and provide for the orderly processing of such applications without delay.

(b) PRESIDENT.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to Congress an unclassified report, with a classified annex if necessary, which includes—

(1) an assessment of the financial, security, and personnel considerations and resources necessary to carry out the provisions of this subtitle;

(2) the number of aliens described in section 1543(1);

(3) the number of such aliens who have applied for special immigrant visas;

(4) the date of such applications; and

(5) in the case of applications pending for more than 6 months, the reasons that visas have not been expeditiously processed.

(c) REPORT ON IRAQI NATIONALS EMPLOYED BY THE UNITED STATES GOVERNMENT AND FEDERAL CONTRACTORS IN IRAQ.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of the Treasury, and the Secretary of Homeland Security shall—

(A) review internal records and databases of their respective agencies for information that can be used to verify employment of Iraqi nationals by the United States Government; and

(B) solicit from each prime contractor or grantee that has performed work in Iraq since March 2003 under a contract, grant, or cooperative agreement with their respective agencies that is valued in excess of $25,000 information that can be used to verify the employment of Iraqi nationals by such contractor or grantee.

(2) INFORMATION REQUIRED.—To the extent data is available, the information referred to in paragraph (1) shall include the name and dates of employment of, biometric data for, and other data that can be used to verify the employment of, each Iraqi national that has performed work in Iraq since March 2003 under a contract, grant, or cooperative agreement with an executive agency.

(3) EXECUTIVE AGENCY DEFINED.—In this subsection, the term ''executive agency'' has the meaning given the term in section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1)).

(d) REPORT ON ESTABLISHMENT OF DATABASE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of the Treasury, and the Secretary of Homeland Security, shall submit to Congress a report examining the options for establishing a unified, classified database of information related to contracts, grants, or cooperative agreements entered into by executive agencies for the performance of work in Iraq since March 2003, including the information described and collected under subsection (c), to be used by relevant Federal departments and agencies to adjudicate refugee, asylum, special immigrant visa, and other immigration claims and applications.

(e) NONCOMPLIANCE REPORT.—Not later than 180 days after the date of the enactment of this Act, the President shall submit a report to Congress that describes—

(1) the inability or unwillingness of any contractors or grantees to provide the information requested under subsection (c); and

(2) the reasons for failing to provide such information.

SEC. 1549. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this subtitle.

SA 2873. Mrs. FEINSTEIN (for herself, Mr. SPECTER, and Mr. FEINGOLD) submitted an amendment intended to be proposed by her to the bill 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; which was ordered to lie on the table; as follows:

After section 1058, insert the following:

SEC. 1059. CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES.

(a) SHORT TITLE.—This section may be cited as the ''Equal Justice for United States Military Personnel Act of 2007''.

(b) IN GENERAL.—Section 1259 of title 28, United States Code, is amended—

(1) in paragraph (3), by inserting ''or denied'' after ''granted''; and

(2) in paragraph (4), by inserting ''or denied'' after ''granted''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 867a(a) of title 10, United States Code, is amended by striking ''The Supreme Court may not review by a writ of certiorari under this section any action of the Court of Appeals for the Armed Forces in refusing to grant a petition for review.''.

SA 2874. Mr. LUGAR (for himself and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—Reconstruction and Stabilization Civilian Management

SEC. 1241. SHORT TITLE.

This subtitle may be cited as the ''Reconstruction and Stabilization Civilian Management Act of 2007''.

SEC. 1242. FINDING; PURPOSE.

(a) FINDING.—Congress finds that the resources of the United States Armed Forces have been burdened by having to undertake stabilization and reconstruction tasks in the Balkans, Afghanistan, Iraq, and other countries of the world that could have been performed by civilians, which has resulted in lengthy deployments for Armed Forces personnel.

(b) PURPOSE.—The purpose of this subtitle is to provide for the continued development, as a core mission of the Department of State and the United States Agency for International Development, of an effective expert civilian response capability to carry out reconstruction and stabilization activities in a country or region that is at risk of, in, or is in transition from, conflict or civil strife.

SEC. 1243. DEFINITIONS.

In this subtitle:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the United States Agency for International Development.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs of the House of Representatives.

(3) DEPARTMENT.—Except as otherwise provided in this subtitle, the term ''Department'' means the Department of State.

(4) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given that term in section 105 of title 5, United States Code.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of State.

SEC. 1244. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the civilian element of United States joint civilian-military operations should be strengthened in order to enhance the execution of current and future reconstruction and stabilization activities in foreign countries or regions that are at risk of, in, or are in transition from, conflict or civil strife;

(2) the capability of civilian agencies of the United States Government to carry out reconstruction and stabilization activities in such countries or regions should also be enhanced through a new rapid response corps of civilian experts supported by the establishment of a new system of planning, organization, personnel policies, and education and training, and the provision of adequate resources;

(3) the international community, including nongovernmental organizations, and the United Nations and its specialized agencies, should be further encouraged to participate in planning and organizing reconstruction and stabilization activities in such countries or regions;

(4) the executive branch has taken a number of steps to strengthen civilian capability, including the establishment of an office headed by a Coordinator for Reconstruction and Stabilization in the Department, the Presidential designation of the Secretary as the interagency coordinator and leader of reconstruction and stabilization efforts, and Department of Defense directives to the military to support the Office of Reconstruction and Stabilization and to work closely with counterparts in the Department of State and other civilian agencies to develop and enhance personnel, training, planning, and analysis;

(5) the Secretary and the Administrator should work with the Secretary of Defense to augment existing personnel exchange programs among the Department, the United States Agency for International Development, and the Department of Defense, including the regional commands and the Joint Staff, to enhance the stabilization and reconstruction skills of military and civilian personnel and their ability to undertake joint operations; and

(6) the heads of other executive agencies should establish personnel exchange programs that are designed to enhance the stabilization and reconstruction skills of military and civilian personnel.

SEC. 1245. OFFICE OF THE COORDINATOR FOR RECONSTRUCTION AND STABILIZATION.

Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651 et seq.) is amended by adding at the end the following new section:

''SEC. 62. RECONSTRUCTION AND STABILIZATION.

''(a) OFFICE OF THE COORDINATOR FOR RECONSTRUCTION AND STABILIZATION.—

''(1) ESTABLISHMENT.—There is established within the Department of State the Office of the Coordinator for Reconstruction and Stabilization.

''(2) COORDINATOR FOR RECONSTRUCTION AND STABILIZATION.—The head of the Office shall be the Coordinator for Reconstruction and Stabilization, who shall be appointed by the President, by and with the advice and consent of the Senate. The Coordinator shall serve at the sole direction of, and report solely to, the Secretary of State or the Deputy Secretary of State and shall have the rank and status of Ambassador at Large.

''(3) FUNCTIONS.—The functions of the Office of the Coordinator for Reconstruction and Stabilization include the following:

''(A) Monitoring, in coordination with relevant bureaus within the Department of State, political and economic instability worldwide to anticipate the need for mobilizing United States and international assistance for the stabilization and reconstruction of countries or regions that are at risk of, in, or are in transition from, conflict or civil strife.

''(B) Assessing the various types of stabilization and reconstruction crises that could occur and cataloging and monitoring the non-military resources and capabilities of Executive agencies that are available to address such crises.

''(C) Planning to address appropriate nonmilitary requirements, such as demobilization, policing, human rights monitoring, and public information, that commonly arise in stabilization and reconstruction crises.

''(D) Coordinating with relevant Executive agencies (as that term is defined in section 105 of title 5, United States Code) to develop interagency contingency plans to mobilize and deploy civilian personnel to address the various types of such crises.

''(E) Entering into appropriate arrangements with other Executive agencies to carry out activities under this section and the Reconstruction and Stabilization Civilian Management Act of 2007.

''(F) Identifying personnel in State and local governments and in the private sector who are available to participate in the Response Readiness Corps established under subsection (c) or to otherwise participate in or contribute to stabilization and reconstruction activities.

''(G) Taking steps to ensure that training of civilian personnel to perform such stabilization and reconstruction activities is adequate and, as appropriate, includes security training that involves exercises and simulations with the Armed Forces, including the regional commands.

''(H) Sharing information and coordinating plans for stabilization and reconstruction activities, as appropriate, with the United Nations and its specialized agencies, the North Atlantic Treaty Organization, nongovernmental organizations, and other foreign national and international organizations.

''(I) Coordinating plans and procedures for joint civilian-military operations with respect to stabilization and reconstruction activities.

''(J) Maintaining the capacity to field on short notice an evaluation team to undertake on-site needs assessment.

''(b) RESPONSE TO STABILIZATION AND RECONSTRUCTION CRISIS.—If the President determines that it is important to the national interests of the United States for United States civilian agencies or non-Federal employees to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife, the President may—

''(1) designate the Coordinator, or such other individual as the President may determine appropriate, as the coordinator of the United States response, and the individual so designated, or, in the event the President does not make such a designation, the Coordinator for Reconstruction and Stabilization, shall—

''(A) assess the immediate and long-term need for resources and civilian personnel;

''(B) identify and mobilize non-military resources to respond to the crisis; and

''(C) coordinate the activities of the other individuals or management team, if any, designated by the President to manage the United States response;

''(2) exercise the authorities contained in sections 552(c)(2) and 610 of the Foreign Assistance Act of 1961 (22 U.S.C. 2348a(c)(2) and 2360) without regard to the percentage and aggregate dollar limitations contained in such sections; and

''(3) furnish assistance to respond to the crisis in accordance with the provisions set forth in section 614(a)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2364(a)(3)), including funds made available under such Act (22 U.S.C. 2151 et seq.) and transferred or reprogrammed for purposes of this section.''.

SEC. 1246. RESPONSE READINESS CORPS.

(a) IN GENERAL.—Section 62 of the State Department Basic Authorities Act of 1956 (as added by section 1245) is amended by adding at the end the following new subsection:

''(c) RESPONSE READINESS CORPS.—

''(1) IN GENERAL.—The Secretary, in consultation with the Administrator of the United States Agency for International Development and the heads of other appropriate departments and agencies of the United States Government, is authorized to establish and maintain a Response Readiness Corps (hereafter referred to in this subsection as the 'Corps') to provide assistance in support of stabilization and reconstruction activities in foreign countries or regions that are at risk of, in, or are in transition from, conflict or civil strife.

''(2) FEDERAL COMPONENTS.—

''(A) ACTIVE AND STANDBY COMPONENTS.—The Corps shall have active and standby components consisting of United States Government personnel as follows:

''(i) An active component, which should consist of 250 personnel who are recruited, employed, and trained in accordance with this paragraph.

''(ii) A standby component, which should consist of 2000 personnel who are recruited and trained in accordance with this paragraph.

''(B) AUTHORIZED MEMBERS OF STANDBY COMPONENT.—Personnel in the standby component of the Corps may include employees of the Department of State (including Foreign Service Nationals), employees of the United States Agency for International Development, employees of any other executive agency (as that term is defined in section 105 of title 5, United States Code), and employees of the legislative branch and judicial branch of Government—

''(i) who are assigned to the standby component by the Secretary following nomination for such assignment by the head of the department or agency of the United States Government concerned or by an appropriate official of the legislative or judicial branch of Government, as applicable; and

''(ii) who—

''(I) have the training and skills necessary to contribute to stabilization and reconstruction activities; and

''(II) have volunteered for deployment to carry out stabilization and reconstruction activities.

''(C) RECRUITMENT AND EMPLOYMENT.—The recruitment and employment of personnel to the Corps shall be carried out by the Secretary, the Administrator of the United States Agency for International Development, and the heads of the other departments and agencies of the United States

Government participating in the establishment and maintenance of the Corps.

''(D) TRAINING.—The Secretary is authorized to train the members of the Corps under this paragraph to perform services necessary to carry out the purpose of the Corps under paragraph (1).

''(E) COMPENSATION.—Members of the active component of the Corps under subparagraph (A)(i) shall be compensated in accordance with the appropriate salary class for the Foreign Service, as set forth in sections 402 and 403 of the Foreign Service Act of 1980 (22 U.S.C. 3962, 3963), or in accordance with the appropriate compensation provisions of title 5, United States Code.

''(3) CIVILIAN RESERVE.—

''(A) CIVILIAN RESERVE.—The Corps shall have a reserve (hereafter referred to in this subsection as the 'Civilian Reserve') consisting of non-United States Government personnel who are trained and available as needed to perform services necessary to carry out the purpose of the Corps under paragraph (1). The Civilian Reserve shall be established by the Secretary, in consultation with the Administrator of the Unites States Agency for International Development and the heads of other appropriate departments and agencies of the United States Government.

''(B) COMPOSITION.—Beginning not later than two years after the date of the enactment of the Reconstruction and Stabilization Civilian Management Act of 2007, the Civilian Reserve shall include at least 500 personnel, who may include retired employees of the United States Government, contractor personnel, nongovernmental organization personnel, State and local government employees, and individuals from the private sector, who—

''(i) have the training and skills necessary to enable them to contribute to stabilization and reconstruction activities;

''(ii) have volunteered to carry out stabilization and reconstruction activities; and

''(iii) are available for training and deployment to carry out the purpose of the Corps under paragraph (1).

''(4) USE OF RESPONSE READINESS CORPS.—

''(A) FEDERAL ACTIVE COMPONENT.—Members of the active component of the Corps under paragraph (2)(A)(i) are authorized to be available—

''(i) for activities in direct support of stabilization and reconstruction activities; and

''(ii) if not engaged in activities described in clause (i), for assignment in the United States, United States diplomatic missions, and United States Agency for International Development missions.

''(B) FEDERAL STANDBY COMPONENT AND CIVILIAN RESERVE.—The Secretary may deploy members of the Federal standby component of the Corps under paragraph (2)(A)(ii), and members of the Civilian Reserve under paragraph (3), in support of stabilization and reconstruction activities in a foreign country or region if the President makes a determination regarding a stabilization and reconstruction crisis under subsection (b).''.

(b) EMPLOYMENT AUTHORITY.—The full-time personnel in the active component of the Response Readiness Corps under section 62(c)(2)(A)(i) of the State Department Basic Authorities Act of 1956 (as added by subsection (a)) are in addition to any other full-time personnel authorized to be employed under any other provision of law.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the status of efforts to establish the Response Readiness Corps under this section. The report should include recommendations for any legislation necessary to implement section 62(c) of the State Department Basic Authorities Act of 1956 (as so added).

SEC. 1247. STABILIZATION AND RECONSTRUCTION TRAINING AND EDUCATION.

Section 701 of the Foreign Service Act of 1980 (22 U.S.C. 4021) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection:

''(g) STABILIZATION AND RECONSTRUCTION CURRICULUM.—

''(1) ESTABLISHMENT AND MISSION.—The Secretary, in cooperation with the Secretary of Defense and the Secretary of the Army, is authorized to establish a stabilization and reconstruction curriculum for use in programs of the Foreign Service Institute, the National Defense University, and the United States Army War College.

''(2) CURRICULUM CONTENT.—The curriculum should include the following:

''(A) An overview of the global security environment, including an assessment of transnational threats and an analysis of United States policy options to address such threats.

''(B) A review of lessons learned from previous United States and international experiences in stabilization and reconstruction activities.

''(C) An overview of the relevant responsibilities, capabilities, and limitations of various Executive agencies (as that term is defined in section 105 of title 5, United States Code) and the interactions among them.

''(D) A discussion of the international resources available to address stabilization and reconstruction requirements, including resources of the United Nations and its specialized agencies, nongovernmental organizations, private and voluntary organizations, and foreign governments, together with an examination of the successes and failures experienced by the United States in working with such entities.

''(E) A study of the United States interagency system.

''(F) Foreign language training.

''(G) Training and simulation exercises for joint civilian-military emergency response operations.''.

SEC. 1248. SERVICE RELATED TO STABILIZATION AND RECONSTRUCTION.

(a) PROMOTION PURPOSES.—Service in stabilization and reconstruction operations overseas, membership in the Response Readiness Corps under section 62(c) of the State Department Basic Authorities Act of 1956 (as added by section 1246), and education and training in the stabilization and reconstruction curriculum established under section 701(g) of the Foreign Service Act of 1980 (as added by section 1247) should be considered among the favorable factors for the promotion of employees of Executive agencies.

(b) PERSONNEL TRAINING AND PROMOTION.—The Secretary and the Administrator should take steps to ensure that, not later than 3 years after the date of the enactment of this Act, at least 10 percent of the employees of the Department and the United States Agency for International Development in the United States are members of the Response Readiness Corps or are trained in the activities of, or identified for potential deployment in support of, the Response Readiness Corps. The Secretary should provide such training as needed to Ambassadors and Deputy Chiefs of Mission.

(c) OTHER INCENTIVES AND BENEFITS.—The Secretary and the Administrator may establish and administer a system of awards and other incentives and benefits to confer appropriate recognition on and reward any individual who is assigned, detailed, or deployed to carry out stabilization or reconstruction activities in accordance with this subtitle.

SEC. 1249. AUTHORITIES RELATED TO PERSONNEL.

(a) CONTRACTING AUTHORITY.—

(1) IN GENERAL.—The Secretary, or the Administrator with the concurrence of the Secretary, may enter into contracts to procure the services of nationals of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)) or aliens authorized to be employed in the United States as personal services contractors for the purpose of carrying out this subtitle, without regard to Civil Service or classification laws, for service in the Office of the Coordinator for Reconstruction and Stabilization or for service in foreign countries to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife. Such contracts are authorized to be negotiated, the terms of the contracts to be prescribed, and the work to be performed, where necessary, without regard to such statutory provisions as relate to the negotiation, making, and performance of contracts and performance of work in the United States.

(2) STATUS OF CONTRACTORS.—Individuals performing services under contracts described in paragraph (1) shall not by virtue of performing such services be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management. The Secretary or Administrator may determine the applicability to such individuals of any law administered by the Secretary or Administrator concerning the performance of such services by such individuals. Individuals employed by contract under the authority provided in paragraph (1) shall be considered employees for the purposes of parts 2600 through 2641 of title 5, Code of Federal Regulations, and sections 201, 203, 205, 207, 208, and 209 of title 18, United States Code.

(b) EXPERTS AND CONSULTANTS.—The Secretary and the Administrator may, to the extent necessary to obtain services without delay, employ experts and consultants under section 3109 of title 5, United States Code, for the purpose of carrying out this subtitle.

(c) AUTHORITY TO ACCEPT AND ASSIGN DETAILS.—The Secretary is authorized to accept details or assignments of employees of Executive agencies, members of the uniformed services, and employees of State or local governments on a reimbursable or nonreimbursable basis for the purpose of carrying out this subtitle. The assignment of an employee of a State or local government under this subsection shall be consistent with subchapter VI of chapter 33 of title 5, United States Code.

(d) DUAL COMPENSATION WAIVER.—

(1) ANNUITANTS UNDER CIVIL SERVICE RETIREMENT SYSTEM OR FEDERAL EMPLOYEES RETIREMENT SYSTEM.—Notwithstanding sections 8344(i) and 8468(f) of title 5, United States Code, the Secretary or the head of another executive agency, as authorized by the Secretary, may waive the application of subsections (a) through (h) of such section 8344 and subsections (a) through (e) of such section 8468 with respect to annuitants under the Civil Service Retirement System or the Federal Employees Retirement System who are assigned, detailed, or deployed to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife during the period of their reemployment.

(2) ANNUITANTS UNDER FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM OR FOREIGN SERVICE PENSION SYSTEM.—The Secretary may waive the application of subsections (a) through (d) of section 824 of the Foreign

Service Act (22 U.S.C. 4064) for annuitants under the Foreign Service Retirement and Disability System or the Foreign Service Pension System who are reemployed on a temporary basis in order to be assigned, detailed, or deployed to assist in stabilization and reconstruction activities under this subtitle.

(e) INCREASE IN PREMIUM PAY CAP.—The Secretary, or the head of another executive agency as authorized by the Secretary, may compensate an employee detailed, assigned, or deployed to assist in stabilizing and reconstructing a country or region that is at risk of, in, or is in transition from, conflict or civil strife, without regard to the limitations on premium pay set forth in section 5547 of title 5, United States Code, to the extent that the aggregate of the basic pay and premium pay of such employee for a year does not exceed the annual rate payable for level II of the Executive Schedule.

(f) EXTENSION OF CERTAIN FOREIGN SERVICE BENEFITS.—The Secretary, or the head of another executive agency as authorized by the Secretary, may extend to any individuals assigned, detailed, or deployed to carry out stabilization and reconstruction activities in accordance with this subtitle, the benefits or privileges set forth in sections 412, 413, 704, and 901 of the Foreign Service Act of 1980 (22 U.S.C. 3972, 22 U.S.C. 3973, 22 U.S.C. 4024, and 22 U.S.C. 4081) to the same extent and manner that such benefits and privileges are extended to members of the Foreign Service.

(g) COMPENSATORY TIME.—Notwithstanding any other provision of law, the Secretary, or the head of another executive agency as authorized by the Secretary, may, subject to the consent of an individual who is assigned, detailed, or deployed to carry out stabilization and reconstruction activities in accordance with this subtitle, grant such individual compensatory time off for an equal amount of time spent in regularly or irregularly scheduled overtime work. Credit for compensatory time off earned shall not form the basis for any additional compensation. Any such compensatory time not used within 26 pay periods shall be forfeited.

(h) ACCEPTANCE OF VOLUNTEER SERVICES.—

(1) IN GENERAL.—The Secretary may accept volunteer services for the purpose of carrying out this subtitle without regard to section 1342 of title 31, United States Code.

(2) TYPES OF VOLUNTEERS.—Donors of voluntary services accepted for purposes of this section may include—

(A) advisors;

(B) experts;

(C) consultants; and

(D) persons performing services in any other capacity determined appropriate by the Secretary.

(3) SUPERVISION.—The Secretary shall—

(A) ensure that each person performing voluntary services accepted under this section is notified of the scope of the voluntary services accepted;

(B) supervise the volunteer to the same extent as employees receiving compensation for similar services; and

(C) ensure that the volunteer has appropriate credentials or is otherwise qualified to perform in each capacity for which the volunteer's services are accepted.

(4) APPLICABILITY OF LAW RELATING TO FEDERAL GOVERNMENT EMPLOYEES.—A person providing volunteer services accepted under this section shall not be considered an employee of the Federal Government in the performance of those services, except for the purposes of the following provisions of law:

(A) Chapter 81 of title 5, United States Code, relating to compensation for work-related injuries.

(B) Chapter 11 of title 18, United States Code, relating to conflicts of interest.

(5) APPLICABILITY OF LAW RELATING TO VOLUNTEER LIABILITY PROTECTION.—

(A) IN GENERAL.—A person providing volunteer services accepted under this section shall be deemed to be a volunteer of a nonprofit organization or governmental entity, with respect to the accepted services, for purposes of the Volunteer Protection Act of 1997 (42 U.S.C. 14501 et seq.).

(B) INAPPLICABILITY OF EXCEPTIONS TO VOLUNTEER LIABILITY PROTECTION.—Section 4(d) of such Act (42 U.S.C. 14503(d)) does not apply with respect to the liability of a person with respect to services of such person that are accepted under this section.

(i) AUTHORITY FOR OUTSIDE ADVISORS.—

(1) IN GENERAL.—The Secretary may establish temporary advisory commissions composed of individuals with appropriate expertise to facilitate the carrying out of this subtitle.

(2) INAPPLICABILITY OF FACA.—The requirements of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the activities of a commission established under this subsection.

SEC. 1250. PREVIOUSLY APPROPRIATED FUNDS.

There are authorized to be appropriated for the Department of State under the heading ''DIPLOMATIC AND CONSULAR PROGRAMS'' such sums as may be available under section 3810 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28; 121 Stat. 151) to support and maintain a civilian reserve corps.

SA 2875. Mr. BOND submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

Strike section 1064 and insert the following:

SEC. 1064. SECURITY CLEARANCES; LIMITATIONS.

(a) IN GENERAL.—Title III of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b) is amended by adding at the end the following new section:

''SEC. 3002. SECURITY CLEARANCES; LIMITATIONS.

''(a) DEFINITIONS.—In this section:

''(1) CONTROLLED SUBSTANCE.—The term 'controlled substance' has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

''(2) COVERED PERSON.—The term 'covered person' means—

''(A) an officer or employee of a Federal agency;

''(B) a member of the Army, Navy, Air Force, or Marine Corps who is on active duty or is in an active status; and

''(C) an officer or employee of a contractor of a Federal agency.

''(3) RESTRICTED DATA.—The term 'Restricted Data' has the meaning given that term in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014).

''(4) SPECIAL ACCESS PROGRAM.—The term 'special access program' has the meaning given that term in section 4.1 of Executive Order 12958 (60 Fed. Reg. 19825).

''(b) PROHIBITION.—After January 1, 2008, the head of a Federal agency may not grant or renew a security clearance for a covered person who is—

''(1) an unlawful user of, or is addicted to, a controlled substance; or

''(2) mentally incompetent, as determined by an adjudicating authority, based on an evaluation by a duly qualified mental health professional employed by, or acceptable to and approved by, the United States government and in accordance with the adjudicative guidelines required by subsection (d).

''(c) DISQUALIFICATION.—

''(1) IN GENERAL.—After January 1, 2008, absent an express written waiver granted in accordance with paragraph (2), the head of a Federal agency may not grant or renew a security clearance described in paragraph (3) for a covered person who has been—

''(A) convicted in any court of the United States of a crime, was sentenced to imprisonment for a term exceeding 1 year, and was incarcerated as a result of that sentence for not less than 1 year; or

''(B) discharged or dismissed from the Armed Forces under dishonorable conditions.

''(2) WAIVER AUTHORITY.—In a meritorious case, an exception to the disqualification in this subsection may be authorized if there are mitigating factors. Any such waiver may be authorized only in accordance with standards and procedures prescribed by, or under the authority of, an Executive Order or other guidance issued by the President.

''(3) COVERED SECURITY CLEARANCES.—This subsection applies to security clearances that provide for access to—

''(A) special access programs;

''(B) Restricted Data; or

''(C) any other information commonly referred to as 'sensitive compartmented information'.

''(4) ANNUAL REPORT.—

''(A) REQUIREMENT FOR REPORT.—Not later than February 1 of each year, the head of a Federal agency shall submit a report to the appropriate committees of Congress if such agency employs or employed a person for whom a waiver was granted in accordance with paragraph (2) during the preceding year. Such annual report shall not reveal the identity of such person, but shall include for each waiver issued the disqualifying factor under paragraph (1) and the reasons for the waiver of the disqualifying factor.

''(B) DEFINITIONS.—In this paragraph:

''(i) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means, with respect to a report submitted under subparagraph (A) by the head of a Federal agency—

''(I) the congressional intelligence committees;

''(II) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(III) the Committee on Oversight and Government Reform of the House of Representatives; and

''(IV) each Committee of the Senate or the House of Representatives with oversight authority over such Federal agency.

''(ii) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term 'congressional intelligence committees' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 401a).

''(d) ADJUDICATIVE GUIDELINES.—

''(1) REQUIREMENT TO ESTABLISH.—The President shall establish adjudicative guidelines for determining eligibility for access to classified information.

''(2) REQUIREMENTS RELATED TO MENTAL HEALTH.—The guidelines required by paragraph (1) shall—

''(A) include procedures and standards under which a covered person is determined to be mentally incompetent and provide a means to appeal such a determination; and

''(B) require that no negative inference concerning the standards in the guidelines may be raised solely on the basis of seeking mental health counseling.''.

(b) CONFORMING AMENDMENTS.—

(1) REPEAL.—Section 986 of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 49 of such title is amended by striking the item relating to section 986.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on January 1, 2008.

SA 2876. Mr. KERRY (for himself, Mr. DOMENICI, Mr. TESTER, Mr. HAGEL, and Mr. OBAMA) submitted an amendment intended to be proposed to amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill 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; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 703. CENTER OF EXCELLENCE IN PREVENTION, DIAGNOSIS, MITIGATION, TREATMENT, AND REHABILITATION OF MILITARY EYE INJURIES.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1105 the following new section:

''§ 1105a. Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Military Eye Injuries

''(a) IN GENERAL.—The Secretary of Defense shall establish within the Department of Defense a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of military eye injuries to carry out the responsibilities specified in subsection (c). The center shall be known as a 'Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Military Eye Injuries'.

''(b) PARTNERSHIPS.—The Secretary shall ensure that the Center collaborates to the maximum extent practicable with the Department of Veterans Affairs, institutions of higher education, and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (c).

''(c) RESPONSIBILITIES.—(1) The Center shall—

''(A) develop, implement, and oversee a registry of information for the tracking of the diagnosis, surgical intervention or other operative procedure, other treatment, and follow up for each case of eye injury incurred by a member of the armed forces in combat that requires surgery or other operative intervention; and

''(B) ensure the electronic exchange with Secretary of Veterans Affairs of information obtained through tracking under subparagraph (A).

''(2) The registry under this subsection shall be known as the 'Military Eye Injury Registry'.

''(3) The Center shall develop the Registry in consultation with the ophthalmological specialist personnel and optometric specialist personnel of the Department of Defense. The mechanisms and procedures of the Registry shall reflect applicable expert research on military and other eye injuries.

''(4) The mechanisms of the Registry for tracking under paragraph (1)(A) shall ensure that each military medical treatment facility or other medical facility shall submit to the Center for inclusion in the Registry information on the diagnosis, surgical intervention or other operative procedure, other treatment, and follow up for each case of eye injury described in that paragraph as follows (to the extent applicable):

''(A) Not later than 72 hours after surgery or other operative intervention.

''(B) Any clinical or other operative intervention done within 30 days, 60 days, or 120 days after surgery or other operative intervention as a result of a follow-up examination.

''(C) Not later than 180 days after surgery or other operative intervention.

''(5)(A) The Center shall provide notice to the Blind Service or Low Vision Optometry Service, as applicable, of the Department of Veterans Affairs on each member of the armed forces described in subparagraph (B) for purposes of ensuring the coordination of the provision of visual rehabilitation benefits and services by the Department of Veterans Affairs after the separation or release of such member from the armed forces.

''(B) A member of the armed forces described in this subparagraph is a member of the armed forces as follows:

''(i) A member with an eye injury incurred in combat who has a visual acuity of 20/200 or less in either eye.

''(ii) A member with an eye injury incurred in combat who has a loss of peripheral vision of twenty degrees or less.

''(d) UTILIZATION OF REGISTRY INFORMATION.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly ensure that information in the Military Eye Injury Registry is available to appropriate ophthalmological and optometric personnel of the Department of Veterans Affairs for purposes of encouraging and facilitating the conduct of research, and the development of best practices and clinical education, on eye injuries incurred by members of the armed forces in combat.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1105 the following new item:

''1105a. Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Military Eye Injuries.''.

(b) INCLUSION OF RECORDS OF OIF/OEF VETERANS.—The Secretary of Defense shall take appropriate actions to include in the Military Eye Injury Registry established under section 1105a of title 10, United States Code (as added by subsection (a)), such records of members of the Armed Forces who incurred an eye injury in combat in Operation Iraqi Freedom or Operation Enduring Freedom before the establishment of the Registry as the Secretary considers appropriate for purposes of the Registry.

(c) REPORT ON ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the status of the Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Military Eye Injuries under section 1105a of title 10, United States Code (as so added), including the progress made in established the Military Eye Injury Registry required under that section.

(d) TRAUMATIC BRAIN INJURY POST TRAUMATIC VISUAL SYNDROME.—In carrying out the program at Walter Reed Army Medical Center, District of Columbia, on Traumatic Brain Injury Post Traumatic Visual Syndrome, the Secretary of Defense and the Department of Veterans Affairs shall jointly provide for the conduct of a cooperative study on neuro-optometric screening and diagnosis of members of the Armed Forces with Traumatic Brain Injury by military medical treatment facilities of the Department of Defense and medical centers of the Department of Veterans Affairs selected for purposes of this subsection for purposes of vision screening, diagnosis, rehabilitative management, and vision research on visual dysfunction related to Traumatic Brain Injury.

(e) FUNDING.—

(1) INCREASE IN AMOUNT FOR DEFENSE HEALTH PROGRAM.—The amount authorized to be appropriated by section 1403 for Defense Health Program is hereby increased by $5,000,000.

(2) AVAILABILITY.—Of the amount authorized to be appropriated by section 1403 for Defense Health Program, as increased by paragraph (1), $5,000,000 may be available for the Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Military Eye Injuries under section 1105a of title 10, United States Code (as so added).

SA 2877. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. EMERGENCY FUNDING FOR LOCAL EDUCATIONAL AGENCIES ENROLLING MILITARY DEPENDENT CHILDREN.

(a) SHORT TITLE.—This section may be cited as the ''Help for Military Children Affected by War Act of 2007''.

(b) GRANTS AUTHORIZED.—The Secretary of Defense is authorized to award grants to eligible local educational agencies for the additional education, counseling, and other needs of military dependent children who are affected by war or dramatic military decisions.

(c) DEFINITIONS.—In this section:

(1) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—The term ''eligible local educational agency'' means a local educational agency that—

(A)(i) had a number of military dependent children in average daily attendance in the schools served by the local educational agency during the school year preceding the school year for which the determination is made, that—

(I) equaled or exceeded 20 percent of the number of all children in average daily attendance in the schools served by such agency during the preceding school year; or

(II) was 1,000 or more,

whichever is less; and

(ii) is designated by the Secretary of Defense as impacted by—

(I) Operation Iraqi Freedom;

(II) Operation Enduring Freedom;

(III) the global rebasing plan of the Department of Defense;

(IV) the realignment of forces as a result of the base closure process;

(V) the official creation or activation of 1 or more new military units; or

(VI) a change in the number of required housing units on a military installation, due to the Military Housing Privatization Initiative of the Department of Defense; or

(B)(i) enrolls not less than 1 military dependent child affected by Operation Iraqi Freedom or Operation Enduring Freedom, as certified by the Secretary of Education; and

(ii) is not eligible for a payment under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702, 7703).

(2) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(3) MILITARY DEPENDENT CHILD.—The term ''military dependent child''—

(A) means a child described in subparagraph (B) or (D)(i) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)); and

(B) includes a child—

(i) who resided on Federal property with a parent on active duty in the National Guard or Reserve; or

(ii) who had a parent on active duty in the National Guard or Reserve but did not reside on Federal property.

(d) USE OF FUNDS.—Grant funds provided under this section shall be used for—

(1) tutoring, after-school, and dropout prevention activities for military dependent children with a parent who is or has been impacted by war-related action described in subclause (I), (II), or (III) of subsection (c)(1)(A)(ii);

(2) professional development of teachers, principals, and counselors on the needs of military dependent children with a parent who is or has been impacted by war-related action described in subclause (I), (II), or (III) of subsection (c)(1)(A)(ii);

(3) counseling and other comprehensive support services for military dependent children with a parent who is or has been impacted by war-related action described in subclause (I), (II), or (III) of subsection (c)(1)(A)(ii), including the hiring of a military-school liaison; and

(4) other basic educational activities associated with an increase in military dependent children.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Department of Defense $5,000,000 to carry out this section for fiscal year 2008 and such sums as may be necessary for each of the 3 succeeding fiscal years.

(2) SPECIAL RULE.—Funds appropriated under paragraph (1) are in addition to any funds made available to local educational agencies under section 561 or 562 of this Act or section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703).

SA 2878. Mr. HATCH (for himself and Mr. BENNETT) submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military contruction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1044. REPORT ON CAPABILITIES FOR SUSTAINMENT OF THE MINUTEMAN III INTERCONTINENTAL BALLISTIC MISSILE.

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

(1) The strategic forces of the United States remain a cornerstone of United States national security.

(2) The 2001 Nuclear Posture Review states that it is the current policy of the United States that intercontinental ballistic missiles (ICBMs), submarine-launched ballistic missiles, and long-range nuclear-armed bombers play a critical role in the defense capabilities of the United States, its allies, and friends.

(3) The dispersed and alert Minuteman III intercontinental ballistic missile system provides the most responsive, stabilizing, and cost-effective strategic force.

(4) Section 139 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2114) requires the Secretary of the Air Force to modernize Minuteman III intercontinental ballistic missiles in the United States inventory so as to maintain a sufficient supply of launch test assets and spares to sustain the deployed force of such missiles through 2030.

(5) The modernization program for the Minuteman III intercontinental ballistic missile is nearing completion. Once that program is complete, there will be no program to sustain the capability of the United States industrial base to modernize or replace the intercontinental ballistic missiles that constitute the sole land-based strategic deterrent system of the United States.

(6) As an example, motor production for the Minuteman III Propulsion Replacement Program (PRP) is currently scheduled to end in fiscal year 2009. Once the PRP program ends, the capacity of the United States industrial base to respond to matters arising from the aging and obsolescence of Minuteman III intercontinental ballistic missiles will be extremely diminished, decades-worth of critical program knowledge may be lost, and the current design of the Minuteman III intercontinental ballistic missile is likely to no longer be reproducible.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2008, the Secretary of Defense shall submit to the congressional defense committees a report on the capability of the United States industrial base to achieve each of the following:

(A) To maintain, modernize, and sustain the Minuteman III intercontinental ballistic missile (ICBM) system until at least 2030.

(B) To replace the Minuteman III intercontinental ballistic missile with a follow-on land-based strategic deterrent system after 2030.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of any current plans for extending the Minuteman III intercontinental ballistic missile system after the period from 2020 to 2030, including plans for testing sufficient to account for any aging and obsolescence found in the Minuteman III intercontinental ballistic missile during the remaining life of the system, and an assessment of the risks associated with such plans after the shutdown of associated production lines.

(B) A description of any current plans to maintain the Minuteman III intercontinental ballistic missile system after 2030, including an assessment of any risks associated with such plans after the shutdown of associated production lines.

(C) An explanation why the Minuteman III intercontinental ballistic missile system, the only United States land-based strategic deterrent system, is no longer considered to be of the highest national defense urgency, as indicated by inclusion of the system on the so-called ''DX-Rated Program List'' while the sea-based strategic deterrent system, the Trident II D5 missile system, is still on the so-called ''DX-list''.

(D) An analysis of existing commonalities between the service life extension program for the Trident II D5 missile system and any equivalent planned service life extension program for the Minuteman III intercontinental ballistic missile system, including an analysis of the impact on materials, the supplier base, production facilities, and the production workforce of extending all or part of the service life extension program for the Trident II D5 missile system to a service life extension program for the Minuteman III intercontinental ballistic missile system.

(E) An assessment of the adequacy of current and anticipated programs, such as missile defense, space launch, and prompt global strike programs, to support the industrial base for the Minuteman III intercontinental ballistic missile system, including an analysis of the impact on materials, the supplier base, production facilities, and the production workforce of extending all or part of any such program to the program for the Minuteman III intercontinental ballistic missile system.

(c) COMPTROLLER GENERAL REVIEW.—Not later than 60 days after submittal under subsection (b) of the report required by that subsection, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the Comptroller General's assessment of the matters contained in the report under subsection (b), including an assessment of the consistency of the budget of the President for fiscal year 2009, as submitted to Congress pursuant to section 1105 of title 31, United States Code, with the matters contained in the report under subsection (b).

SA 2879. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 256. COST-BENEFIT ANALYSIS OF PROPOSED FUNDING REDUCTION FOR HIGH ENERGY LASER SYSTEMS TEST FACILITY.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing a cost-benefit analysis of the proposed reduction in Army research, development, test, and evaluation funding for the High Energy Laser Systems Test Facility.

(b) EVALUATION OF IMPACT ON OTHER MILITARY DEPARTMENTS.—The report required under subsection (a) shall include an evaluation of the impact of the proposed reduction in funding on each Federal agency that utilizes the High Energy Laser Systems Test Facility.

(c) PROHIBITION ON ACTIONS TO DIMINISH ABILITY OF FACILITY TO FUNCTION AS MAJOR RANGE AND TEST BASE FACILITY.—The Secretary of the Army may not take any action that diminishes the ability of the High Energy Laser Systems Test Facility to function as a major range and test base facility, as that term is defined in Department of Defense Directive 3200.11, including actions related to the closure of such facility.

SA 2880. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 358. REPORT ON HIGH-ALTITUDE AVIATION TRAINING SITE, COLORADO.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report on the High-Altitude Aviation Training Site at Gypsum, Colorado.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) a summary of costs for each of the previous 5 years associated with transporting aircraft to and from the High-Altitude Aviation Training Site for training purposes; and

(2) an analysis of potential cost savings and operational benefits, if any, of permanently stationing no less than 4 UH–60, 2 CH–47, and 2 LUH–72 aircraft at the High-Altitude Aviation Training Site.

SA 2881. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1044. REPORT AND MASTER INFRASTRUCTURE RECAPITALIZATION PLAN REGARDING CHEYENNE MOUNTAIN AIR STATION, COLORADO.

(a) REPORT ON RELOCATION OF NORTH AMERICAN AEROSPACE DEFENSE COMMAND CENTER.—

(1) IN GENERAL.—Not later than December 31, 2007, the Secretary of Defense shall submit to Congress a report on the relocation of the North American Aerospace Defense command center and related functions from Cheyenne Mountain Air Station, Colorado, to Peterson Air Force Base, Colorado.

(2) CONTENT.—The report required under paragraph (1) shall include—

(A) an analysis comparing the total costs associated with the relocation, including costs determined as part of ongoing security-related studies of the relocation, to anticipated operational benefits from the relocation; and

(B) an analysis of what additional missions could be performed at the Cheyenne Mountain Air Station, including anticipated operational benefits or cost savings of moving additional functions to the Cheyenne Mountain Air Station.

(b) MASTER INFRASTRUCTURE RECAPITALIZATION PLAN.—

(1) IN GENERAL.—Not later than March 16, 2008, the Secretary of the Air Force shall submit to Congress a master infrastructure recapitalization plan for Cheyenne Mountain Air Station.

(2) CONTENT.—The plan required under paragraph (1) shall include—

(A) A description of the projects that are needed to improve the infrastructure required for supporting current and projected missions associated with Cheyenne Mountain Air Station; and

(B) a funding plan explaining the expected timetable for the Air Force to support such projects.

SA 2882. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

SEC. 555. ASSESSMENTS OF SPONSOR PROGRAMS AT THE MILITARY SERVICE ACADEMIES.

(a) ASSESSMENTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Board of Visitors for each military service academy shall submit to the congressional defense committees an assessment of the sponsor program at that academy together with a copy of the policy of the academy with respect to such program.

(b) CONTENT.—Each assessment submitted under subsection (a) shall describe—

(1) the purpose of the policy regarding the sponsor program at the academy;

(2) the implementation of the policy;

(3) the method used to screen potential sponsors;

(4) the responsibilities of sponsors; and

(5) the guidance provided to midshipmen and cadets regarding the sponsor program.

SA 2883. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

SEC. 1234. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON PREVENTION OF MASS ATROCITIES.

(a) REPORT REQUIRED.—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report assessing the capability of the Secretary of Defense and the Secretary of State to provide training and guidance to the command of an international intervention force that seeks to prevent mass atrocities.

(b) CONTENT.—The report required under subsection (a) shall include the following:

(1) An evaluation of any doctrine currently used by the Secretary of Defense or the Secretary of State to prepare for the training and guidance of the command of an international intervention force.

(2) An assessment of the current capability of the Secretary of Defense and the Secretary of State to provide training and guidance to the command of an international intervention force in keeping with the ''responsibility to protect'' doctrine described in paragraphs 138 through 140 of the outcome document of the High-level Plenary Meeting of the General Assembly adopted by the United Nations in September 2005.

(3) An assessment of the potential capability of the Secretary of Defense and the Secretary of State to support the development of new doctrines for the training and guidance of an international intervention force in keeping with the ''responsibility to protect'' doctrine.

(4) Recommendations as to the steps necessary to allow the Secretary of Defense and the Secretary of State to provide more effective training and guidance to an international intervention force.

(c) INTERNATIONAL INTERVENTION FORCE.—For the purposes of this section, ''international intervention force'' means a military force that—

(1) is authorized by an international organization such as the United Nations, the Economic Community of West African States (ECOWAS), the North Atlantic Treaty Organization (NATO), the European Union, or the African Union; and

(2) has a mission that is narrowly focused on the protection of civilian life and the prevention of mass atrocities such as genocide.

SA 2884. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1070. UNIFORM STANDARDS FOR INTERROGATION TECHNIQUES APPLICABLE TO INDIVIDUALS UNDER CONTROL OR CUSTODY OF THE UNITED STATES GOVERNMENT.

(a) IN GENERAL.—No individual in the custody or under the effective control of the United States Government or any agency or instrumentality thereof, regardless of nationality or physical location, shall be subject to any treatment or technique of interrogation not authorized by sections 5–50 through 5–99 of the United States Army Field Manual on Human Intelligence Collector Operations.

(b) PROHIBITED ACTIONS.—The treatment or techniques of interrogation prohibited under subsection (a) include, but are not limited to, the following:

(1) Forcing an individual to be naked, perform sexual acts, or pose in a sexual manner.

(2) Placing a hood or sack over the head of an individual, or using or placing duct tape over the eyes of an individual.

(3) Applying a beating, electric shock, burns, or other forms of physical pain to an individual.

(4) Subjecting an individual to the procedure known as ''waterboarding''.

(5) Subjecting an individual to threats or attack from a military working dog.

(6) Inducing hypothermia or heat injury in an individual.

(7) Conducting a mock execution of an individual.

(8) Depriving an individual of necessary food, water, or medical care.

(c) APPLICABILITY.—Subsection (a) shall not apply with respect to any individual in the custody or under the effective control of the United States Government pursuant to a criminal law or immigration law of the United States.

(d) CONSTRUCTION.—Nothing in this section shall be construed to affect the rights under the United States Constitution of any individual in the custody or under the effective control of the United States Government.

SA 2885. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill 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; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

SEC. 132. LITTORAL COMBAT SHIP (LCS) PROGRAM.

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

(1) The plan of the Chief of Naval Operations to recapitalize the United States Navy to at least 313 battle force ships is essential for meeting the long-term requirements of the National Military Strategy.

(2) Fiscal challenges to the plan to build a 313-ship fleet require that the Navy exercise discipline in determining warfighter requirements and responsibility in estimating, budgeting, and controlling costs.

(3) The 55-ship Littoral Combat Ship (LCS) program is central to the shipbuilding plan of the Navy. The inability of the Navy to control requirements and costs on the two lead ships of the Littoral Combat Ship program raises serious concerns regarding the capacity of the Navy to affordably build a 313-ship fleet.

(4) On April 23, 2007, the Naval Inspector General reported to Congress that it determined that cost growth in the Littoral Combat Ship program was attributable to several factors, most notably that—

(A) the strategy adopted for the Littoral Combat Ship program, a so-called ''concurrent design-build'' strategy, was a high-risk strategy that did not account for that risk in the cost and schedule for the lead ships in the program;

(B) inadequate emphasis was placed on ''bid realism'' in the evaluation of contract proposals under the program;

(C) late incorporation of Naval Vessel Rules into the program caused significant design delays and cost growth;

(D) the Earned Value Management System of the contractor under the program did not adequately measure shipyard performance, and the Navy did not independently assess cost performance;

(E) the program manager for the program was inexperienced as an acquisition professional and had insufficient staff support for the challenges posed by management of such a complex, major program because senior Navy officials waived qualifications of acquisition workforce personnel and chose not to provide adequate support in other areas;

(F) the acquisition chain-of-command, from the program office for the program to the Assistant Secretary of the Navy failed to report timely program cost and schedule information within the Navy and to the Office of Secretary of Defense and Congress, which resulted in poor understanding of actual program performance; and

(G) the relationship between the Naval Sea Systems Command and the program executive offices for the program was dysfunctional.

(b) REQUIREMENT.—In order to halt further cost growth in the Littoral Combat Ship program, costs and government liability under future contracts under the Littoral Combat Ship program shall be limited as follows:

(1) LIMITATION OF COSTS.—The total amount obligated or expended for the procurement costs of the fifth and sixth vessels in the Littoral Combat Ship (LCS) class of vessels shall not exceed $460,000,000 per vessel.

(2) PROCUREMENT COSTS.—For purposes of paragraph (1), procurement costs shall include all costs for plans, basic construction, change orders, electronics, ordnance, contractor support, and other costs associated with completion of production drawings, ship construction, test, and delivery, including work performed post-delivery that is required to meet original contract requirements.

(3) CONTRACT TYPE.—The Navy shall employ a fixed-price type contract for construction of the fifth and following ships of the Littoral Combat Ship class of vessels.

(4) LIMITATION OF GOVERNMENT LIABILITY.—The Navy shall not enter into a contract, or modify a contract, for construction of the fifth or sixth vessel of the Littoral Combat Ship class of vessels if the limitation of the Government's cost liability, when added to the sum of other budgeted procurement costs, would exceed $460,000,000 per vessel.

(5) ADJUSTMENT OF LIMITATION AMOUNT.—The Secretary of the Navy may adjust the amount set forth in paragraphs (1) and (4) for either vessel referred to in such paragraph by the following:

(A) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2007.

(B) The amounts of outfitting costs and costs required to complete post-delivery test and trials.

(c) REPEAL OF SUPERSEDED AUTHORITY.—Section 124 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3157) is repealed.

SA 2886. Mrs. FEINSTEIN (for herself and Mr. SPECTER) submitted an amendment intended to be proposed to amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill 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; which was ordered to lie on the table; as follows:

Strike section 824 and insert the following:

SEC. 824. COMPTROLLER GENERAL REPORT ON EMPLOYMENT OPPORTUNITIES FOR FEDERAL PRISONERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall, in coordination with the Attorney General, submit to Congress a report setting forth such modifications to law or regulations as may be required to provide sufficient employment opportunities for Federal prisoners to reduce recidivism among, and to promote job skills for, the growing population of Federal prisoners.

(b) ELEMENTS.—The report shall include an assessment of the following:

(1) The effect of the current Federal Prison Industries program on private industry.

(2) The impact of limitations on authorized purchasers of Federal Prison Industries products, and proposed alternative employment opportunities for Federal prisoners that may be used to reduce any negative impact on the Federal Prison Industries program of the modifications set forth in subsection (a).

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, September 19, 2007, at 9:30 a.m. in Room 628 of the Dirksen Senate Office Building to conduct a hearing on the process of Federal recognition of Indian tribes.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. KERRY. Mr. President, I would like to inform members that the Committee on Small Business and Entrepreneurship will hold a hearing entitled ''Expanding Opportunities for Women Entrepreneurs: The Future of Women's Small Business Programs,'' on Thursday, September 20, 2007, at 10 a.m. in room 428A of the Russell Senate Office Building.

DISCHARGE AND REFERRAL—S. 2006

Mr. REID. I ask unanimous consent that the Senate Committee on Environment and Public Works be discharged from further consideration of S. 2006 and the bill be referred to the Committee on Homeland Security and Governmental Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, SEPTEMBER 18, 2007

Mr. REID. Mr. President, I ask unanimous consent when the Senate completes its business today, it stand adjourned until tomorrow morning at 10 a.m., Tuesday, September 18; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there then be a period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first 30 minutes and the majority controlling the final 30 minutes; that following morning business, the Senate proceed to H.R. 1124, as provided for under a previous order; that on Tuesday, following disposition of H.R. 1124, the Senate stand in recess until 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. If there is no further business today, I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:12 p.m., adjourned until Tuesday, September 18, 2007, at 10 a.m.

EXTENSIONS OF REMARKS

HONORING PENNSYLVANIA PARAMEDIC OF THE YEAR BRETT FADGEN

HON. JASON ALTMIRE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. ALTMIRE. Madam Speaker, I rise today to pay tribute to Brett Fadgen, the 2007 Pennsylvania Paramedic of the Year. Not only is Mr. Fadgen an EMS Paramedic Rescue Technician for the Ross and West View communities, he also flies with Stat MedEvac, serves as a trained firefighter for his local fire department, and teaches at the Community College of Allegheny County. He is truly a model representative of the thousands of paramedics who serve in Pennsylvania, and I was pleased to learn that the Pennsylvania Emergency Health Services Council awarded him with this great honor on August 18.

Mr. Fadgen became an Emergency Medical Technician (EMT) at the age of 17 after volunteering with the local emergency medical service. Upon graduating from Gannon University with a Bachelor of Science degree, he attended school to become a paramedic. In 2002, Mr. Fadgen moved with his family to Ross Township, Pennsylvania and has served the community as a paramedic ever since. Recently, Mr. Fadgen obtained his nursing degree from Duquesne University and accepted a position as a Registered Nurse for UPMC Presbyterian. Although he has taken on a new role in the community, Mr. Fadgen remains committed to continuing his work as a paramedic on a part-time basis.

I am honored to recognize Mr. Fadgen's outstanding accomplishment of becoming the 2007 Pennsylvania Paramedic of the Year. His incredible achievements are just one example of the extraordinary work being accomplished by paramedics across the nation. On behalf of my family and the Fourth District of Pennsylvania, I extend our thanks and eternal gratitude to Mr. Brett Fadgen for his continued commitment to our community.

A TRIBUTE TO SAM JOHNSON

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. LANTOS. Madam Speaker, I rise today in tribute to an extraordinary educator from my home district in California. Samuel Johnson Jr. has retired following four decades of service to students. Remarkably, for 39 of those years, Sam Johnson was employed at the San Mateo Union High School District, with the final three years as its Superintendent.

A native of Louisiana, Sam Johnson struggled against and rose above the racial challenges of his generation. His career displays a shining light of perseverance and professionalism, offering a pioneering example for all races.

Yet let me say, Madame Speaker, that Sam Johnson's legacy is his devotion to young people, his determination that every student should have the ability to excel, to achieve and ultimately to find success in higher education.

His first job as a teacher was in his home state of Louisiana, and his eventual move to the San Mateo Union High School District after that first year began a lengthy tenure of dedication at the district he would call home for four decades.

Beginning his career as a math teacher, Sam Johnson went on to hold nearly every administrative position in the district. His responsibilities ranged through the years from being the Director of Human Relations for the entire San Mateo Union High School District to being Assistant Principal and then Principal of Capuchino High School, where he was successful in acquiring a prestigious Carnegie Grant. He later served as Director of Personnel, Associate Superintendent for Human Resources and Administrative Services and finally, Superintendent of the District, overseeing seven schools.

Madam Speaker, I would like my colleagues to know that Sam Johnson will be remembered for his commitment to the advancement of young people from all walks of life. His innovative pursuit of an Academic Core Curriculum, guaranteeing that every student would be taking classes geared to success in college, was just one example of helping everyone realize educational dreams. He combined that vision with a push for seven periods in the school day, giving students the opportunity to benefit from additional elective classes. He also spearheaded a school year calendar change that more effectively linked the end of academic classes with holiday vacations. These changes, which required political and administrative strength to achieve, highlight much of Sam Johnson's talents and vision. His success at reaching these goals provided more academic opportunities for the students in his care. I am proud to say that the San Mateo Union High School District has reported successively improving student scores in recent years, something universally desired in any educational environment.

Madam Speaker, Samuel Johnson Jr. deserves respect and appreciation for an educational career focused on improving the opportunities and experiences of young people attending public school. He faced many challenges during his tenure, specific to the San Mateo Union High School District as well as relating to society in general. He met those challenges with dignity and what many of his colleagues described as class, while never wavering from the dream he held as a young teacher in Louisiana; a dream of helping students find the path to realizing their own hopes and dreams.

Madam Speaker, I want to wish Samuel Johnson Jr.; his wife, Della; and children Brad and Shana, happiness in his retirement and congratulations on his four-decade career in education.

JACOB ADAM HENDRICKS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Jacob Adam Hendricks, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 261, and in earning the most prestigious award of Eagle Scout.

Jacob has been very active with his troop, participating in many Scout activities. Over the many years Jacob has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Jacob Adam Hendricks for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF MARTIN SAVIDGE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. KUCINICH. Madam Speaker, I rise today to honor Martin Savidge for his 27 years of service to the American public, through his role as a news anchor and national correspondent for many prominent news networks.

Martin, who is currently a correspondent with NBC News, does regular reporting for NBC Nightly News with Brian Williams, the Today Show, and MSNBC. Prior to NBC, Martin was a news anchor and a national correspondent for CNN, based at the network's world headquarters in Atlanta.

Martin graduated from Rocky River High School and earned a bachelor's degree in journalism from Ohio University. He began his broadcast career as an anchor and reporter for WCIA–TV in Champaign, IL in 1980. He then moved on to work as the prime-time anchor for WMBD–TV in Peoria, IL Martin also worked as a reporter for the Associated Press, as well as a special projects reporter and anchor for WJW–TV in Cleveland.

Following the September 11, 2001 terrorist attacks, Martin reported from New York City's Ground Zero on the search and rescue mission and the ongoing recovery efforts. In 2003, Martin delivered on-the-ground coverage of the crises in Iraq as one of CNN's embedded journalists. Martin most recently served as NBC's primary correspondent in New Orleans,

● 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.

covering Hurricane Katrina and its aftermath along the Gulf Coast.

Martin has been honored with some of broadcast journalism's most prestigious awards, including two Headliner Awards, two Edward R. Murrow Awards, a Peabody Award, a DuPont Award and an Emmy. In October 2002, the National Journalism Education Association named Martin its Media Person of the Year for his support of scholastic journalism.

Madam Speaker and colleagues, please join me in honoring Martin Savidge for his dedication to informing the public about important national and world issues, and his commitment to educating future journalists.

TRIBUTE TO CHIEF ROBERT E. KELLEY

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. COURTNEY. Madam Speaker, I rise today to recognize Chief Robert E. Kelley on his retirement after more than four decades of service to the citizens of Vernon, CT, as a firefighter and first responder.

Bob began his career in 1966 at the Rockville Fire Department, where he ascended to the rank of Battalion Chief of the Rescue Squad. In 1980, he was promoted to the position of District Fire Chief and later Chief of the Town of Vernon Fire Department in 1986. Bob's commitment to public service is evident in his dedication to do what is best for the citizens of his town and his fellow firefighters, regardless of the task. As a supervisor and mentor his contribution is immeasurable, but his record speaks for itself. No firefighter has ever lost his life in the line of duty under the command of Chief Kelley, and that speaks to his professionalism, dedication, and commitment to public safety and his comrades.

I have known Bob for almost 20 years in a number of different capacities: constituent, fellow town official, advisor, and friend, and he has served the people of Vernon and Tolland County with integrity and distinction. His duties have covered the gamut; planning, developing budgets, saving lives, and protecting property. He also oversaw the transformation of public safety from a loose group of local volunteers to a sophisticated cutting edge network of first responders. We are lucky to still have a predominantly all volunteer force, and under Bob's leadership they have been trained and equipped to deal with the challenges of the 21st century. Congratulations to Bob, his wife of 47 years, Marilla, and his family on this well-deserved retirement. I hope he still drives a red Ford around town so I will know he's coming down the street.

The Town of Vernon Fire Department will miss his leadership and I ask my colleagues to join with me and my constituents in thanking Bob Kelley for his years of public service and wishing him well in his new endeavors.

IN TRIBUTE TO DIC YOUNGS

HON. LEONARD L. BOSWELL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. BOSWELL. Madam Speaker, I rise today to honor the life works and career of a local Iowa luminary. Born in Grand Island, NE, Dic Youngs—or ''Youngsy'' to his fans—has become a legend of regional radio in the Des Moines metro area, attracting loyal listeners from every Iowa demographic over his half century of commitment to the air waves. With the announcement of his retirement from 93.3 KIOA this July, it is proper that we should honor a man who has come to be so cherished in the hearts and homes of several generations of Iowans.

Dic Youngs has always had panache, and he has basked in the community spotlight since his youth. As a young man attending East High School in Des Moines, his athletic prowess earned him many distinctions, and he gained substantial notoriety within the greater conference community throughout his athletic career. At the age of 16, Dic's radio career was kick-started as he championed a KSO amateur DJ contest, and was given a position at radio 1460 KSO, Des Moines. Soon after, he began broadcasting the sounds of the sixties from his ''KSO Fish Bowl'' studio, which was originally located in the display window of a downtown shop. He was a ''smash'' with Des Moines area teens, and by charming them with his skillful spins and witty words, he established a loyal fan base from the very beginning.

Dic started his time at 93.3 KIOA in February of 1966, after a brief hiatus from Iowa radio, and remained there for nearly 42 years. During his time at KIOA, he was known for his afternoon broadcasts and the ''Original Saturday Night Oldies Show.'' But Dic did more than DJ during his time at KIOA—he was also an exceptional philanthropist, and was passionately involved in the local community. As a member of the KIOA High Hoopers Basketball team, he helped raise nearly one million dollars for various charitable causes, and he is known in the region for his 50 hour radiothons to benefit the Variety Club of Iowa; the grand total of his personal fund-raising efforts climbing to nearly $500,000. He has orchestrated 26 ''Rock and Roll Reunions'' at the Iowa State Fair, and was responsible for the crowd-pleasing ''KIOA Good Guy Reunions.''

Many Iowans will remember Dic as the man whose voice and musical repertoire filled lazy afternoons and memorable Saturday nights, as the man who first introduced them to the Beatles, and as the man whose steadfastly positive presence in the community has been an inspiration and a blessing to so many. I ask my colleagues to join me in honoring the life and career of Dic Youngs. We congratulate you and wish you the best of luck in retirement.

IN HONOR OF CAPTAIN ERICK M. FOSTER

HON. JASON ALTMIRE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. ALTMIRE. Madam Speaker, I rise today to honor CPT Erick M. Foster, an Army Ranger who was killed while serving in Iraq on August 29, 2007. As a member of the 1st Squadron, 73rd Cavalry Regiment, 2nd Brigade Combat Team, 82nd Airborne Division, he was struck by small arms fire while conducting a dismounted patrol in Muqdadiyah, Iraq. This was Captain Foster's second deployment to Iraq.

Captain Foster was born and raised in Pennsylvania and graduated from North Allegheny High School. After graduation, he attended Duquesne University, where he took part in their Reserve Officer Training (ROTC) program while majoring in information technology. In 2000, Captain Foster graduated from Duquesne University and received his commission as an officer in the United States Army.

Captain Foster was awarded the Purple Heart, two Bronze Stars, the Army Commendation Medal, the Army Achievement Medal, and numerous other military awards for his service to our country. He will forever be remembered as a patriot and a respected combat leader.

On behalf of my family, the Fourth Congressional District of Pennsylvania, and the U.S. House of Representatives, I extend our heartfelt sympathy and eternal gratitude to Captain Foster's family. Our thoughts and prayers are with his parents, Robert and Barbara, and his sisters Elizabeth and Abby.

DAMON JOSEPH ARREDONDO

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Damon Joseph Arredondo, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 261, and in earning the most prestigious award of Eagle Scout.

Damon has been very active with his troop, participating in many Scout activities. Over the many years Damon has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Damon Joseph Arredondo for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO THE LEAGUE OF HUMANE VOTERS OF NEW YORK CITY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. ENGEL. Madam Speaker, I rise today to honor the League of Humane Voters of New York City (LOHV–NYC) for their support of animal rights and their efforts to hold elected officials accountable to their constituents on issues concerning animal welfare.

Since their conception in 2001, the League of Humane Voters of New York City has been mobilizing public concern for animal rights through the democratic process by campaigning for the election of humane candidates to public office. LOHV–NYC has become a driving force for the defense of animals in New York City by raising tens of thousands of dollars and campaigning for dozens of humane candidates at the local and State level. LOHV–NYC recognized that animal rights was a political issue as well as a moral issue and has worked with citizens, activists, political parties, candidates and elected representatives to create awareness for animal welfare issues.

In January 2006, the LOHV–NYC created and published the first ever humane scorecard for the New York City Council, which tracked Council members' votes and sponsorship of legislation relating to animal welfare issues. The scorecard was first published in Satya Magazine in 2006 and since then has received major media attention.

The members of the League of Humane Voters in New York City are leaders in the animal protection movement, experts in law and politics, and everyday citizens. I would like to congratulate them on their dedication and on educating countless people on animal rights' issues.

PERSONAL EXPLANATION

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. REICHERT. Madam Speaker, on September 7, 2007, I missed rollcall vote No. 863, on passage of H.R. 1908, the Patent Reform Act of 2007. I was in Iraq visiting Washington State soldiers. If I had been present, I would have voted ''yes.''

RECOGNIZING THE UNITED STATES-POLAND PARLIAMENTARY YOUTH EXCHANGE PROGRAM

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. EMANUEL. Madam Speaker, I rise today in support of S. 377, the United States-Poland Parliamentary Youth Exchange Program Act of 2007. I was a proud co-sponsor of H.R. 1636, the House companion to S. 377, and was the lead original co-sponsor of the bill in the 109th Congress. This legislation will establish a new program to help American students learn about the Polish parliament, help Polish students learn about the U.S. Congress, and help both of these countries better understand one of their closest allies.

Since the establishment of the Polish Republic in 1919, the United States has been in diplomatic relations with Poland. Our friend has cooperated closely with us on issues such as nuclear proliferation, human rights, and democratization. It is important that the youth of our nations ensure that both social and diplomatic ties between our two great nations remain a top priority.

The purpose of the youth exchange program is to demonstrate to the youth of the United States and Poland the benefits of friendly cooperation between the United States and Poland based on common political and cultural values.

On behalf of the more than 110,000 residents of Illinois' Fifth Congressional District of Polish descent, I want to extend our gratitude. Poland has long been a strong ally of the United States, and has assisted in global efforts to combat terrorism. Our friends have also provided troops and resources for Operation Iraqi Freedom. This is a country that is committed to the democratic ideals of liberty and human rights.

Madam Speaker, I am proud that we are considering this legislation today, and I urge my colleagues to join me in supporting a strong symbol of our friendship with Poland.

BRENDAN WILLIAM WATERS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Brendan William Waters, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 261, and in earning the most prestigious award of Eagle Scout.

Brendan has been very active with his troop, participating in many Scout activities. Over the many years Brendan has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Brendan William Waters for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN HONOR OF DELAWARE VOLUNTEER FIREMEN'S ASSOCIATION 2007–2008 PRESIDENT RON MARVEL AND LADIES AUXILIARY PRESIDENT DEBBIE MARVEL

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. CASTLE. Madam Speaker, I rise to honor the fire service leadership in Delaware during the Annual Conference of the Delaware Volunteer Firemen's Association.

Thousands of citizens in Delaware participate as volunteer emergency responders and support personnel in our fire companies across the state. They work tirelessly alongside of our career fire service members making our state a safer place to live.

Each year at the Conference, firefighters come to training opportunities, business meetings, and social events. Firefighters display the pride in their company and equipment during the annual parade.

Over the next year the Delaware Volunteer Firemen's Association will be led by President Ron Marvel of Seaford. Ron operates a family business in Seaford where he is a longtime member and Past Chief at the Seaford Volunteer Fire Department. Prior to being elected as the President of the Delaware Volunteer Firemen's Association, Ron served as President of the Delaware State Fire Chiefs Association, the Sussex County Fire Chiefs Association and the Sussex County Volunteer Firemen's Association.

The Ladies Auxiliary President for 2007–2008 is Debra ''Debbie'' Marvel. Debbie is a homemaker and is active in her church as an organist as well being a community volunteer in Seaford. Debbie is a life member of the Seaford Ladies Auxiliary and has held many offices up to and including President. She is active in the Sussex County Ladies Auxiliary Association having held the office of President. Her leadership ability is recognized by the ladies auxiliary members throughout our state who elected her to the office of President.

Fire company leaders like Ron and Debbie exemplify a commitment of service to our citizens not unlike the service provided by all the members of the Delaware Fire Service. I wish them well over the next year as they take on this enormous task of leading our first responders.

IN RECOGNITION OF THE 40TH ANNIVERSARY YEAR OF THE WESTERN CAMPUS OF CUYAHOGA COMMUNITY COLLEGE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. KUCINICH. Madam Speaker, I rise today in honor of the 40th year of the Western Campus of Cuyahoga Community College. In the time this institution has been in existence, it has served hundreds of thousands of people in the community as an institution of higher learning. It is a shining example of the quality education such an institution can provide to a local community.

The campus currently serves between 11,000 and 12,000 credit students each term, as well as many more non-credit students. It is considered one of the top community colleges not only in the state of Ohio, but in the United States.

Madam Speaker and colleagues, please join me in recognizing Cuyahoga Community College for its 40 years of dedication to affordable, quality education. May they continue to be stewards of minds of all ages, and may their commitment to northeast Ohio grow even stronger.

21ST ANNIVERSARY OF THE CENER FOR MEDICINE ADVOCACY

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. COURTNEY. Madam Speaker, today I rise in honor of the twenty-first anniversary of the Center for Medicare Advocacy. Headquartered in Willimantic, Connecticut, this national non-profit organization is dedicated to educating, advocating for, and providing legal assistance to older Americans and individuals with disabilities. Navigating the waters of the Medicare system can be daunting. However with groups such as CMA, eligible individuals are able to gain coverage and improved access to our health care system.

The Center for Medicare Advocacy was established in 1986 by Judith Stein, who today serves as the Executive Director. In the decade before the founding of the CMA, Ms. Stein was the Co-Director of Legal Assistance to Medicare Patients. There, she managed the first Medicare advocacy program in the country. That passion for advocacy carried over with the creation of the CMA. Most recently, Judith was appointed by Senator CHRIS DODD to the White House Council on Aging, where she served with distinction and was instrumental in crafting the Council's recommendations regarding Medicare improvements.

CMA, with its staff of nurses, attorneys, legal assistants, and information management specialists, has educated thousands of individuals. Their writings on Medicare are a valuable resource and set a high standard for Medicare related outreach. In Connecticut, the organization also provides legal training and support for the State health insurance and assistance program. Additionally, CMA has utilized their incredible wealth of experience to provide invaluable policy advice to the Connecticut Congressional delegation and Congress as a whole during debate over Medicare reform.

Madam Speaker, please join me in honoring the contribution and public service provided by the Center for Medicare Advocacy and its founder Judith Stein, as the organization celebrates 21 years of support for our Nation's seniors and disabled persons.

TRIBUTE TO JOHN PHILLIPS

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. ENGEL. Madam Speaker, I rise today to honor Mr. John Phillips for his devotion and tireless efforts for the humane treatment and protection of animals.

As a longtime animal advocate, John Phillips was named the first ever Executive Director of the League of Humane Voters of New York City (LOHV–NYC) in 2004. Under his direction, LOHV–NYC has become a driving force for the defense of animals in New York City by raising tens of thousands of dollars and campaigning for dozens of humane candidates at the local and state level. He also helped organize the first ever humane lobby day, bringing dozens of animal advocates to City Hall to lobby their elected officials.

John Phillips' energy and passion for the creation of effective animal protection legislation at the local, state, and federal level has been a major force in fostering discussion of the issues most important to the LOHV–NYC.

His passion for the protection of animals and the education of people about the suffering of animals started at a young age, when he became a vegetarian at the age of 10 and a vegan at the age of 14. As well as becoming an animal activist, John Phillips has been involved with many other social justice groups, including those committed to the rights of the LGBT community, the homeless, and the environment.

In January 2007, John Phillips was awarded the In Defense of Animals' Companion Animal Guard for his work with LOHV–NYC. We should all take note of his devotion to the protection of animals and I would like to congratulate John Phillips on his many accomplishments.

CHRISTOPHER BRANDON GOODALE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Christopher Brandon Goodale, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 261, and in earning the most prestigious award of Eagle Scout.

Christopher has been very active with his troop, participating in many Scout activities. Over the many years Christopher has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Christopher Brandon Goodale for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. REICHERT. Madam Speaker, on September 7, 2007, I missed rollcall vote No. 864, on agreeing to the Conference Report on H.R. 2669, the College Cost Reduction Act. I was in Iraq, visiting Washington State soldiers. If I had been present, I would have voted "yes."

HONORING THE 70TH ANNIVERSARY OF THE POLISH MUSEUM OF AMERICA

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. EMANUEL. Madam Speaker, on behalf of more than 110,000 of my constituents who are of Polish descent, I proudly rise to recognize the 70th anniversary of the Polish Museum of America.

The Polish community has existed in Chicago for more than two centuries, and few immigrant groups have come to Chicago in such consistent numbers over that period of time. Beginning in 1830 when three Polish people voted in the first Chicago mayoral election, the Polish community has left an indelible mark on Chicago's political, cultural, and economic development.

The Polish Museum of America is the oldest ethnic museum in the United States. Founded in 1935, the Museum has preserved the artistic, cultural, historic and literary heritage of Poles in America and throughout the world. More than 10,000 people visit the Museum every year.

The 1939 New York World's Fair included various international exhibits, one of which was Poland's pavilion. When Nazi Germany invaded Poland, it became clear that the exhibit at the World's Fair could not return to Poland. To preserve a portion of the exhibit, the directors of the Polish Museum of America purchased three-fourths of the exhibit from the Polish government. Today, the Museum displays the memorabilia from the 1939 New York World's Fair Polish Pavilion.

Today the Museum also houses the personal possessions of Ignacy Jan Paderewski. A pianist, composer and the third Prime Minister of Poland, Paderewski and his sister, Antonina, were avid supporters of the Museum. Students and researchers of Polish and Polish American history use the rick collections from the Polish Museum's Library and Archives that include collections on Kosciuszko and Pope John Paul II. The Museum also houses large collections of Polish folklore and an art gallery featuring several paintings by Jacek Malczewski and Olga Boznanska.

To commemorate the anniversary, the Polish Museum of America began a photo project to digitize more than 15,000 photographs of the Polish community in Chicago and the United States. They are also offering a traveling exhibit of Poles in Chicago, and are conducting inventories of publishing efforts in America during Germany's occupation of Poland in World War II.

Madam Speaker, it gives me great pleasure to congratulate the Polish Museum of America on 70 years of enriching the culture of Chicago, and for continuing to be a hub of activity for Poles throughout Chicago and the country. I wish them continued success in the future.

IN HONOR OF DELAWARE VOLUNTEER FIREMEN'S ASSOCIATION 2006–2007 PRESIDENT ALAN ROBINSON AND LADIES AUXILIARY PRESIDENT FLORENCE LEGATES

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. CASTLE. Madam Speaker, I rise to honor the fire service leadership in Delaware during the Annual Conference of the Delaware Volunteer Firemen's Association.

Thousands of the citizens of Delaware participate as volunteer emergency responders

and support personnel in our fire companies across the state. They work tirelessly along side of our career fire service members making our state a safer place to live.

Each year at the Conference firefighters come to training opportunities, business meetings and social events. Firefighters display the pride in their company and equipment during the annual parade.

This year the Delaware Volunteer Firemen's Association was led by President Alan Robinson of Citizen Hose in Smyrna. As a life member of Citizen Hose, Alan has been a tremendous asset to the community serving as a Past Chief of Citizen Hose and as past President of the Kent County Volunteer Firemen's Association. His dedication to the fire service is without question and his leadership as a teacher in the public and parochial schools has provided many young individuals with an opportunity to succeed. All of us in the community greatly appreciate his dedication and commitment to serving others and during his leadership we have seen many great accomplishments in the DVFA. We are forever in his debt.

The Delaware Volunteer Firemen's Association Ladies Auxiliary leader and President for the past year, Florence Legates, has given her time and energy for many years serving in many capacities. As a public safety fire educator with the Delaware Fire School, Florence was nationally recognized as a fire educator. In addition, Florence's service as President of the Kent County Ladies Auxiliary and her overall commitment to the fire service helped bring about positive change. Her service on the National Fire Protection Association Committee has been remarkable and we in Delaware know the value of what she has been able to accomplish as our President of the DVFA Ladies Auxiliary.

Fire Company leaders like Alan and Florence exemplify a commitment of service to our citizens not unlike the service provided by all the members of the Delaware Fire Service. I wish them well over the next year as they transition out of their role as President and thank them for their dedicated service leading our first responders.

IN REMEMBRANCE OF JOSEPH STEPHEN ZORETIC

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. KUCINICH. Madam Speaker, I rise today to reflect on the life of a courageous and passionate man, Joseph Stephen Zoretic, who dedicated his life to fighting for sensible drug policy and to free others from suffering. Along with his devoted wife, Dee Dee, he was a founding member of the Ohio Patient Network and its lobbying component, the Ohio Patient Action Network.

Joe started his life-long residency in the Cleveland area on December 25th, 1968. He became an active figure in the medical marijuana movement in the 1990s, when his wife was diagnosed with Reflex Sympathetic Dystrophy and needed cannabis to relieve the pain other medications could not. Since then, Joe provided policy ideas and inspiration to the state marijuana legalization activist community, from speaking at mainstream political events to testifying for better drug policy. Even if it meant going to jail, Joe stood up for what he knew: that love and bravery can overcome injustice.

Madam Speaker and colleagues, please join me in honoring and remembering an extraordinary husband, father, citizen, and activist, Joseph Stephen Zoretic, who demonstrated the power we all possess to make change in this world.

COLTON DAVID PRICE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Colton David Price, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 261, and in earning the most prestigious award of Eagle Scout.

Colton has been very active with his troop, participating in many Scout activities. Over the many years Colton has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Colton David Price for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO JUDGE DANIEL F. SPALLONE

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. COURTNEY. Madam Speaker, today I rise in tribute to the life of Judge Daniel F. Spallone. Mr. Spallone passed on August 20, 2007, after a full life of public service to his state and country. He was 85 years old.

As was common for men of his generation, the college career of a young Daniel Spallone was interrupted by the events of World War II. While he was unable to enlist in the armed forces due to childhood polio, he felt the call to duty and volunteered for the American Field Service (AFS) ambulance corps. Members of the AFS drove life-saving ambulances under extremely dangerous conditions on the war front, and Mr. Spallone served bravely with British forces in Burma, India, and Italy from 1942–1945. By virtue of his service to his country, he and other AFS volunteers were awarded an honorable discharge from the United States Army by act of Congress in 1991.

Following his war service, Mr. Spallone returned to the University of Connecticut and received his bachelor's degree in 1949 and obtained his law degree in 1960, also from UConn. Spallone served as town attorney to Deep River, Connecticut from 1965 to 1970 and also served on a number of elected and appointed local boards and commissions. In 1970, he was appointed to the Circuit Court and in 1974 was elevated to the Court of Common Pleas. This was followed by a 1978 appointment by Governor Ella Grasso to the Superior Court bench. In 1984, Mr. Spallone was appointed as a charter member of the Appellate Court where he was noted for his keen ability to focus on the key issues in cases before the court. He served on the bench until his retirement in 1991, after which he continued to work as a trial judge referee.

Mr. Spallone's distinguished record has carried over to a second generation of the Spallone family. His son Jamie is a State Representative from the 36th Assembly District of Connecticut. He does an outstanding job for his constituents and the State of Connecticut, just as his father did.

Madam Speaker, please join me in honoring the life of Judge Daniel F. Spallone and his service to our great nation. His years of dedication to the ideals of the American judicial system has left a lasting legacy for the State of Connecticut and his knowledge, generosity, and dedication will live on in the memory of all those he has touched.

IN TRIBUTE TO SHAWN JOHNSON

HON. LEONARD L. BOSWELL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. BOSWELL. Madam Speaker, I rise today to honor a young Iowa woman whose inspired, gymnastic talent has made her a key player on the international Olympic stage. Shawn Johnson, age 15, is quickly becoming a force to be reckoned with amongst some of the best female gymnasts in the world. No stranger to media attention, Shawn was honored this week as ABC News' ''Person of the Week.''

A Des Moines native, Shawn began practicing gymnastics at the age of six, as a way to channel excess energy. Originally thought to be incapable of attaining the grace that modern gymnastics requires, Shawn's future as a world-class gymnast looked rather bleak. However, with the right coach, hard work, and a positive attitude, she was recently named ''World Champion'' at the contest in Stuttgart, Germany. This year alone, she has been named the 2007 U.S. National Champion, the AA and Beam Champion in Lisburn, the 2007 American Cup All-Around Champion, and the ''all-around'' gymnast at the 2007 Pan-American contest, among many others.

Aside from her athletic aptitude, Shawn is also an exceptional student, and having just started her junior year at Valley Southwoods High School in West Des Moines, she is interested in her high school football team, horseback riding, scrap-booking, and spending time with her friends and family. Shawn feels that the discipline she has learned from her involvement in gymnastics has helped her to excel in other areas of her life.

I ask my colleagues to join me in congratulating this impressive and determined young lady. We wish you the best of luck as you continue to represent your community and your country in all of your athletic endeavors.

TRIBUTE TO DR. HAZO WILLIAM CARTER, JR.

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mrs. CAPITO. Madam Speaker, I rise today to honor West Virginia State University President, Dr. Hazo William Carter, Jr., who will celebrate twenty years as president of the institution.

Prior to being president, Dr. Carter began his career as an Executive Assistant to the President of Norfolk State University and was the former President of Philander Smith College in Little Rock, Arkansas. He is originally a native of Nashville, Tennessee where he received his Doctorate degree from George Peabody College for Teachers of Vanderbilt University.

Dr. Carter set lofty goals for himself and for the institution when he was named president of West Virginia State College in 1987. His first goal was for West Virginia State College to regain its status as an 1890 Land Grant Institution; this was no easy task. Dr. Carter met with the West Virginia Congressional Delegation, the United States Department of Agriculture, state administrators, and the state legislature to request to regain the school's original status. After overcoming many obstacles in an eleven-year quest, West Virginia State College finally obtained its original status as an 1890 Land Grant Institution which secured the school of receiving annual federal funding.

His second goal for the institution was achieved just recently when West Virginia State College attained university status and is now named West Virginia State University. The university stands as a testament to the goals set forth for the designation of land-grant institutions and as a historically black college that successfully serves a diverse student population.

Since settling in West Virginia, Dr. Carter has become an important figure in his community and the surrounding Charleston area. His civic duties, volunteer causes, and boards he serves are too countless to mention. He has been honored as a Distinguished West Virginian by former governors and was named "President of the Century" by West Virginia State College (University) National Alumni Association. He currently serves as a member of President Bush's Board of Advisers for Historically Black Colleges and Universities.

Madam Speaker, I am proud to honor, my friend and former colleague, Dr. Hazo William Carter, Jr. for all his achievements in the field of higher education and for his service to the people of West Virginia.

IN REMEMBRANCE OF MARY V. KASER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. KUCINICH. Madam Speaker, I rise today in remembrance of Mary V. Kaser, who served the residents of West Park for thirty-eight years as a school crossing guard. Over the years, Mary developed many wonderful relationships with the families of her community. The people of West Park will always have a place in their hearts for this quick-witted woman, who was always willing to lend a helping hand.

Mary embodied what community is all about. In addition to protecting hundreds of children, she took on the role of Democratic Ward Club president and helped found the Bellaire-Puritas Development Corporation. Community members recount that Mary was a spirited woman with a heart of gold. Always in the thick of the action, this vibrant woman left a mark on Ohio that will never fade away.

Madam Speaker and colleagues, please join me in remembering the life of Mary V. Kaser, whose memory will be cherished by all who had the fortune of knowing her.

THOMAS DAVID ADAMS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Thomas David Adams, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 261, and in earning the most prestigious award of Eagle Scout.

Thomas has been very active with his troop, participating in many scout activities. Over the many years Thomas has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Thomas David Adams for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNITION OF STAFF SERGEANT ERIC D. COTTRELL

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. ROGERS of Alabama. Madam Speaker, SSG Eric D. Cottrell, a native of Pittsview, Alabama, was killed during an IED attack on August 13th in Qayyarah, Iraq. Staff Sergeant Cottrell was assigned to the 5th Battalion, 82nd Field Artillery Regiment, 4th Brigade Combat Team, 1st Cavalry Division stationed in Fort Bliss, Texas.

Words cannot express the sense of sadness we have for his family, and the gratitude our country feels for his service. Eric, like other brave men and women who have served in uniform, died serving not just the United States, but the entire cause of liberty. Indeed, like those who have served before him, he was a true American.

We will forever hold him closely in our hearts, and remember his sacrifice and that of his family as a remembrance of his bravery and willingness to serve our nation. Thank you, Madam Speaker, for the House's remembrance at this mournful occasion.

UNIVERSITY OF PITTSBURGH AT JOHNSTOWN 80TH ANNIVERSARY AND PRESIDENTIAL INAUGURATION

HON. JOHN P. MURTHA

OF PENNSLYVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. MURTHA. Madam Speaker, I rise before the House to congratulate the University of Pittsburgh at Johnstown (UPJ) as it celebrates its 80th anniversary and inaugurates its fifth president, Dr. Jem Spectar. In announcing Dr. Spectar's appointment, Pitt Chancellor Mark A. Nordenberg offered, "Dr. Spectar is a visionary leader and a celebrated teacher with the skills and experience necessary to build effectively upon the strengths of our Johnstown campus and to enrich the lives of students, faculty, staff and administration."

Officially founded in 1927, UPJ was first established in a wing of Johnstown Senior High School. A growing number of G.I. Bill students made it necessary for the college to relocate in 1946 to the Cyprus Avenue Elementary School. In the 1960s, the college and community led a drive to relocate UPJ from downtown Johnstown to its current location in Richland Township, a 635-acre wooded area with, initially, six academic buildings, a library, a student union-physical education complex and five residence halls.

The current campus was dedicated by former President Dwight D. Eisenhower in September 1967, almost 40 years to the day after UPJ first set up operations in Johnstown Senior High School. The campus has come a long way in 80 years. UPJ now boasts some 2,700 full-time and 450 part-time students, 70 student organizations, 143 faculty, 210 staff, nearly 40 campus buildings and more than 15,000 alumni.

Again, I offer my congratulations to UPJ for reaching the milestone of its 80th anniversary. I am confident that this excellent educational institution will continue to be a vital asset to the region for another 80 years to come.

CONGRATULATING THE BUILDING INDUSTRY ASSOCIATION OF NORTHEASTERN PENNSYLVANIA ON ITS 50TH ANNIVERSARY CELEBRATION

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to the Building Industry Association of Northeastern Pennsylvania, the members of which are celebrating their 50th anniversary.

From humble beginnings a half century ago, this group, the first of its kind in the Commonwealth of Pennsylvania and the ninth largest among 39 similar groups across the State, has committed itself to professionalism and consumer advocacy.

At 450 members, the BIA today continues a tradition established by its founders to represent the interests of those associated with the building industry and to provide a source

of information and protection for those seeking quality, affordable housing.

Peter Restaino, the president of the BIA, is committed to honoring the group's origins and to connect current members with that proud tradition. He has directed Matthew Hodorowski, a former BIA president, to compile a history of the organization that will be shared with those participating in the anniversary celebration to be held at the historic Wilkes-Barre Westmoreland Club.

Mr. Restaino has stated that the BIA's focus has been to consistently represent the interests of the building community and to assure an adequate supply of quality housing at fair prices across northeastern Pennsylvania.

Services provided by the BIA include education, a group insurance program and sharing information about the interests of members with all levels of government.

Madam Speaker, please join me in congratulating the Building Industry Association of Northeastern Pennsylvania for 50 years of service to the people of northeastern Pennsylvania. Their commitment to the principles of professionalism, tradesmanship and honorable business practices has earned them an enviable reputation throughout the northeastern Pennsylvania region.

IN CELEBRATION OF RAMADAN AND THE IFTAR CEREMONY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. KUCINICH. Madam Speaker, I rise today to commemorate the Muslim holiday of Ramadan, and to celebrate the Community Iftar held by the Council on American-Islamic Relations of Ohio.

In the Muslim tradition, the month of Ramadan is one of contemplation and spirituality. Muslims throughout Northeast Ohio and the world endeavor to deepen their individual faith and grow as a community. Muslims do this through conscious efforts to refrain from thoughts and actions that would stunt their spiritual growth. They also read the entire Qur'an.

Muslims also bring themselves closer to this spiritual ideal through their observance of the Sawm, or fast. The Sawm is a cleansing and invigorating practice that renews the spirit. To break the fast and make a renewed commitment to their family and community, Muslims gather for the Iftar dinner. Keeping with the intention of the holiday, the Iftar is an opportunity for spiritual growth in the continued pursuit of peace and understanding.

Madam Speaker and colleagues, please join me in celebrating Ramadan. As Muslims throughout Northeast Ohio gather for CAIR's Community Iftar, I wish them all peace and happiness on their spiritual journey.

IN SUPPORT OF TAIWAN'S APPLICATION FOR MEMBERSHIP IN THE UNITED NATIONS

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. SESSIONS. Madam Speaker, in his 2004 State of the Union Address, President Bush said, ''I believe that God has planted in every human heart the desire to live in freedom. And even when that desire is crushed by tyranny for decades, it will rise again.''

For decades, the people of Taiwan have been living under the tyranny of Chinese repression of their rights to join world bodies and engage in peaceful relations with the international community. Taiwan and the government of President Chen Shui-bian are continuing their pursuit for more than a decade to achieve a seat at the table of the United Nations. However, they have run into obstacles from the UN Secretary General.

For several years, tensions in the Taiwan straits have been escalating due to China's refusal to give up using military force against Taiwan. China has deployed tactical missiles along its coast aimed at Taiwan. In addition the Anti-Secession Act passed by China in 2005 has increased tensions in the straits. These actions have left the people of Taiwan searching for a means of peacefully resolving their differences. One of the world's foremost bodies for resolving differences and promoting peace in the world is of course, the United Nations. Given China's acts of aggression towards Taiwan, it should come as little surprise that the government in Taipei is now turning towards the peacekeeping body for membership.

Madam Speaker, I hope the Secretary General will reconsider his position on Taiwan's membership to this international body dedicated to maintaining a peaceful world. Taiwan must be allowed to join this body to protect its political and economic development, as well as, its peace and security. Acceptance of Taiwan into the United Nations will allow the two governments to work with the international community on equal and neutral terms to resolve the tensions in the Taiwan Strait. The United States has much to gain from a demilitarized Taiwan Strait. UN membership for Taiwan can help U.S. and Taiwanese interests. I wholeheartedly support this application for United Nations membership.

CONOR FREDERICK KILLEN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Conor Frederick Killen, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 261, and in earning the most prestigious award of Eagle Scout.

Conor has been very active with his troop, participating in many scout activities. Over the many years Conor has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Conor Frederick Killen for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATIONS TO BERLIN FIFE AND DRUM CORPS ON 225 YEARS OF SERVICE

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. SHUSTER. Madam Speaker, I rise today to congratulate the Berlin Fife and Drum Corps on reaching its 225th year of service. The Berlin Fife and Drum Corps is the oldest continuous Fife and Drum Corps in the nation.

Better known to veterans as ''The Frosty Suns of Thunder,'' the Corps is a band from Berlin, Pennsylvania that performs for military support groups and participates in various parades. They play traditional martial music dating back to the Revolutionary War, and more recently have added military medleys to their performances.

The Berlin Fife and Drum Corps was founded by George Johnson, who joined the Revolutionary Army in 1777 and served as a fifer for 3 years, and later returned to Berlin, afterwards forming the Corps. The Berlin Fife and Drum Corps were expert musicians who invigorated their audiences and were often greeted with enthusiastic cries of ''Here comes Berlin!''

In addition to performing in parades, the Corps decorated American flags and placed them on the graves of war veterans in the Allegheny region. In 1887 they began the tradition of playing at memorial services at the Mount Lebanon Cemetery and the Berlin I.O.O.F. Cemetery. This tradition is carried on today.

Membership in the Berlin Fife and Drum Corps is a long and celebrated tradition in Berlin. Several members have proudly served for over 40 years. The Berlin Fife and Drum Corps is a striking example of patriotism and is a source of pride for the Allegheny region. I, along with members of the Berlin community, would like to thank the Corps for their service and enthusiasm, and congratulate them on continuing this tradition for 225 years.

TRIBUTE TO RICK DIEGEL

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. RYAN of Ohio. Madam Speaker, I rise today to pay tribute to Rick Diegel. Rick is the Political and Legislative Director for the International Brotherhood of Electrical Workers and is retiring at the end of this month.

Rick Diegel exemplifies the best in an American worker and advocate for the American worker. He has been an electrician and member of his union for 37 years. After rising to the position of Business Agent for IBEW Local Union 278 in Corpus Christi, Texas, Rick Diegel left his Texas home in 1983 to accept

a job with his international office. Over the last 24 years in Washington, DC, Rick has risen to the position of Legislative and Political Director of the IBEW.

When discussing a matter before Congress, one got an education from Rick Diegel. You knew you were listening to someone who came, as Rick has often said, ''out of the tools.'' Having worked and gained experience at every level, Rick did not let the issues of Washington, DC affect his vision and mission of helping American laborers. For Rick, the only question was and remains: 'Is this good for IBEW members?' And those members are electricians in the construction industry, they are utility workers, railroad workers, telecommunication workers, broadcast and government workers.

His easy manner and ready smile could break the tension in any room, but those who know him best never made the mistake of underestimating his passion and his commitment to the matter at hand. He has been on the front line for a very long time and he will be missed. I wish Rick a long and happy retirement.

IN RECOGNITION OF CARMEN ''THE ONION PICKER'' BASILIO

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. WALSH of New York. Madam Speaker, I rise today to recognize boxing Champion and Central New York native Carmen Basilio as he celebrates the 50th anniversary of his World Middleweight Championship.

Basilio was born on April 27, 1927 in Canastota, New York. The son of an onion farmer, he spent many hours of his childhood working with his father on their farm, which led to his boxing nickname ''the onion picker''. Carmen became a professional boxer in 1948, after being honorably discharged from the United States Marine Corps.

Basilio became the New York State welterweight champion in 1953 and defended that title in 1954. On June 10, 1955 Carmen defeated Tony DeMarco in a 12 round bout to win the World Welterweight title. A rematch was held on November 30th of that same year, and Basilio defended his title, after breaking his left hand earlier in the match, by knocking out DeMarco in the 12th round. Basilio would hold the World Welterweight Title until March 14, 1956 when he lost to Johnny Saxton. Never one to give up, Basilio regained the title on September 12, 1956 by defeating Saxton in a rematch. He remained the World Welterweight Champion until he vacated the role to fight in the World Middleweight Championship on September 23, 1957.

Fifty years ago this month on September 23, 1957, Carmen Basilio challenged World Middleweight Champion Sugar Ray Robinson for the title. The fight, which took place at Yankee Stadium, is known as one of the most action packed fights of the decade. Even though he was smaller in size and reach, Basilio defeated Robinson in a 15 round decision to become the World Middleweight Champion. Basilio would relinquish his championship back to Robinson in a rematch six months later, and would twice unsuccessfully try to regain it back. He won two more fights before hanging up his boxing gloves in 1961. Carmen was named fighter of the year in 1955 and 1957, and would finish his career with 56 wins, 17 losses, 7 draws, and 27 knockouts.

Although he left his fighting days behind him, Basilio still remained involved in athletics. He served as a physical education instructor at Le Moyne College and remained very involved in Central New York boxing.

In 1982 the citizens of Canastota wanted to pay tribute to their hometown fighter and did so by erecting a bronze statue of Basilio. The excitement of the statue led to the building of the International Boxing Hall of Fame in Canastota, which was completed in 1989. Basilio was inducted in 1990 and continues to be a frequent visitor and volunteer at the Hall of Fame.

Carmen Basilio was a boxer, but perhaps even more, he was a fighter. Even in losses Basilio never gave up. He always fought with perseverance, passion, and heart which earned him great respect beyond wins and losses. I am proud to stand up and honor this man—who has served as an inspiration to so many from Central New York—on the 50th anniversary of his Middleweight Championship. As his International Boxing Hall of Fame biography says, ''his tough gritty style not only won him world titles, but it was the heart and desire he displayed in the ring that won him a place in the hearts of 1950's boxing fans.''

PERSONAL EXPLANATION

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. WESTMORELAND. Madam Speaker, I missed recorded votes due to official business in my district. Had I been present, I would have voted the following: ''yea'' on H. Res. 257, supporting the goals and ideals of Pancreatic Cancer Awareness Month, rollcall No. 865; ''yea'' on H. Res. 643, the resolution commemorating September 11, rollcall No. 866.

RECOGNIZING NATIONAL HBCU WEEK

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. DAVIS of Illinois. Madam Speaker, I would like to take this opportunity to celebrate National Historically Black Colleges and Universities week, which took place the second week of September. It is a pleasure to recognize HBCUs because, had it not been for a historically Black college, I would not be here today. Not only have HBCUs made a positive impact on and provided a rich heritage to me and my family's lives, they lay a foundation for many men and women of color.

At the age of 16, I left home to attend what was then Arkansas A&M College at Pine Bluff, later named the University of Arkansas at Pine Bluff. Following in my footsteps were six of my siblings, three nephews, one niece, and a half dozen first cousins. As an HBCU alumnus, I share a history with many notable and honored leaders within our country. W.E.B. Du Bois, who is considered the father of sociology due to his thesis called ''Study of the Philadelphia Negro,'' attended Fisk University in Nashville, TN. The education and training that Dr. Martin Luther King, Jr., received at Morehouse College, located in Atlanta, GA, surely worked together with his experiences in the Black church to develop his incredible eloquence and keen analysis of social problems. Thurgood Marshall, the first Black Chief Justice of the United States Supreme Court, attended Lincoln University in Chester, PA, which is known as the first historically Black college founded in 1854.

As an HBCU graduate, I know firsthand the needs and values of these institutions. This is why I am especially proud that during this HBCU week, Congress can say it provided $170 million in grants for HBCUs over the next 5 years via the College Cost Reduction and Access Act. All 99 HBCUs that currently receive Federal funds will benefit from these new resources to strengthen their capacity to continue the tradition of developing Black talent into leadership. Indeed, I benefit from the leaders produced by these institutions given that at least four members of my staff had the privilege of attending an HBCU.

HBCUs are not only necessary for individuals who come from certain economic backgrounds, they contain a great deal of history and culture. The College Cost Reduction Act will enhance our ability to keep these institutions alive and vibrant. I am pleased that we can celebrate these new resources during this recent HBCU week.

TRIBUTE TO CURTIS MONTGOMERY

HON. STEVAN PEARCE

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. PEARCE. Madam Speaker, it is with pride that I rise today to recognize the Curtis Montgomery Veterans of Foreign Wars Post #2575 on its 75th anniversary and its great service to the veterans of New Mexico.

The Curtis Montgomery VFW Post #2575 was chartered in 1932 as a Congressionally chartered post. Over the last 75 years this post has been serving the veterans in the communities of Roswell, Artesia, Hondo, and surrounding areas. The post has more than 200 members, which include 100 life members. The post will soon be merging with Post #11384 in Roswell and pick up an additional 100 members.

Post #2575 celebrated its 75th anniversary on September 1, 2007 with a ceremony. The program honored dignitaries of the City who have assisted veterans in the past. Special guests included members of Task Force Cobra from the area and veterans from all over New Mexico. Michael A. Trujillo, a Chaves County Commissioner and member of Task Force Cobra, honored the Post by presenting a flag flown over Iraq during Task Force Cobra's Iraq deployment to Post Commander Mike Point. Veterans from previous conflicts including WWII, Korea, Vietnam, and later conflicts displayed memorabilia, shared memories, and reflected on their shared service to our nation.

I wish to commend Post #2575 and all of its members for the great service they provide the veterans of New Mexico. Congratulations Post #2575 on 75 great years and keep up the good work.

THE PERSECUTION OF THE UYGHUR PEOPLE AND THE FAMILY OF REBIYA KADEER

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. WOLF. Madam Speaker, I rise today in support of H. Res. 497, which expresses the sense of the House of Representatives that Rebiya Kadeer's children should be immediately released from detention, and that the Chinese Government should refrain from further persecution of the Uyghur people. I am proud to be a cosponsor of this resolution and believe strongly that the Chinese government must be pressed on these points.

The China of today is not progressing, Madam Speaker, it is regressing. It is becoming more violent, more repressive, and more resistant to basic values of human rights and religious freedom. The Chinese government tortures and imprisons Catholic bishops, Protestant church leaders, Muslim worshipers, Falun Gong followers, and Buddhist monks and nuns just because of their faith and systematically destroys churches and confiscates Bibles. It persecutes the Uyghur people, cutting them off from the outside world as it pursues a policy of cultural liquidation.

Rebiya Kadeer is a brave soul who has stood up to this violence and repression. She has suffered so much at the hands of the Chinese Government, and yet does not recoil in fear. For her bravery, the Chinese Government has retaliated by capturing and imprisoning her children who remained behind in China. They have been held at unknown locations, interrogated, and very possibly tortured.

A couple of years ago, the FBI identified Chinese secret police following Rebiya Kadeer and spying on her at her Fairfax home. The Chinese Government will stop at nothing to silence those who oppose its brutal tactics against its own citizens.

I urge the House to adopt this resolution, and to demand that the Chinese Government cease its persecution of the Uyghur people and immediately release Rebiya Kadeer's children from detention.

HONORING THE RETIREMENT OF LYDIA THOMAS

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise today to honor Dr. Lydia Thomas on the occasion of her retirement as President and CEO of Noblis Inc. in Falls Church, VA.

Dr. Thomas graduated from Howard University in 1965 with a bachelor of science in zoology. She went on to pursue a master of science in microbiology from American University in 1971, and later, returned to Howard to earn a doctor of philosophy in cytology.

Dr. Thomas began her career with the MITRE Corporation in 1973. While at MITRE, she held a variety of technical and management positions in the areas of energy, environment, health, and communications systems. In 2002, she was appointed by President Bush to serve as a founding member of the President's Homeland Security Advisory Council. Dr. Thomas was elected to the Council on Foreign Relations that same year. In 2005, she chaired the Homeland Security Advisory Council's Task Force on Preventing the Entry of Weapons of Mass Effects on U.S. Soil.

On the State level, Dr. Thomas was appointed to the Virginia Research and Technology Advisory Commission by Governor George Allen, and then for a second term by Governor Mark Warner. Active in her local community, Dr. Thomas is a member of the Superintendent's Business/Industry Advisory Council for Fairfax County Public Schools, a trustee of the INOVA Health System, and a member of the Northern Virginia Health Force.

Dr. Thomas is the recipient of numerous awards throughout her career, including the 1986 TWIN Award by the Young Women's Christian Association; the 1990 ''Ebone'' Image Award by the Coalition of 100 Black Women; the Deans' Award at the 1991 Black Engineer of the Year Conference; and one of the 50 Most Important Blacks in Research Science in 2004.

Madam Speaker, in closing, I applaud Dr. Lydia Thomas on a distinguished career dedicated to ensuring the national security and environmental health of our Nation. I call upon my colleagues to join me in congratulating Dr. Thomas on her retirement and wishing her the best of luck in all future endeavors.

TRIBUTE TO ALTA MIRA CLUB

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. STARK. Madam Speaker, I rise today to pay tribute to the Alta Mira Club on its 100th anniversary. The Alta Mira Club is a philanthropic project established on December 9, 1907, to benefit women and children. The club is located in the City of San Leandro, CA, and has been creating a positive impact in that community over the past century.

The Alta Mira Club's 60 charter members became a part of the California Federation of Women's Clubs on January 13, 1908, with the adoption of a constitution, bylaws, and elected officers. The Club later joined the General Federation of Women's Clubs, headquartered in Washington, DC, on February 9, 1912.

The Alta Mira Club has a rich history. The members participated in the Suffragette movement and held classes for women on ''how to vote'', helped furnish and plant the grounds of the first San Leandro City library, and planted palm trees in the City, while also continuously engaging in other community, philanthropic, educational, scholarship, and social activities.

The Club purchased the Ygnacio Peralta Home in 1926, receiving California Historical landmark bronze plaque number 285 in 1949. In 1978, the Ygnacio Peralta Home was placed on the national register in Washington, DC. The membership of the Alta Mira Club is the sole support of the clubhouse, where members continue the tradition of providing musical entertainment, poetry, and lectures as a part of its programs.

I congratulate the Alta Mira Club on their 100th anniversary of excellent service to the community, their many accomplishments, and their continued support of civic projects and programs.

HONORING DOTTIE JOHNSON

HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. HOEKSTRA. Madam Speaker, I rise today to honor Dorothy ''Dottie'' Johnson, a passionate and dedicated leader both in Michigan and at the national level in the philanthropic and nonprofit sectors. I am proud to say that Dottie and her family reside in my district, yet spread their passion for philanthropy, volunteerism and nonprofit initiatives throughout the country. She is truly an inspiration.

Mr. Speaker, Ms. Johnson's list of accomplishments is long and impressive. Each has significantly impacted individuals and communities on a myriad of levels.

For 25 years she served as the Council of Michigan Foundations, the Nation's largest associations of grant makers and has created other regional associations of grant makers in the United States and overseas.

A significant amount of Ms. Johnson's energy has been focused on our country's youth. She founded the Michigan Community Foundations Youth Project, involving more than 1,500 high school youth in philanthropy annually in Michigan and now an international movement in more than 38 States and 18 countries. She created Learning to Give, an internationally used Internet resource of more than 800 teacher-prepared and tested lesson plans on giving and the nonprofit sector for K–12 education.

She founded the Michigan AIDS Fund, the oldest statewide private response to HIV/AIDS in the Nation. She also initiated a number of other statewide efforts, including the Michigan Community Service Commission and Michigan Nonprofit Association.

The list of awards bestowed upon Ms. Johnson is yet another indication of the level of her dedication and success with which she pursued her work. She is the recipient of the Distinguished Grantmaker Award from the Council on Foundations—the highest award from the Nation's leading association on philanthropy. She is also the recipient of the Women of Achievement and Courage Award from the Michigan Women's Foundation.

She serves as a trustee on the W.K. Kellogg Foundation in Battle Creek and serves as a trustee of Grand Valley State University, which is now home to the Dorothy A. Johnson Center on Philanthropy and Nonprofit Leadership. She has served on numerous national boards, such as Independent Sector—the voice for the Nation's Nonprofit Sector.

Ms. Johnson retires this month as a trustee of the Corporation for National and Community Service, where she served since 1998, and has the distinction of having been nominated by both Presidents Bush and Clinton. As a former Chairman of the Oversight subcommittee with jurisdiction over the Corporation, I can say firsthand that she is a wise and

trusted counsel. She was the architect of significant grant process reform and program policy reform at the Corporation and a leader on AmeriCorps rulemaking.

Madam Speaker, Dottie Johnson has led a long and distinguished career deserving of the recognition of the U.S. House of Representatives. Please allow me to submit my remarks for the RECORD.

HONORING DR. KATHY KINLEY

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. BACA. Madam Speaker, on November 27, 2007, the California School Boards Association, along with over 3,000 school board members from across the state, will gather to honor Dr. Kathy Kinley and her ongoing efforts to improve life and education for our children.

As a product of the California school system, Dr. Kinley has become a prestigious member of our community holding a doctorate in educational leadership from the University of La Verne. Before earning her doctorate, she received a bachelor's degree in English and political science from San Diego State University and a master's degree in school administration from California State University, San Bernardino.

Dr. Kinley has played a multifaceted leadership role in our school districts. Kathy began her career with the California Education System as a teacher and later went on to serve as principal of De Anza Middle School in San Bernardino County's Ontario-Montclair School District. Along with participating in the classroom, she has also dedicated herself as an active member of CSBA's Delegate Assembly since 1984 and CSBA's Board of Directors since 1996 serving on a number of committees including the Budget Committee, the Legislative Committee and the Federal Issues Council.

As President of CSBA, Dr. Kinley has committed herself to closing the education achievement gap that creates a barrier for many Latino, black, American Indian, and underprivileged youth in our California school districts. She has embraced a mission to ensure the futures of all children and has pushed schools to encourage students to aspire above their circumstances, so that they too might become incredible leaders. Along with her colleagues, Dr. Kinley sees the incredible resource that lies in the hands of our children and has dedicated her life and career to ensuring that the resource of our younger generation is protected and cultivated.

There is no question of why such an incredible leader was honored with the title of Woman of the Year by the Kudos for Kids Foundation during their 61st annual Amazing Woman Award assembly. Dr. Kinley has made a direct impact on the lives of millions of teachers, students, and families. Our communities have benefited and will continue to see the fruits of her labor unfold. Because of her passion and talent more students will have a chance to achieve their dreams because of her belief that all students deserve an open door to educational excellence. She has made headway in closing a gap that before seemed like an insurmountable goal.

It is for relentless dedication, perseverance, passion, and visionary leadership that we recognize, with great gratitude, Dr. Kathy Kinley for today.

INTRODUCTION OF THE 9/11 HEALTH AND COMPENSATION ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mrs. MALONEY of New York. Madam Speaker, today, with my good friends Representatives NADLER, FOSSELLA and 44 other original cosponsors, I am pleased to introduce the comprehensive, bipartisan 9/11 Health and Compensation Act, to finally provide health care and compensation to the heroes and heroines of 9/11.

The collapse of the World Trade Center towers took nearly three thousand lives in an instant and released a massive cloud of asbestos, pulverized concrete, and other poisons. To those toxins, we now know that thousands more have lost their health.

Now 6 years later, more than 6,500 responders—truly the heroes and heroines of 9/11—are being treated for 9/11-related health problems through the federally-funded World Trade Center Medical Monitoring and Treatment program, and more than 4,500 have been referred for mental health care, often for conditions like post traumatic stress syndrome. Every month, another 500–1000 responders sign up for health monitoring, and those coming in are more sick than ever before.

Separately, more than 70,000 Americans reported to the World Trade Center Health Registry. While most are from New York, New Jersey or Connecticut, more than 10,000 Americans from outside the Tri-State area have also registered. Amazingly, every single state has someone in the World Trade Center registry. This is a health emergency on a national scale and it requires a strong federal response.

Last Saturday, I joined New York AFL–CIO President Dennis Hughes, and Representative NADLER and FOSSELLA at a labor rally at Ground Zero to announce the bill we are introducing today. The 9/11 Health and Compensation Act will ensure that everyone exposed to the Ground Zero toxins has a right to be medically monitored and all who are sick as a result have a right to treatment. It will build on the expertise of the Centers of Excellence, which are currently providing high-quality care to thousands of responders and ensuring on-going data collection and analysis. Expanding care to the entire exposed community, the bill also includes care for area residents, workers, and school children as well as the thousands of people that came from across the country to assist with the recovery and clean-up efforts. Finally, the bill provides compensation for economic damages and loss by reopening the September 11 Victims Compensation Fund.

I thank Chairman PALLONE of the Energy and Commerce Subcommittee on Health for holding an important hearing tomorrow on answering the call to provide medical monitoring and treatment to World Trade Center responders. I look forward to working with my colleagues on the Energy and Commerce Committee, the Judiciary Committee and the leadership as we move this important legislation forward. It is critical that we show our first responders that, after rushing in to serve New York and the Nation in a time of great disaster, we will not desert them in their time of need. It is the least we can do, as a grateful Nation.

INTRODUCTION OF THE 9/11 HEALTH AND COMPENSATION ACT

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. NADLER. Madam Speaker, when the World Trade Center collapsed on September 11, 2001, the towers sent up a plume of poisonous dust that blanketed Lower Manhattan. A toxic brew of lead, dioxin, asbestos, mercury, benzene, and other hazardous contaminants swirled around the site of the disaster as rescue workers labored furiously in the wreckage, many without adequate protective gear. Thousands of first responders, residents, area workers, students, and others from around the country inhaled this poisonous dust as it settled onto and into countless homes, shops, and office buildings.

Now, 6 years later, there is no doubt that thousands of people are sick from World Trade Center contamination. A study released in September 2006 by Mt. Sinai Hospital found that 70 percent of the more than 9,000 first responders studied suffer health problems related to their work at Ground Zero. This number does not include the Stuyvesant High School students whose school sat near piles of debris from the towers, the nearby residents whose apartments still contain poisonous dust, or the thousands of people who work in offices that were never properly cleaned.

Abraham Lincoln once said that we must ''care for him who shall have borne the battle.'' And so we should. Today, I, along with my colleagues, am introducing essential, new legislation that ensures that everyone exposed to World Trade Center toxins, no matter where they may live now or in the future, would have a right to high-quality medical monitoring and treatment, and access to a reopened Victim Compensation Fund for their losses. Whether you are a first responder who toiled without proper protection; or an area resident, worker or student who was caught in the plume or subject to ongoing indoor contamination; if you were harmed by 9/11, you would be eligible. This bill builds on the best ideas brought to Congress thus far and on the infrastructure already in place providing critical treatment and monitoring.

THE INTRODUCTION OF THE 9/11 HEALTH AND COMPENSATION ACT

HON. VITO FOSSELLA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. FOSSELLA. Madam Speaker, last Tuesday was the sixth anniversary of 9/11, and it is time to reaffirm our commitment to ''Never Forget.''

What many here in Washington have forgotten is that a silent killer to this day is still taking the lives of the rescue, recovery, and

clean-up workers and volunteers who were at ground zero. All of them, in addition to those who worked, lived, and went to school in lower Manhattan, breathed the toxic air created by the destruction of the towers, and many of them are suffering tragically from the health effects.

A New York City Health Department study shows an increased incidence of asthma for those who worked the pile, and an Department of Health and Human services study shows that illnesses as a result of exposure to 9/11 toxins are on the rise.

As this problem grows, progress on coming to a solution can be measured only in small steps rather than giant leaps as critical needs continue to be unmet after 6 years.

My colleagues and I have worked across party lines fighting for health monitoring for all who were exposed, adequate funding to treat those who are sick or injured and a comprehensive federal plan to ensure that anyone impacted by 9/11 gets the care he or she deserves.

We have had some successes, such as including $50 million for federally-funded 9/11 health clinics in the Labor HHS appropriations bill to ensure that the unsung heroes of 9/11 have access to the care they need.

This is a step in the right direction, and we need to keep the momentum going. That's why I have worked across party lines with my colleagues, including Congresswoman MALONEY, to develop legislation we are offering today to address several key areas to help our heroes who are sick now as well as anyone who falls ill in the future. The 9/11 Health and Compensation Act provides comprehensive medical monitoring and treatment for those who were exposed to Ground Zero toxins and compensation for the sick and injured. The bill goes further than any effort to date by expanding monitoring and treatment to all who were exposed, including responders, residents, workers, and students in the area. It also makes good on our promise to reopen the Victims Compensation Fund to help those who fell ill over the past 3 years.

I applaud the work of my colleagues for coming together to help those whose health is in danger because of exposure to ground zero on that fateful day. I pledge my full support of these efforts as we move forward, because I truly affirm to ''Never Forget.''

IN RECOGNITION OF THOMAS ANTHONY GUIDICE

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Ms. Velázquez. Madam Speaker, I rise today on the floor of the U.S. House of Representatives to recognize the life of Thomas A. Guidice, a devoted public servant, and lifetime resident of the Greenpoint-Williamsburg neighborhood in Brooklyn who passed away earlier this year. Throughout my career, I had the pleasure of witnessing Thomas' extraordinary service to his country and community. He is truly deserving of the highest praise.

Thomas was born in 1927 in Greenpoint, where he would live for the majority of his life. After serving his country in World War II, he married his beloved wife Millie and settled in his hometown, where he would continue to serve his local community and country by joining the New York City Police Department. Throughout his long career his enthusiasm for the community remained unwavering, and he was an active supporter of a number of local organizations. One of his greatest passions was his role as President of the Conselyea Street Block Association, where he brightened the lives of neighborhood seniors and children and worked to secure employment opportunities for local residents. Thomas remained a dedicated and compassionate leader, striving tirelessly to create a strong sense of community, and making a point to visit with local children and seniors each day, even during his final years.

Thomas will be missed by everyone who had the privilege of knowing him. He is survived by his two loving children, Thomas Jr., and Rosemarie, and by many extended family members and friends. In recognition of Thomas' great contributions to Greenpoint-Williamsburg Brooklyn, the corner of Ainslie Street and Manhattan Avenue was renamed ''Thomas Guidice Way,'' ensuring that his legacy will not be forgotten.

Therefore, Madam Speaker, I rise with my colleagues in the House of Representatives to honor the years of public service and contributions of Thomas A. Guidice in Greenpoint-Williamsburg Brooklyn, NY.

TRIBUTE TO THE NEWARK EAGLES

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. PAYNE. Madam Speaker, I rise today to draw to the attention of my colleagues in the U.S. House of Representatives a special celebration which took place in my hometown of Newark, NJ. The pride of our city, the great Newark Eagles, were honored in a series of events coordinated by the Newark Preservation and Landmarks Committee on September 13th and 14th, 2007.

During the 2-day celebration, there was a dedication of a plaque and street sign at the site of Ruppert Stadium, home of the Newark Eagles and the old Newark Bears baseball teams. Also featured was the dedication of a plaque at the one-time home and office of Effa Manley, co-owner and business manager of the Eagles. She was elected to the Baseball Hall of Fame as the first woman to receive this honor. She worked hard to ensure that Negro League ballplayers and owners received fair compensation for their services during the integration era.

The celebration recognized the Newark Eagles for their tremendous contribution to the city of Newark. The historic Negro League baseball team was remembered as former Eagle players Billy Felder, Red Moore, and Curley Williams discussed their experiences with former Newark Eagles and New York Giants star Monte Irvin along with sportswriter Phil Pepe and sports columnist Jerry Izenberg. The two have recently published a book entitled Few and Chosen: Defining Negro League Greatness.

From 1936–1948, the Newark Eagles, owned by Abe and Effa Manley, played at Ruppert Stadium in the Ironbound section representing the Negro National League. The Newark Eagles were an important source of entertainment and civic pride for Newark's African American community and for the city as a whole. In addition, many players on the team including co-founder Effa Manley, attained historical credit for their pioneering contributions to the Negro League and baseball in general.

A plaque placed at the Newark Housing Authority Cottage Place Development on Martin Luther King, Jr. Blvd. and West Kinney Street honors the team. In that location, there are now streets and lanes named after the Newark Eagles and several of its players, including Ray Dandridge, Leon Day, Larry Doby, Monte Irvin, Terris McDuffie, Don Newcombe, and Lenny Pearson. Eight members of the Newark Eagles have been elected to the National Baseball Hall of Fame.

Madam Speaker, as a resident of the city of Newark and a fan of baseball, I am honored that a celebration for the Negro Leagues Newark Eagles was held in my district, highlighting their success in baseball and their contributions to the community.

TRIBUTE TO DR. ANTHONY S. FAUCI

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. HOYER. Madam Speaker, I rise today to recognize a great patriot, I dedicated public servant, and passionate pioneer whose contributions to scientific discovery and public health have improved the health of millions throughout the world: Dr. Anthony S. Fauci, Director of the National Institutes of Allergy and Infectious Diseases (NIAID).

Yesterday, the Albert and Mary Lasker Foundation announced the selection of Dr. Fauci to receive the Mary Woodard Lasker Award for Public Service. Dr. Fauci is being honored in recognition of his leadership in engineering two major U.S. governmental programs addressing HIV and biodefense.

The Mary Woodard Lasker Award for Public Service is awarded biannually in recognition of extraordinary achievements. Mary Lasker is widely recognized for her singular contribution to the growth of the National Institutes of Health, and her strong commitment to eradicate disease and disability through medical research. Dr. Fauci's commitment to this Nation through his accomplished career reflects well on this award's namesake.

Since coming to the National Institutes of Health in 1968, Dr. Fauci has pushed the frontiers of scientific discovery in the field of immunology. In 1980, Dr. Fauci was named Chief of the Laboratory of Immunoregulation, a position he continues to hold. Four years later, Dr. Fauci was named Director of NIAID, where he oversees an extensive research program to prevent, diagnose, and treat infectious diseases such as HIV/AIDS, other sexually transmitted infections, influenza, tuberculosis, malaria, and illnesses from potential agents of bioterrorism. Over the years, Dr. Fauci has been an excellent steward of this multi-billion dollar investment in infectious disease research.

Dr. Fauci has served for over 20 years as a key advisor to the White House and the Department of Health and Human Services on global AIDS issues, and on initiatives to bolster medical and public health preparedness to fight against emerging threats of infectious disease. He has assisted four Presidents in shaping the research priorities and public health demands of these formidable challenges.

Dr. Fauci has made enormous contributions to basic and clinical research. In 2003, an Institute for Scientific Information study indicated that over 20 years, Dr. Fauci was the 13th most-cited scientist among close to 3 million international authors in all disciplines. He has made seminal contributions to the understanding of the AIDS virus, and he has been instrumental in developing effective therapy strategies for those afflicted with this disease.

Madam Speaker, I can think of no individual more deserving of this recognition than Dr. Fauci. I am pleased to join with my colleagues and a grateful Nation in extending congratulations to Dr. Anthony Fauci for this well-deserved honor and thanking him for his unwavering commitment to scientific discovery and his role in spearheading the efforts to combat disease and undermine the threat of bioterrorism.

THE NATIONAL PRAYER BREAKFAST 2007

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 10, 2007

Mr. CLEAVER. Madam Speaker, I had the privilege, with my colleague, Congresswoman JO ANN DAVIS of Virginia, of co-chairing the 55th Annual National Prayer Breakfast, held here in our Nation's Capital on February 2, 2007. This annual gathering is hosted by Members of the U.S. Senate and the U.S. House of Representatives weekly prayer breakfast groups. Once again, we were honored to have the participation of our President and the First Lady and we were inspired by the remarks shared by Dr. Francis Collins.

This year we hosted a gathering of over 3,500 individuals from all walks of life in all 50 States and from many countries around the world. So that all may benefit from this time together, on behalf of the Congressional Committee for the National Prayer Breakfast, I would like to request that a copy of the program and of the transcript of the 2007 proceedings be printed in the CONGRESSIONAL RECORD at this time.

55TH NATIONAL PRAYER BREAKFAST—THURSDAY, FEBRUARY 2, 2007, HILTON WASHINGTON HOTEL, WASHINGTON, DC

CO-CHAIRS: U.S. REPRESENTATIVE JO ANN DAVIS AND U.S. REPRESENTATIVE EMANUEL CLEAVER, II

U.S. Representative Emanuel Cleaver, II: My name is Emanuel Cleaver, and today my job will deviate slightly from what I do during the week. During the week I serve as the Fifth District Representative of Missouri. I am also a United Methodist pastor. Today I would like for all of you, if you would, to please either get out a checkbook or—— (Laughter)

No, I'm serious. In seminary they taught us when you have a crowd this large, you take up an offering. We may wait—but you don't seem enthusiastic. It is my honor and pleasure to serve today as chair of the 55th National Prayer Breakfast. My co-chair and dear friend, Congresswoman Jo Ann Davis of Virginia, will not be able to join us today, and please keep in mind that if you have a great experience today at this prayer breakfast, it is due in no small part to the work that she has done in preparing for this day. And hopefully she will join us next week with her work in Washington.

One of the basic truths of the Holy Writ is one that all of us can relate to and perhaps are familiar with—you will reap what you sow. You don't plant corn and expect soybeans. You don't plant an apple seed and expect a pear tree. A nation that sows anger will reap bitterness and division. But a nation or a collection of nations that sow love and understanding will reap a harvest of peace. That is what we are doing here today—sowing the seeds of civility in this city, in our country, and in our world. There is nothing more important for us to do. The ground is already covered with weeds and plants of discord. So today we are going to begin to plant flowers. The best way I know to do that is with prayer. If you will, please, put your food down, which you shouldn't have begun to eat——(Laughter)

If you are the person at your table who did wait for the blessing, please express to the others your spiritual superiority. (Laughter)

Let us pray.

Almighty and loving God, we are gathered here today from all over the world to say thank you for your love, your grace, your mercy. We confess, God, that our world is not as you intended, and we have contributed to the wrongness of the world because of our own sins and errors. But Lord, we know the truth of Dr. Martin Luther King Jr.'s words, that humankind is ''caught in an inescapable network of mutuality.'' When any of us suffers injustice, we are all diminished. But in the same way, when anyone finds peace, we will all benefit.

Bless, oh Lord, what is said and sung and planted in the hearts of all who share this experience today, that we can make this world more of a garden of your love, and if we are able to do anything good and great from this prayer breakfast today, we're going to give you all of the credit, all the glory and all the honor. In your name and for your sake we pray, Amen.

As the former mayor of Kansas City, Missouri, I know that our cities are the rubber of our democracy, and I also know that there are only a couple of positions in this country superior to serving as mayor—the presidency, obviously, and the Senate, of course. (Laughter)

Of course the Senate.

But serving as a mayor of one of our major cities places us on center stage of the municipal drama. We are very pleased today to have with us, for welcome, the mayor of Washington, D.C., Mayor Adrian Fenty. (Applause)

Mayor Adrian Fenty: Thank you very much, Congressman Cleaver, for your generous introduction and hosting everyone here today. Members of Congress, governors, mayors, religious leaders, President and First Lady, it is appropriate for me as mayor, especially mayor of the District of Columbia, to start out this prayer breakfast. Congressman Cleaver, as a mayor, said it would be okay if I asked you all to say a prayer for me, because it is going to snow today. (Laughter)

Start out by asking that all of our snow plows work here in the District of Columbia.

At a time when we have gathered with so many influential people, I will reflect on one prayer, and that is Solomon's prayer for influence. When Solomon said to God, make me famous—and all of us politicians and public servants are famous in our own jurisdictions—Solomon said, I want you to spread the fame of my name and give me power and blessings and make me well known. When people read that first passage they say, why would Solomon ask such a self-serving thing? Like all other prayers, you have to read on. Further on in Solomon's prayer, he says to give him these things so that the king may support the widow and the orphans, defend the defenseless, care for the sick, assist the poor, and to speak up for the oppressed, the immigrants and the foreigners.

And while we are all influential and powerful, as we start out this great prayer breakfast, it is important that we remember what influence is supposed to be used for, and the purpose of influence as Solomon taught us is to speak up for those who have no influence.

Let's have a great prayer breakfast and let's use our power for those who need it the most. God bless you. Thank you very much. (Applause)

Rep. Cleaver: Thank you, Mayor, for welcoming us to your city.

It is my pleasure to introduce you to the folks seated here at the head table. All of you cannot follow directions, so—(Laughter) I would really like for you to applaud after all of those at the head table are introduced, but since some of you can't do it, if you would just applaud now. (Applause)

Thank you.

To my left is the Reverend Dan and Kathy Mucci of Glen Burnie, Maryland. My co-chair, Jo Ann Davis, is not here, but she once worked with Pastor Mucci's congregation as the church secretary. He will offer a prayer for the nation in just awhile. You have already met Mayor Fenty. And next to him is the most important person in the room, it is my wife for more than 30 years, Diane Cleaver.

On the other side of the podium here is Dr. Francis Collins, our keynote speaker who I will introduce more fully later. Next to him, representing our nation's governors, many of whom have events just like this in their own states around the country, is Governor Tim Pawlenty of Minnesota. He will be offering a prayer later for world leaders. Next we have one of my distinguished colleagues from the House of Representatives, Allyson Schwartz, who represents the 13th district in Pennsylvania. She will be sharing a reading from the Talmud. Then we have people here from the Lower House, the United States Senate—(Laughter)

Senator Mark Pryor of Arkansas, and Senator Mike Enzi of Wyoming and his spouse Diana. The senators will bring a greeting from their weekly prayer breakfast group, from which this whole event sprang more than 50 years ago.

Finally we have our singer, Nicole Mullen, and her spouse David.

Now join me in thanking the head table. (Applause)

Despite all the awards she has won and all the famous venues that she has performed in, Nicole Mullen just wants to be known as everyday people—it's not going to work, however. The title of her best-selling album is ''Everyday People.'' She has amazing musical talent which she uses with a loving servant's heart all over the world. Ladies and gentlemen, Nicole Mullen (Applause)

(Song: ''On My Knees'') (Applause)

U.S. Representative Allyson Schwartz: Good morning. I am very pleased to be here and share in this fellowship this morning. I am Congresswoman Allyson Schwartz from the great Commonwealth of Pennsylvania. I am pleased to be here this morning. (Applause)

A few Pennsylvanians in the crowd.

I sometimes believe that my first memory was when I was barely 3 and my father left for the Korean War. I can picture my mother, my older brother at 4½, my younger sister at 2, all slightly sad, not really sure why.

But I know that my father's return more than two years later, after serving in an Army MASH unit in Korea, is in fact my own real, first remembrance. I was 5 years old, I was in kindergarten, and my father came to school to get me. I remember seeing him in uniform—how unlikely to see a man in uniform at school. But what I remember most is that I did not recognize him. I didn't know him. I was a little awed, I was a little scared. I remember needing to be reassured by my older brother—who at 6½ was in fact really my older brother—that it was okay, that this man was in fact our dad.

So I know, as I watch families see their dads, and their moms, off to war, that there are tough goodbyes. And there are also the not-so-easy homecomings. That reuniting families is not easy. That our troops come home with experiences separate from their families, some good, and some very difficult. That reuniting, reconnecting, is often hard.

So for the men and women serving and returning from Iraq and Afghanistan who are struggling with changes in their work lives and changes in their home lives, and for all families who have experienced separation or loss, who have experiences that are often not revealed and difficult to communicate, but nonetheless are struggling to be as good as they can be to each other and to their children, I offer a prayer for healing, for overcoming the difficulties, for forgiveness, for feeling connected and whole again.

Today as we offer our public officials our prayers and our support, I offer this reading for all of us. The prayer I will read dates from the Talmudic period and is offered at evening and Sabbath services in synagogues across the world. It is a beautiful prayer for serenity and for protection from danger.

Lord our God, we pray thee that we may lie down this night in peace and awake in the morning to refreshed existence. Spread over us the shelter of thy divine peace and guide us with thy good counsel. Help us for thy name's sake. Be thou at all times our shield and our protector from harm, our guardian against danger, our savior from all manner of trouble and distress. Keep far from us anxiety and sorrow, and shelter us under the shadow of thy wings, for it is in thee alone, oh God, ever gracious and compassionate, that we put our trust. Guard thou our going out and our coming in, that we may live a life of peace now and evermore. Amen. (Applause)

Senator Mark Pryor: My name is Mark Pryor from Arkansas, and this is Mike Enzi from Wyoming, and we bring you greetings from the Senate prayer breakfast. Every Wednesday morning that we are in session, all senators are invited to come to the Senate prayer breakfast. It is a great time of fellowship and we have different faiths and very, very diverse backgrounds that are represented there. It is really a great way, maybe the best way, in the Senate, to get to know each other in a deeper and more meaningful way.

Another thing that we do there is, the chaplain at the beginning of every Congress hands out a prayer card that has all of the names of the senators on there, and he gives us a weekly schedule to pray for our colleagues. And my experience is, that when I am praying for my colleagues by name, any hard feelings, any bitterness, any animosity has a way of just melting away. So, we bring you greetings from the Senate prayer breakfast, and here is Mike.

Senator Michael Enzi: Mark mentioned our weekly prayer breakfasts. I want to tell you about our global outreach. We are willing to help any parliament or group of elected leaders to start a prayer breakfast. We only participate when we are asked. We send a senator and some prayer supporters to meet anywhere the leaders seek the uniting power of the teachings of Jesus. We have seen prayer groups bring different faiths together. We have seen enemies begin to see each other as people, people with similar problems, problems solvable through the power of God used through leaders. We want to share the care, the reconciliation, the respect and concern that can unite. We want to share the concentration on the 80 percent that we all believe in rather than the 20 percent that divides people. Of course these trips of faith give each senator a gift of faith greater than what we are able to share. May each of you, through the power of God's hand, use your gifts for the betterment of God's world. (Applause)

Rep. Cleaver: Why don't you go ahead and eat. (Laughter)

Lord, bless the food that we are about to receive, and may this food do for our bodies what your Spirit does for our soul. Amen.

We will be back with you shortly. (Breakfast)

Announcer: Ladies and gentlemen, the President of the United States, and Mrs. Laura Bush. (Applause)

Rev. Daniel Mucci: Good morning, everyone. It is an awesome privilege to be here this morning to lead us in prayer for the leaders of our nation. As I was reflecting on this opportunity to pray, I am reminded of the truth that men should always pray and not give up. For we know what is impossible with men is possible with God. With these thoughts in mind, let us pray for our nation's leaders.

Almighty God, we thank you for the blessing of leadership you have provided to our nation time and time again throughout our history. We thank you for the men and women who offer themselves to serve their fellow man and seek to fulfill the higher purpose of your will here on earth as it is in heaven. For these gifts we express our gratitude.

Thank you for our president, George W. Bush, a man who seeks your face. May your presence go before him, may your peace sustain him, and your power keep him as he fulfills your call to lead our nation during this challenging time. We now lift up President Bush and his Cabinet, the members of the United States Senate and the House of Representatives, the Supreme Court justices, the governors of our states and their respective general assemblies, the mayors of our cities and towns and all those charged with the responsibility to create and enforce the laws of the United States of America.

We unite our hearts in asking that you grant America's leaders the courage to stand together when tested by the winds of adversity—economically, socially, politically, and spiritually—for there is no overcoming without a struggle. So we ask that you would give them your grace to succeed in our quest for peace and progress in our nation.

We also ask that you would grant your servants wisdom to work toward unity when confusion overrides their clarity of vision for the future, for there is no unity without humility. So we humbly ask that you would grant them the mercy and love that they need to recognize and fulfill your purposes in this generation.

We ask for the determination to win the challenging battles we face, to ensure the safety and security of our citizens, and for those who call on us to be partners for democracy and peace, for there is no victory without perseverance. So we ask you to reveal to our leaders the strategic plans for success, and to supply them with the strength to endure the perils of war.

Please protect the men and women of our military who have placed themselves in harm's way for the ideals of our nation. And finally, with the faith of Abraham, the meekness of Moses, and in the spirit of Jesus of Nazareth, give us all a servant's heart to meet the needs of those who are suffering, from poverty, hunger, or disease, when we have the resources within our influence to relieve the suffering and to bring hope and healing to our fellow human beings. We ask these things in your mighty name, Amen.

General Peter Pace: President and Mrs. Bush, and to all of you here, good morning. I am Pete Pace, and my wife Lynne and I are honored to be here with you this morning. (Applause)

Since the founding of our country, generation after generation of Americans have sacrificed themselves that we might have the freedom to gather here this morning and pray as we see fit to our God. It has been my personal experience that although some may enter battle either not believing or questioning the existence of God, that very few leave battle with any doubt. In fact in my experience, almost the first thing that those who are wounded say is, ''oh my God.'' In answer to their prayer, often the compassion and love of God in the midst of that most difficult of times is brought forward in the form of our chaplains, who risk their own safety to bring God's love and compassion to those who need it. So it is with great respect and appreciation for our chaplains and for their assistance, for their bringing God's love to all of us daily, in battle and out, that I offer this reading from the letter of Paul to the Philippians.

''Rejoice in the Lord always. I say it again, rejoice. Everyone should see how unselfish you are. The Lord himself is near. Dismiss all anxiety from your minds. Present your needs to God in every form of prayer and in petitions full of gratitude. Then God's own peace, which is beyond all understanding, will stand guard over your hearts and minds. Finally, my brothers, your thoughts should be wholly directed to all that is true, all that deserves respect, all that is honest, pure, admirable, decent, virtuous, or worthy of praise. Live according to what you have heard, learned, and accept it, what you have heard me say and seen me do. Then will the God of peace be with you.'' The word of the Lord. (Applause)

Governor Tim Pawlenty: Would you please bow your heads and join me in prayer for world leaders.

Lord, this morning we bow before you with humble hearts, deeply grateful that you are a God powerful enough to form the earth but gentle enough to care for our smallest concerns. You are an amazing God. We know, Lord, that you are the source of all love and that through the course of history you have poured out your love, your mercy and your grace when people have humbled themselves and prayed. It is with this spirit that we come before you this morning. As the light of the world, you have pierced through the darkness in troubled times. Lord, our world struggles. We live in troubled times. We struggle against the forces of darkness. The power of sin and alienation is strong, but you are stronger. Our world needs your healing power and your love.

Today, God, we pray for our world leaders. We pray that the power of your love will guide their decisions. Lord, we pray for your special blessing on those world leaders who are with us today, Prime Minister Musa and President Bush. We also pray for those in this room that will one day lead their nations. Prepare them also, by your grace.

God, as our world leaders face the troubles and enormous challenges of our times, we

pray Solomon-like wisdom for each of them. Touch their hearts. Heal any brokenness.

We pray that each world leader will be guided by your spirit, your leadership. Lord, bless them, teach them, counsel them, continue to love them and hold them in the powerful palm of your hand. May the leaders of this world be led by you every day, in every decision, big and small. You are the hope of the world and the ruler of history. We pray that all world leaders seek first your kingdom and your righteousness. I pray all of this in Jesus' name. Amen.

Rep. Cleaver: As you are continuing to eat your breakfast, I would like to recognize a visiting head of state who joined us today, Prime Minister Said Musa of the nation of Belize. Prime Minister. (Applause)

Thank you so much for being with us.

And while focusing on the room, I want to recognize a historic person in our midst, the first woman Speaker of the United States Congress, Nancy Pelosi of California. (Applause)

Rep. Cleaver: She had to leave. As many of you know, Father Drinan, who served in the House of Representatives, died, and she is going to attend his funeral.

For the Democrats who are in the House, who are in Congress, if you would please let her know that I did introduce her. Committee assignments have not been made. (Laughter)

If I may have your attention once again, we will continue with our program. But first let me share something with you that I read the other day that I hope all of us can remember. William Penn, the founder of Pennsylvania, said—and this is extremely important; if you can remember these words, I think it helps this entire nation: ''I know of no religion that destroys courtesy, civility, or kindness.'' William Penn.

In this room today we are a people of over 160 nations and many religious traditions, but a common teaching of all faiths and philosophies is this important word civility.

I came to Washington and to Congress with this desire in my heart, to do what I could to make this a more civil place. In the intensity and tension of this place, it's really hard for me and all of us to follow the biblical teachings to count others as important as ourselves, and as far as it depends on us, we must all seek to live in peace with all.

I have opinions that are as strong as anyone. My challenge is to state them in a tone that raises the level of the conversation and honors those who disagree with me. When you look at the roots of the word ''civility,'' to be civil is to be a citizen, a respected part of the community. So to be uncivil is to fracture the community, locally, nationally, and even internationally, and that is something none of us can afford to do.

With the passing of President Ford recently, I was reminded of a story of his days in the White House. He held regular debates here in Washington with Democratic members of Congress, but most especially with Congressman Thomas Hale Boggs, at the National Press Club. At President Ford's suggestion, they would actually share a cab downtown and pick their topic for debate on the way. Afterwards, they would often go out and eat together.

Mr. President, I am happy you are joining us for our House Democratic retreat later today. It will be good for us and good for the country to break bread together. (Applause)

Remember, we reap what we sow. I think God is pleased when we as citizens of the world, and people of faith, sow courtesy, civility and kindness with each other, and raise up a harvest of grace and peace.

Now, our keynote speaker. Some of us know the song that says, ''we are fearfully and wonderfully made.'' Any of us who studied human anatomy in junior high biology probably felt more fear than wonder. My biology teachers were always the worst [pause] human beings (Laughter)

But I have grown to respect and appreciate the men and women of science because they unlock the secrets of how we can get more and better life out of these bodies.

Our keynote speaker this morning is one of the heroes of that effort, Dr. Francis Collins, the director of the Human Genome Project. He grew up on a little farm in Shenandoah Valley, Virginia, and now he heads up the most significant scientific project in history. He supervises hundreds of researchers from different disciplines, different institutions and different countries, in the effort to map the human genome and share with the world what it means. And I know the President appreciates this fact—he is ahead of schedule and under budget. (Laughter, Applause)

He has also served as a volunteer doctor in hospitals in developing worlds. Ladies and gentlemen, it is an honor for me to introduce Dr. Francis Collins. (Applause)

Francis S. Collins, M.D, Ph.D.: Thank you for that very kind introduction, Congressman Cleaver.

President Bush, First Lady, heads of state, members of Congress, distinguished guests, I am deeply honored to be speaking with you on this significant and moving occasion. As you have heard, I am not a rock star, as the person who spoke last year, and that's a large leather jacket to step into—(Laughter)

I didn't say anything about the sunglasses.

I am also not a man of the cloth nor am I a political leader. As you've heard, I am a physician and a scientist, here this morning as a private citizen, but who had the incredible privilege of leading the Human Genome Project. I am also a believer in God.

The astrophysicist Robert Jastrow started his book on science and faith with the following words: ''When a scientist writes about God, his colleagues assume he is either over the hill or going bonkers.'' I hope and pray that I am neither of those. And yet in the scientific community there is an unwritten taboo about discussing one's spiritual leanings, so many assume that scientists are generally godless materialists. That's not actually true—a recent survey found that 40% of working scientists believe in a God to whom one may pray in expectation of an answer. And that number has changed very little over the past century.

Yet there are increasingly shrill voices around us who argue that somehow the scientific and spiritual worldviews are incompatible. I am here this morning to tell you that these different ways of finding the truth are not only compatible, but they are wondrously complementary.

As the leader of the Human Genome Project, I had the great privilege of serving as the project manager for a dedicated team of more than 2,000 scientists from six countries. Together, we determined all three billion letters of the human genome, our own DNA instruction book, and we made all that data freely available on the internet every 24 hours. It is hard to get your mind around how much information this is—three billion is a very big number, even in Washington. (Laughter)

Suppose we decided to take a little time this morning to read the letters of the human genome together, just to express our awe at God's creation. If we could take turns reading, and we would agree to stick to it until we were all done, and we would read at a reasonable pace, A–C–G–T–T–G–C–A–A—there are only four letters in the DNA alphabet, that makes it a little easier but a little monotonous. (Laughter)

If we all decided that was worth doing, and we even decided that we would stay up all night if it was necessary, we would stay up a lot of nights. We would be here for 31 years. You have all that information inside each cell of your body. And every time that cell divides, it's got to copy the whole thing. Isn't that amazing?

We have learned many interesting things already about this human DNA instruction book, now that we have all those letters. One profound observation—and it is a good one to highlight this morning—is just how alike we all are. Your DNA and mine are 99.9% the same, and that would be true regardless of which one of you I chose for the comparison. So you see, at the DNA level, we really are part of one big worldwide family.

Faced with this rapidly growing body of information, one cannot help but feel a sense of awe at the amazing complexity and elegance of the human body—from the intricate digital DNA code to the marvelous nanotechnology machines that operate inside each cell of our bodies, to that most amazing organ of all, the human brain.

But this exploration of human biology is for many of us not just a sterile academic pursuit. Whether you are a Hindu, a Buddhist, a Muslim, a Jew, a Christian, or still searching, you would probably agree that the mandate to alleviate suffering is one of our highest callings. These new tools of biomedical research, many stemming from this new science of genomics, now provide us with an unprecedented opportunity for breakthroughs in cancer, diabetes, mental illness, infectious diseases, and many other conditions, and a true revolution is getting underway. Though there are legitimate concerns about setting appropriate boundaries for this research, we also have a strong ethical mandate to proceed as quickly as possible, so long as a sick child lives somewhere in the world who could be helped.

So these are exciting times for a scientist. But my hopes and dreams for all of us do not rest solely in science. I am also a man of faith. Many of you probably would assume that this stance stems from childhood training in a particular religious tradition, as that is certainly the way in which many come to believe. But that is not my story.

I was raised, as you heard, on a small farm in Virginia by wonderfully unconventional free-thinking parents who greatly valued learning, literature, music and the arts, but for whom religion was just not that important. As I fell in love with science as a teenager, I also slipped into a worldview that assumed that the only true meaning in the universe was to be found in mathematics and physical laws. And so I became first an agnostic and then an atheist.

But my scientific curiosity eventually led me from chemistry and physics into medicine. And there at the bedside of people with terrible illnesses, matters of life, death and the spirit were no longer academic. Just as it has been said—and General Pace said something very much like this—''there are no atheists in foxholes,'' I found that there were few atheists lying in hospital beds in this little hospital in North Carolina. One afternoon, a kindly grandmother with only a few weeks to live shared her own faith in Jesus with me, and then asked, ''Doctor, what do you believe?'' Stammering something about not being quite sure, I fled the room—(Laughter)

I had the disturbing sense that the atheist ice under my feet was cracking, though I wasn't quite sure why. And then suddenly the reason for my disquiet hit me: I was a scientist. I was supposed to make decisions based on evidence. And yet I had never really considered the evidence for and against faith.

Determined to shore up my position, I began to explore the path of others who before me had asked the same questions about

faith. In that search I was particularly affected by the writings of the Oxford scholar C.S. Lewis, who had similarly sought as a young man to defend his atheism and instead became a believer.

As I explored that evidence more deeply, all around me I began to see signposts to something outside of nature that could only be called God. I realized that the scientific method can really only answer questions about HOW things work. It can't answer questions about WHY, and aren't those in fact the most important ones? Why is there something instead of nothing? Why does mathematics work so beautifully to describe nature? Why is the universe so precisely tuned to make life possible? And it is. Why do we humans have a universal sense of right and wrong, and an urge to do what is right, even though we often disagree on how to interpret that calling?

Confronted with these revelations, I realized my own assumption—that faith was the opposite of reason—was incorrect. I should have known better. Scripture defines faith as ''the substance of things hoped for, the evidence of things not seen.'' Evidence!

Simultaneously I realized that atheism was in fact the least rational of all the choices. As Chesterton wrote, ''Atheism is indeed the most daring of all dogmas, for it is the assertion of a universal negative.''

How could I have had the arrogance to make that assertion?

So I had to accept the plausibility of a powerful force, a creative Mind, that existed outside of nature. But was God only to be found in the abstract, or did he also care about me? I felt an increasing hunger to answer that question.

After searching for two years more, I ultimately found my own answer, in the loving person of Jesus Christ. Here was a man unlike any other. He was humble and kind-hearted. He reached out to those considered lowest in society. He made astounding statements about loving your enemies. And he promised something that no ordinary man should be able to promise—to forgive sins. On top of all that, having assumed all my life that Jesus was just a myth, I was astounded to learn that the evidence for his historical existence was actually overwhelming.

Eventually I concluded the evidence demanded a verdict. And in my 28th year, while hiking in the majestic Cascade mountains in the Pacific Northwest, I could no longer deny my need for forgiveness and my need for new life, and I gave in and became a follower of Jesus. He is now the rock upon which I stand, the source for me of ultimate love, peace, joy, and hope.

But, some of you might say, you're a geneticist. Doesn't this make your head explode? (Laughter)

Aren't there irreconcilable contradictions between your scientific and spiritual worldviews? No. Not at all! As long as one uses a thoughtful approach to interpretation of the meaning of Scripture in light of what science has allowed us to learn about the universe, as St. Augustine compellingly articulated 1600 years ago—I can't identify a single conflict between what I know as a rigorous scientist and what I know as a believer. Not one. Yes, science is the reliable way to understand the natural world. But being a believer allows me to see scientific discoveries in a wholly new light. In that context, science becomes a means not only of discovery, but of worship. When as a scientist I have the great privilege of learning something that no human knew before, as a believer I also have the indescribable experience of having caught a glimpse of God's mind.

Bernard Lonergan captured this aspect of scientific discovery as ''the eternal rapture glimpsed in every Archimedean cry of Eureka.'' So if this is all true, why does there seem to be such a battle going on between science and faith, at least in some quarters? As is often the case in such battles, a bit of effort on each side to understand each other would go a long way. Concrete thinkers amongst my own colleagues who deny the value of a spiritual worldview would be well advised to admit the ultimate impoverishment of that perspective given that it offers no answers to questions like ''Why am I here?'' Perhaps Jesus was thinking of such folks when he said in Matthew 11, verse 25, ''I praise you, Father, Lord of heaven and earth, because you have hidden these things from the wise and learned, and revealed them to little children.'' (Laughter)

On the other hand, some well-meaning believers have adopted the view that science is a threat to faith, and that God has to somehow be defended against scientific conclusions. Is this really compatible with trust in the Almighty, who could hardly be threatened by the efforts of our puny minds to understand his creation? God's creation is majestic, awesome, intricate, and beautiful, and it cannot possibly contradict itself. He is the same God whether you find him in the cathedral or in the laboratory. He is in the laws of physics, but he is also the ultimate source of love and forgiveness.

On June 26, 2000, I had the privilege to stand in the East Room of the White House, next to the President of the United States, announcing the completion of the first draft of the human genome. I was overcome with awe and a sense of history that morning. As a believer, this remarkable book of life did indeed seem to be written in the language in which God spoke life into being.

But that day was also one of personal mourning, for I had just spoken at a memorial service for my sister-in-law, a marionette artist whose wonderful light had been snuffed out much too soon by breast cancer. The promise of these new discoveries about the human genome had come too late for her.

Recalling the mixed emotions of that day, they bring into sharp focus the complex nature of our human condition. We have great hopes for health and long life for ourselves and our families, but all too often we stand at the gravesides of loved ones who have been taken from us much too soon. We find in the great truths of faith the kind of clear spiritual water that we long for, but all too often we see that pure water has been poured into those rusty human vessels, distorted, and discolored. We want to believe in ultimate human goodness, but all too often our hopes are dashed by selfish and violent acts of our own human family against each other. We cling to the promise of new scientific breakthroughs to help our hurting world, but we fear that some of these discoveries may be used in ways that cause more harm than good. All in all, we dream of an earthly garden of delight, but all too often it seems more like a vale of tears.

Yet if we put our trust in God, and resolve to put love above all else, we are promised ultimate victory over all these trials. ''Come unto me, all you who are burdened and heavy laden, and I will give you rest.''

So, my brothers and sisters, from every creed and nation, let us here today resolve to love one another, and to celebrate the beautiful and intricate world that God has given us. Let us agree to protect it, even as we seek to join the power of science with the warm embrace of human compassion to reach out to all those who need healing, whether of body or spirit.

To conclude this homily, I propose to do something risky, to ask you all to join me in singing a song. Some may find it ironic that last year's speaker—(Laughter)

—the rock star Bono, spoke about justice and world economics but passed up the chance to sing. (Laughter)

Now this year's speaker, a scientist who might be considered a bit of a nerd, proposes to sing and even play the guitar. But the Prayer Breakfast is where we are all supposed to break out of our comfort zones. (Laughter)

So please help me—I need it—break out of your own comfort zones and sing along with me. In your program you will find a little card which has three verses of a wonderful hymn. The tune will be familiar to many of you and will be quickly learned by the rest. Harmony is welcome. So my brothers and sisters, lift your hearts and voices with me as we praise the God who is the source of all faith and learning.

(Song: ''Praise the Source of Faith and Learning'')

[Words by Rev. Thomas H. Troeger
From Borrowed Light: Hymn Texts, Prayers and Poems
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(To the tune of Hyfrydol)]

Praise the source of faith and learning who has sparked and stoked the mind
With a passion for discerning how the world has been designed.
Let the sense of wonder flowing from the wonders we survey
Keep our faith forever growing and renew our need to pray.

God of wisdom, we acknowledge that our science and our art
And the breadth of human knowledge only partial truth impart.
Far beyond our calculation lies a depth we cannot sound
Where Your purpose for creation and the pulse of life are found.

As two currents in a river fight each other's undertow
Till converging they deliver one coherent steady flow,
Blend O God our faith and learning till they carve a single course,
Till they join as one, returning praise and thanks to You, their Source.

(Applause)

Dr. Collins: Amen. Amen.

Rep. Cleaver: Amen.

Although you do not have a speaking part at today's breakfast, Mrs. Bush, you say more about grace and love just sitting there than most of us could say in an hour. Thank you. (Applause)

Dr. Collins used the words of the New Testament, ''Come to me those who labor, those who are tired, those who are weary, and I will give you rest.'' The President of the United States has the most difficult job on this planet, and those words should be comforting to him today.

Ladies and gentlemen, the President of the United States, George W. Bush. (Applause)

President George W. Bush: Thank you all. Thank you very much. Now will you please join me in singing ''The Eyes of Texas.'' (Laughter)

Good morning. Laura and I are honored to join you here at the 55th National Prayer Breakfast. It is an amazing country, isn't it, when people from all walks of life gather to recognize our dependence on an almighty God, and to ask Him for blessings in our life. I think a breakfast such as this speaks to the true strength of the United States of America. (Applause)

We come from many different faiths, yet we share this profound conviction: We believe that God listens to the voice of His children, and pours His grace upon those who seek Him in prayer.

I appreciate, Mr. Congressman, you and Jo Ann Davis, for leading this prayer breakfast. And thanks for paying tribute to my wife. (Applause)

I appreciate the speaker's presence, Congressman Hoyer's presence, Congressman Blunt's presence. I want to thank all the members of the Senate and the House of Representatives who have joined us. I appreciate the fact that we have governors here, local officials and state officials. I thank the members of my Cabinet for joining us—Don't linger, you've got a job to do. (Laughter)

I thank the military officials who have joined us; distinguished dignitaries. Mr. Prime Minister, we are glad you're here. Thank you for joining us.

I appreciate Dr. Collins. I want to thank Reverend Mucci and his wife Kathy. I appreciate Nicole Mullen. Most of all, thank you all.

We are a nation of prayer. America prays. (Applause)

Each day millions of our citizens bow their heads in silence and solitude, or they offer up prayers in fellowship with others. They pray for themselves, they pray for their families, they pray for their neighbors and their communities. In many congregations and homes across this great land, people also set aside time to pray for our nation and those entrusted with authority, including our elected leaders.

In my travels, I often see hand-printed signs and personal messages from citizens that carry words of prayer. Sometimes it's a single little girl holding up a placard that reads, ''Mr. President, be encouraged, you are prayed for.'' Sometimes it's a banner held by a group of young people that says, ''We are praying for you, Mr. President.'' I often hear similar words when I meet people on a rope line. Isn't that interesting? You're working a rope line and people come up and say, ''Mr. President, I am praying for you and your family.''

The greatest gift a citizen of this country can give those of us entrusted with political office is to pray for us. And I thank those in our nation who lift all of us up in prayer. (Applause)

Our troops must understand that every day—every day—millions of our citizens lift them up in prayer. (Applause)

We pray for their safety. We pray for their families they have left at home. We pray for those who have been wounded, for their comfort and recovery. We remember those who have been lost, and we pray that their loved ones feel the healing touch of the Almighty. During this time of war, we thank God that we are part of a nation that produces courageous men and women who volunteer to defend us.

Many in our country know the power of prayer. Prayer changes hearts. Prayer changes lives. And prayer makes us a more compassionate and giving people. When we pray, we surrender our will to the Almighty, and open ourselves up to His priorities and His touch. His call to love our neighbors as we would like to be loved ourselves is something that we hear when we pray. And we answer that call by reaching out to feed the hungry and clothe the poor, and aid the widow and the orphan. By helping our brothers and sisters in need, we find our own faith strengthened, and we receive the grace to lead lives of dignity and purpose.

We see this grace in the life of a young American named Shannon Hickey. Shannon was one of Laura's guests at the State of the Union. When Shannon was growing up, her favorite priest was Father Mychal Judge, a chaplain with the New York City Fire Department. Father Mychal helped Shannon and her family through Shannon's struggle with liver disease. On September the 11, 2001, Father Mychal lost his life in the World Trade Center. In memory of her friend, Shannon founded Mychal's Message, a non-profit organization dedicated to sharing Father Mychal's loving spirit. Over the last five years, Mychal's Message has collected and distributed more than 100,000 needed items to the poor and the homeless. With each gift to the needy, Shannon encloses a card with Father Mychal's personal prayer. It reads, ''Lord, take me where You want me to go, let me meet who You want me to meet, tell me what You want me to say, and keep me out of Your way.''

Father Mychal's humble prayer reminds us of an eternal truth: In the quiet of prayer, we leave behind our own cares and we take up the cares of the Almighty. And in answering His call to service we find that, in the words of Isaiah, ''We will gain new strength. We will run and not get tired. We will walk and not become weary.''

And so I thank you for joining us on this day of prayer. I thank you for the tradition you continue here today. And I ask for God's blessings on the United States of America. (Applause)

Rep. Cleaver: Ladies and gentlemen, if you would please remain in your seats while the President and Mrs. Bush leave, and Nicole Mullen will return to the microphone. If all of you would be so kind as to remain in your seats until I tell you to leave. (Laughter)

Ms. Mullen: I wrote a song based on the words of Job, who had gone from hardship and back to goodness again. He simply said, ''I know that my redeemer lives.''

(Song: Redeemer) (Applause)

Rep. Cleaver: Amen.

Amen. He does live. Thank you so much, Nicole. Thank you for blessing us.

As we prepare to leave this place today, I would remind you that years ago the prophet Isaiah gave us the word of the Lord when he wrote:

''Stop doing wrong, learn to do right. Seek justice, encourage the oppressed. Defend the cause of the fatherless, plead the case of the widow. 'Come now, let us reason together,' says the Lord.''

As the light of the world, you pierce the darkness in troubled times, those of you who are leaders both in this country and around the world. Please know that we all struggle against the forces of darkness. The power of sin and alienation is strong, but you are now stronger. Our world needs your healing power and your love.

Today, oh God, I pray for our world leaders. I pray that the power of your love will guide their decisions.

And now, we ask that you go out into the world and make a difference. Amen. (Applause)

PAYING TRIBUTE TO PHILLIP THORNWELL HENRY

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. PORTER. Madam Speaker, I rise today to honor the life and legacy of my dear friend Phillip Thornwell Henry.

Throughout his life, Phil was dedicated to enriching the lives of those around him. Phil was born in Roanoke County, Virginia and attended Cave Spring High School and subsequently earned a degree from Virginia Polytechnic Institute and State University in civil engineering. As a civil engineer, Phil sought to improve the quality of life of others and began his long and illustrious career by working for the Corps of Engineers in West Virginia. After the birth of his two sons, Phil and his young family moved to Martinsville, Virginia where he worked as the City Engineer and Superintendent of Water Resources for 11 years.

In 1984, Phil and his family moved to Boulder City, Nevada where he became the City Engineer. Two years later, Phil moved back to his native Virginia, where he worked as the county engineer in Roanoke before returning to Boulder City in 1991. In 1995, Phil was promoted to Director of Public Works in Boulder City. During his tenure as Director, Phil oversaw many projects, such as the extension of Adams Boulevard, the creation of Memorial Park and Boulder Creek Golf Course and the expansion of the Boulder City Cemetery. In 2005, Phil retired from his life of public service in engineering and moved back to Roanoke. In addition to his numerous professional achievements, Phil was an active member of the community.

Madam Speaker, I am proud to honor the life and legacy of my friend, Phil Thornwell Henry. He greatly enriched countless lives in both Nevada and Virginia and he will be greatly missed by all whose lives he touched.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Ms. LEE. Madam Speaker, on Monday, September 10, 2007 I missed roll call votes Nos. 865 and 866. Had I been present, I would have voted ''aye'' on H. Res. 257 and ''aye'' on H. Res. 643.

CAMERON ELIZABETH ETHERIDGE MAKES HER MARK ON THE WORLD

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. ETHERIDGE. Madam Speaker, I rise today to congratulate my son Brian and his wife Meredith on the birth of their second child, Cameron Elizabeth Etheridge. Cameron was born on my birthday Tuesday, August 7, 2007 and weighed 8 pounds and 8 ounces and was 21 inches long. My wife Faye and I are excited about the birth of our third grandchild, and she joins me in wishing Brian and Meredith and their daughter, Virginia, great happiness upon this new addition to our family.

Faye and I are truly blessed by the arrival of Cameron Elizabeth Etheridge. The birth of a new child is a joyous occasion that reminds us of the promise of a new life. And I know that Virginia is excited to have a sister with whom she can play. Children remind us of the incredible miracle of life, and they keep us young-at-heart. Every day they show us a new way to view the world.

God has truly blessed my family with this new addition. My family and I are looking forward to spending a lot of time with our new bundle of joy and introducing her to all of our friends and neighbors in North Carolina's Second Congressional District.

CONGRATULATING CENTRAL STATES TRUCKING COMPANY

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. ROSKAM. Madam Speaker, I rise today to congratulate Central States Trucking Company of Bensenville, Illinois, for being named one of the top 5,000 privately owned businesses in America by Inc. Magazine.

The Inc. 5000 list highlights the fastest growing companies in the country.

Madam Speaker, companies like this are the backbone of the U.S. economy and an integral part of my Congressional District.

With a growth rate of 67%, Central States Trucking Company is a fine example of the hard work and productivity that sets American businesses apart in the global marketplace.

Central States Trucking Company is a family-owned business that directly employs more than 300 individuals. Their economic activity indirectly supports the jobs of countless others. Under the visionary leadership of President Doug Grane, Central States Trucking is on track to grow revenues to nearly $42 million.

Madam Speaker and Distinguished Colleagues, please join me in recognizing this outstanding achievement.

I am proud to represent Central States Trucking Company in the United States House of Representatives and wish them all the best in the future.

CELEBRATING THE LIFE OF JAMES GATLIN

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Ms. CASTOR. Madam Speaker, I rise today to pay tribute to the life and educational career of James Gatlin and to acknowledge his contributions as a mentor and role model to generations of Tampa Bay area students.

Raised in Tampa, Florida, James Gatlin witnessed great changes in education throughout his life. He attended Middleton High, a black segregated high school, and quickly realized the importance of education. Gatlin recounted tales of receiving tattered books in school and being forced to sit in the back of public buses. Public education is the grand equalizer among people in our great country and he witnessed and valued black and white students learning side-by-side in the classroom and cheering together at the school's football games.

James Gatlin attended Florida A&M University where he received his Bachelor's degree and later was awarded a Master's degree in Education from the Tuskegee Institute. He began his 45-year educational career in the Hillsborough County schools in 1963, teaching agricultural courses at Bethune School. In 1972, he served as Dean of Students at Buchanan Junior High School, and six years later, Gatlin was appointed Principal. In 1984, he became the popular Principal of Chamberlain High School and my principal as a high school student. He held this post for ten years until 1994, when he was appointed General Director of Technical and Career Education. In 1989, he became aware that many black students were not graduating and began a mentoring program that included tours of university campuses. Gatlin was also a strong believer in helping students not attending college to find employment. He was promoted to general area director of Area II schools in 1997 until he retired in 2003. His leadership was needed, however, and Gatlin returned to education and served as assistant principal for the Meacham Alternative School in 2004. He accepted his final position as principal of his alma mater, Middleton High School, in August 2005, a great joy for him personally, but a greater benefit to all who experienced his dedication and service there.

''Gat'' as he was called by those who knew him best, lived by the motto that ''education makes life better''. Many students took his motto to heart, and admired him for his strength of character as well as his genial spirit. Students admired his humorous spirit as well. He dressed up as the mascot during pep rallies and danced at homecoming events. Every year, Gatlin held a popular and delicious barbecue for the senior class. A former student remembered Principal Gatlin saying, ''He just made school fun''.

The entire Hillsborough County community honors and remembers the 68 year life of James Gatlin, and we offer condolences to his wife Evelyn as well as his sons James III, Marcus, and Brent. James Gatlin molded the lives of generations of students through his dedication to education and to the community as a whole. His example will continue to live through those that worked with him and those who learned from him.

SIXTH ANNIVERSARY OF TRAGIC TERRORIST ATTACKS OF 9/11/01

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Ms. LEE. Madam Speaker, today, we commemorate the sixth anniversary of the terrible terrorist attacks of September 11th, 2001. We remember the men, women and children who lost their lives that day and we honor the courage and the heroism of our first responders and those who put themselves in harm's way to help others.

This anniversary is also a time to reflect on the values that define us and separate us from terrorists, values like liberty, democracy, tolerance, freedom of expression and respect for the rule of law.

It is also appropriate to recognize just how misguided the Bush administration's response to those attacks has been. Six years later, Osama bin Laden is still at large while our military is pinned down in a civil war in a country that had nothing to do with the attacks in an occupation that serves as a rallying point for terrorist recruitment and fundraising. It is clear that this is a policy that is making our nation less safe, not more safe, and the first step towards a policy that effectively combats global terrorism is to end the occupation of Iraq.

PAYING TRIBUTE TO SPECIALIST TRAVIS M. VIRGADAMO

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. PORTER. Madam Speaker, I rise today to honor the life of Specialist Travis M. Virgadamo, who died on August 30, 2007.

Specialist Virgadamo was a hero whose desire to serve his country will forever make an impact on his family, his community and his country. He joined the United States Army to serve his country in the Global War on Terror. He will not only be remembered for his willing service, but for the extraordinary person that he was.

Madam Speaker, I am proud to honor the life of Specialist Travis M. Virgadamo. Specialist Virgadamo's choice to serve his country speaks volumes of his patriotism and his strong desire to protect others.

LOUISBURG COLLEGE: A LEGACY OF 220 YEARS

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. ETHERIDGE. Madam Speaker, I rise to pay tribute to the legacy of a North Carolina institution. Louisburg College, the oldest two-year church affiliated, co-educational college in the nation, has filled a niche in North Carolina's system of higher education. As the only residential junior college in the state, the institution provides an excellent introduction to the collegiate life for college freshmen and sophomores. Louisburg College offers a premier beginning to successful academic and professional achievement. For 220 years the college has impacted lives and fulfilled its mission: Louisburg College is committed to offering a supportive community that nurtures young men and women intellectually, culturally, socially, physically, and spiritually.

Louisburg College had its beginning in the period that witnessed the emergence of America as an independent nation, the birth of the Methodist Church in America, and the establishment of Franklin County, North Carolina, and the town of Louisburg. Having evolved from three earlier institutions, Franklin Male Academy, Louisburg Female Academy, and Louisburg Female College. The roots of Louis burg College trace back to the early years of the town of Louisburg, the county seat of Franklin County. Founded in 1779, during the American Revolution, the county was named in honor of Benjamin Franklin and the town in honor of King Louis XVI of France.

Franklin Male Academy opened on January 1, 1805, under the direction of Yale graduate Matthew Dickinson. Franklin Male Academy prospered in its early years and soon had an enrollment of ninety students. The second stage in the evolution of Louisburg College began on December 27, 1814, when the state legislature ratified an act chartering the Louisburg Female Academy. By August 1815, Louisburg Female Academy was operating under the guidance of Harriet Partridge. The third stage of the evolution of Louisburg College began in January 1855, when the state

legislature authorized the transfer of property by the trustees of Louisburg Female Academy to the directors of Louisburg Female College Company.

By August 1857, Louisburg College opened under the management of Professor James P. Nelson. The female college continued to operate during the Civil War under presidents C.C. Andrews (1860–1861) and James Southgate, Jr. (1862–1865) After the war, about 500 Union soldiers camped in the college and male academy groves during May and June of 1865. After the college opened and closed several times the 1870s and 1880s, S.D. Bagley became president in 1889. Matthew S. Davis, who had previously served twenty-five years as principal of the Male Academy, became president of the Female College in 1896 and held the office until his death in 1906. He was succeeded by his daughter, Mary Davis Allen, who was President until 1917.

At the beginning of the twentieth century, a number of significant changes took place. The institution became known as Louisburg College, and the college became officially linked to the Methodist Church. Washington Duke had acquired ownership of the college property in the 1890s. After his death, his son Benjamin N. Duke presented the property to the North Carolina Conference of the Methodist Church. The Reverend Armour David Wilcox, former minister of the Louisburg Methodist Church, served as president of the college from 1931 to 1937. Louisburg College became co-educational in 1931, and student enrollment immediately increased. By the end of World War II, institutional debts had been paid and in 1952, Louisburg College was accredited by the Southern Association of Colleges and Secondary Schools.

During the 1986–87 school year, Louisburg college held a Bicentennial Celebration in recognition of its unique two-hundred-year heritage. The first college flag was designed and displayed during the celebration, and the first published history of the college, Louisburg College Echoes, was issued in 1988. Dr. C. Edward Brown, Jr. served as interim president in 1992, and Dr. Ronald I. May was president of Louisburg College from January 1993 through May 1998. Dr. Brown again assumed the interim presidency in June 1998. Dr. Rosemary Gillett-Karam become the twenty-fourth president of Louisburg College in December of 1998. Dr. Reginald Ponder assumed the presidency in 2002.

Louisburg College has contributed significantly to the growth and development of NC and the enrichment of countless of its citizens. I urge the U.S. House of Representatives to join me in commending this outstanding institution.

CONGRATULATING QUALITY FLOATS WORKS OF SCHAUMBURG

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. ROSKAM. Madam Speaker, I rise today to congratulate Quality Float Works of Schaumburg, Illinois, for being named one of the top 5000 privately owned businesses in America by Inc. Magazine.

The Inc. 5,000 list highlights the fastest growing companies in the country.

Madam Speaker, companies like this are the backbone of the U.S. economy and an integral part of my Congressional District.

With a growth rate of 50%, Quality Float Works is a fine example of the hard work and productivity that sets American businesses apart in the global marketplace.

Quality Float Works is a family-owned business dating back to 1915. Despite the many challenges currently facing the U.S. manufacturing industry at large, Quality Float Works' reputation for providing exceptional products and complete customer satisfaction has helped them to grow and thrive.

Under the visionary leadership of President Sandra Westlund-Deenihan and Vice President Jason Speer, Quality Float Works continues to shine as an outstanding American small business.

Madam Speaker and Distinguished Colleagues, please join me in recognizing this remarkable achievement.

I am proud to represent the employees and customers of Quality Float Works in the United States House of Representatives and wish them all the best in the future.

CELEBRATING THE LIFE OF LT. HENRY BOHLER, RETIRED

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Ms. CASTOR. Madam Speaker, I rise today to pay tribute to the life and career of Lt. Henry Bohler, Retired, and to acknowledge his role as a Tuskegee Airmen during World War II.

From as early as he could remember, Lt. Henry Bohler wanted to be a pilot. In an attempt to learn as much about flying as he could, he took an airport job at age 17. At the outbreak of World War II, the military was still segregated. Upon reading about the new Tuskegee Airmen, the first black military airmen in the United States who served under the command of the great Benjamin O. Davis, Jr., he enrolled and left for Tuskegee, Alabama for basic flight training. Lt. Bohler learned to fly the P–51 Mustang and served bravely in the military until 1947 when he left with the rank of second lieutenant. After graduation from Hampton University in Virginia, he relocated to Tampa in 1950. In Tampa, Lt. Henry Bohler ran his own business as an electrician for over 30 years until his retirement. He was the first African American licensed electrician in Tampa.

Lt. Bohler was with his wife and children in 1960 when they were turned away from the Lowry Park Zoo. As Zoo employees explained, his family was being turned away for no other reason than the color of their skin. Lt. Bohler took the city of Tampa to court and subsequently faced a lengthy trial. In the two years prior to his court decision, he was often targeted for harassment as he was routinely pulled over by police. On the day of his court decision, he was pulled over by police five times. It truly was a historic day for the City of Tampa when the judge ordered all parks and recreational facilities must be desegregated.

Friends admired his spirit, his work in the community, and his pride in his military service. Lt. Bohler never missed a Tuskegee Airmen convention and would fly his own Piper Archer to several convention locations throughout the country. He was proud of his membership in the group and he still serves as an inspiration to the pilots of today. His walls are adorned with the awards and medals he received from schools and other organizations for his contributions to the community as well as his membership in the Tuskegee Airmen.

The entire Tampa community honors and remembers the life of Lt. Henry Bohler, Retired, and we offer our condolences to his wife, Clifford Marie, his sons, George and Henry Jr., and his daughter, Pamela, as well as his seven grandchildren and two great-grandchildren. Lt. Henry Bohler, Retired, will continue to be remembered as a pioneer in the sky as well as for equality for his fellow citizens.

TRIBUTE TO UNITED STATES CAPITOL HISTORICAL SOCIETY

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. BERMAN. Madam Speaker, I rise today to pay tribute to the United States Capitol Historical Society, which is celebrating 45 years of History and Service to the United States Capitol.

Congressman Fred Schwengel, Senator Hubert Humphrey, and a group of fifteen other Members of Congress, historians and civic and business leaders organized the United States Capitol Historical Society on July 17, 1962. Forty-five years later, the USCHS continues to fulfill its mission by teaching the public about the founding, growth and significance of the Capitol of the United States as a tangible symbol of its representative form of government.

Convinced that an understanding of history was inextricably linked with responsible citizenship, the founders of the United States Capitol Historical Society adopted a mission statement committing the nonprofit, nonpartisan, educational organization o the role of ''history teacher to the nation.''

More than forty-five years after its founding, the Society continues to develop new and creative ways to bring the fascinating story of the Capitol to the public's attention. Among its tools are educational tours, scholarly symposia, observances of historic events, enhancement and preservation of the Capitol's collection of art and artifacts, sponsorship of research, the sale of publications and mementos of an historical nature, and assistance to Congressional and other Capitol offices.

The recent partnership of the USCHS with the National Archives and Old Town Trolley is particularly innovative. The Society has committed to working toward seeing every eighth grade student in the Washington, DC public schools tour ''monumental'' Washington to learn about the U.S. Constitution. This educational tour's sole purpose is to help students understand their place in American history and their role in the process of government.

Madam Speaker, I ask my colleagues to join me in honoring a great organization dedicated to preserving the history of the most recognizable symbol of representative government in the world, the United States Capitol.

FEDERAL MERIT SYSTEM REAUTHORIZATION ACT OF 2007

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. DAVIS of Illinois. Madam Speaker, I am pleased to have worked with Senator DANIEL K. AKAKA (D–Hawaii), Chairman of the Senate Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, on the ''Federal Merit System Reauthorization Act,'' (the Act) which reauthorizes the Office of Special Counsel (OSC) and the Merit System's Protection Board (MSPB) for three years. The shorter reauthorization period will allow Congress to review OSC's and MSPB's implementation of the new provisions in the Act before being reauthorized for a longer period of time.

The Act provides that OSC prescribe regulations to establish responsible and professional standards for investigating complaints; maintain open and regular communications with complainants; establish an alternate dispute resolution office in the District of Columbia; and implement procedural changes to improve agency performance. The Act also establishes a process for external investigation by the President's Counsel on Integrity and Efficiency (PCIE) when an OSC employee files a complaint alleging wrongdoing by the Special Counsel or the deputy Special Counsel. The PCIE, established by Executive Order in 1992, was formed to address integrity, economy, and effectiveness issues that transcend individual Government agencies, and increase the professional and effectiveness of Inspector General Personnel throughout the Government.

In addition, the Act clarifies that employees filing an Individual Right of Action before the MSPB (bringing a case to the MSPB if OSC has not provided relief in 120 days) need to only identify the precise personnel actions being challenged in the initial complaint to OSC and that relief was not provided by OSC. The Act provides that a complainant can file an appeal to be considered on an expedited basis if an administrative law judge denies a request to suspend/delay the alleged retaliatory action. The Act outlines procedural changes MSPB must implement to improve agency performance.

While OSC and MSPB are required to submit annual reports to Congress on its activities, the Act increases reporting requirements for both agencies in addition to requiring OSC to survey individuals who make whistleblower disclosures to OSC.

Employee rights have been weakened under this Administration. The ''Federal Merit System Reauthorization Act of 2007'' sends a strong message that whistleblower protection and employee rights are key elements of the federal civil service merit system and must be enforced.

PERSONAL EXPLANATION

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. BACHUS. Madam Speaker, on September 17, 2007, I missed votes because I was traveling to be with my oldest daughter as she gave birth to her first child, my grandchild.

MOVEON PERSONAL ATTACK ON GENERAL PATRAEUS INAPPROPRIATE

HON. JOHN J. HALL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. HALL of New York. Madam Speaker, General Petraeus is a good man and an excellent soldier, and the MoveOn advertisement's personal attack on the general was completely inappropriate. I respect the brave service, commitment and sacrifice of the men and women who wear the uniform and would never disparage them. It is disappointing that the general and the rest of our troops have been put in an impossible position by the failed policies of President Bush and I continue to believe the United States should wind down its involvement in Iraq, help bolster the Afghanistan government, and eliminate bin Laden and those who did attack us on September 11th.

SUPPORT FOR TAIWAN'S ADMISSION TO THE UNITED NATIONS

HON. MIKE FERGUSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. FERGUSON. Madam Speaker, I rise today to state my support for Taiwan's admission to the United Nations. Taiwan has been a sovereign state with a democratically-elected government since 1949 and it is only fair that they be allowed to represent their 23 million citizens in this international body. Taiwan has a steadily growing economy, a stable, democratically elected government and their own educational and legal system. They are a strong ally of the United States, and it is only right that we support them in their ongoing effort to gain U.N. membership.

THE 60TH ANNIVERSARY OF THE FREEDOM TRAIN

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. GOODLATTE. Madam Speaker, it was 60 years ago on this date—September 16, 1947—that the Freedom Train appeared to start a special journey across the United States. Contained in the railcars of the ''Spirit of 1776'' were some of the documents that form America's foundation.

During a 16-month route that carried the Freedom Train to our contiguous 48 states at that time, millions of Americans saw the rolling museum visit communities large and small. It was a time when our Nation was reminding itself of the struggles that led to its formation as well as the struggles that had come in the decades just before in the form of the Great Depression and then World War II. It was also a time during which railroads were able to showcase their still widely popular form of transit by leading a mission grounded in American pride.

The Freedom Train put more than 37,000 miles behind it during its nationwide tour. So many Americans were able to lay their eyes on original documents like the Magna Carta and the Declaration of Independence and understand just how valuable those pieces of paper were to our country's place in history.

I extend special thanks today to my constituents, John and Mary Jayne Rowe of Covington, Virginia, for their tireless work to catalog the history of the Freedom Train for generations to come. I also ask that we pay honor to the few Marine guards who will meet a reunion in a few weeks to further remember their role in protecting the Freedom Train on its special trip across our great country.

INTRODUCTION OF PROTECT AMERICANS FROM CRIMES ON CRUISE SHIPS RESOLUTION

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Ms. MATSUI. Madam Speaker, today I am introducing the Protect Americans from Crimes on Cruise Ships Resolution with many of my distinguished colleagues, including Representatives CHRIS SHAYS and CAROLYN MALONEY.

Madam Speaker, in 2007, over 12 million Americans will travel on cruise lines. Unfortunately, few of these vacationing ''cruisers'' fully appreciate their potential vulnerability to crime while on an ocean voyage. Citizens who are victimized often do not know their legal rights or who to contact for help in the immediate aftermath of the crime.

In recent years, the media has reported on a number of high profile cases of passengers falling overboard, passengers gone missing and passengers being raped and sexually assaulted. Sadly, many of these cases remain unresolved. Worse yet, many cases go unreported because there is no industry reporting mechanism.

My involvement in this issue began after a young woman from my district, Laurie Dishman, came to me for assistance after she had been a victim of a violent crime on a cruise ship. Laurie shared her shocking story with me in a letter one year ago.

As a passenger on board the *Vision of the Seas,* a ship operated by Royal Caribbean, Laurie was raped by a crew member. One of the most disturbing aspects of Laurie's case is that the cruise ship on which she was raped was short security staff. As a result, the cruise line promoted someone with no training to perform security personnel duties. If a real security guard had been aboard, Laurie may have been spared her awful ordeal. The tragedy that ensued is something that Laurie will never forget.

The story of her experience on the ship was shocking enough. Unfortunately, I soon learned that was only the beginning. Laurie wrote me to tell me she was having difficulty getting a response to her request for information about the incident from the cruise line. As I began looking into the matter, a number of red flags were raised regarding the handling of

Laurie's particular case. These include the FBI's decision not to have a polygraph test of the crewmember and the cruise line's decision to withhold Laurie's own medical information.

These incidents beg the question: what is the process when a crime is committed on a cruise line and what recourse do passengers have? The more I have inquired, the more I have been alarmed that there is no shortage of cases of: rape, sexual assaults of minors, alcohol related fighting and abuse, and persons overboard.

Even more troubling, most of these incidents have not been fully resolved or prosecuted. I have also learned that there have been no convictions for rape cases on cruise lines in four decades, a statistic that takes a new meaning through the lens of Ms. Dishman's experience.

As a result of continued cases of victims of crimes on the high seas, and with the much appreciated leadership of Chairman CUMMINGS, the Subcommittee on Coast Guard and Maritime Transportation held a hearing on this important issue in March, 2007. The hearing showed numerous discrepancies between the experience sold by cruise lines and the real experience on board these ships. In addition, the hearing highlighted how crime numbers reported to Congress in a previous hearing are radically different from the cruise industry's internal crime statistics.

The result of our hearing, combined with numerous and unending media reports of crimes on cruise ships, point to the need for increased safety and security for these passengers. Prevention can be an important tool, and we all know that prevention starts with making people aware of the potential for a crime to occur. It is time for Congress to acknowledge formally this ongoing problem and to ensure that Americans are informed, aware and safe. The Resolution I am introducing today will do just that.

The resolution acknowledges:

The lack of federal regulation overseeing crime reporting by the cruise industry;

The absence of law enforcement officials on ocean voyages;

That without a law enforcement official, cruise officials are essentially responsible for collection and preserving a crime scene;

Most cruise ships are registered under the laws of another country;

Perpetrators of sexual violence and other violent crimes on cruise ships are rarely brought to justice; and

Consumers who book a cruise generally do not receive information at the point of sale about their legal rights as a cruise passenger and who to contact for help in the event a crime occurs during their voyage.

And Resolves that:

The members of the International Cruise Victims Association, the National Center for Victims of Crime, and the Rape, Abuse & Incest National Network are to be commended for their leadership in highlighting the problem of crimes against American citizens on cruise ships;

Americans who are victims of crime on a cruise ship should have access to justice, and necessary steps should be taken to ensure that the perpetrators of such crimes are brought to justice;

The cruise industry should provide comprehensive information to passengers about security risks and maintain necessary security personnel on each ship; and

Congress should provide oversight to ensure the safety and security of American passengers.

Madam Speaker, nearly all cruise ships operate under a foreign flag. U.S. citizens who are victimized onboard cruise ships often do not know their legal rights or who to contact for help in the immediate aftermath of crimes. Cruises operate in a legal vacuum, where a lack of accountability empowers predators and obstructs their victims' pursuit of justice. That is an unacceptable situation, made worse by the cruise lines' own efforts to avoid scrutiny of and accountability for their own handling of the security of their passengers.

My hope is that with increased Congressional involvement that the cruise lines finally take these crimes seriously and enact necessary reforms. The Resolution acknowledges the ongoing safety concerns and will help ensure that the millions of men, women and children who cruise each year are informed, aware and safe on cruise ships. This resolution is supported by the Women's Caucus and Victim's Rights Caucus, and I would urge all of my colleagues to cosponsor this important Resolution.

IN MEMORY OF MICHAEL YARBROUGH

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. ROSS. Madam Speaker, I rise today to honor Sergeant Michael Yarbrough of Glen Rose, Arkansas, who died on September 6, 2007, fighting for our country in Iraq while supporting Operation Iraqi Freedom. He was 24 years old when he selflessly gave his life for his country during combat operations.

Sergeant Yarbrough's deep sense of unity and teamwork led him to honorably serve his country as a United States Marine. Having completed 2 tours of duty, Sergeant Yarbrough volunteered to return to Iraq in place of a soldier whose wife was pregnant. This gesture of selflessness encapsulated the spirit of this young man as he was always thinking of others before himself.

Sergeant Yarbrough joined the Marines in January of 2002, and his proud service will continue to live on and serve as an inspiration to the many soldiers who knew him and fought alongside him in combat. He was a Marine in the 3rd Assault Amphibian Battalion, 1st Marine Division, 1st Marine Expeditionary Force. His bravery and courage as a Marine was exemplified by his numerous awards and military decorations, including the Purple Heart Medal.

Sergeant Michael Yarbrough gave his life to serve our country and he will forever be remembered as a hero, a husband, a son and a friend. My deepest condolences go out to his wife Mary Ann Yarbrough; his mother, Rhonda Kidder and his father Jerry Yarbrough; his 2 sisters Misty Hutcheson and Christy Smith; and to his numerous aunts, uncles, nieces and nephews. He will be missed by his family, his community, his country and all those who knew him. On this 17th day of September, which would have been Sergeant Yarbrough's 25th birthday, I honor him for his service and will continue to keep his family in my deepest thoughts and prayers.

CLIMATE CHANGE AND ITS EFFECTS ON OUR PLANET

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. MCINTYRE. Madam Speaker, I rise today to speak about climate change and concerns that I share with many Americans about its effects on our planet. The Industrial Revolution ushered in a new world of economic opportunity and prosperity in this country, but with that also came major changes to the composition of the Earth's atmosphere.

For the past 200 years, the burning of fossil fuels, such as coal and oil, and deforestation have caused the concentrations of heat-trapping greenhouse gases to increase significantly in our atmosphere. As the concentrations of these gases continue to increase, the Earth's temperature is rising to record levels. According to NOAA and NASA data, the Earth's average surface temperature has increased by about 1.2 to 1.4 degrees Fahrenheit since 1900. The warmest global average temperatures on record have all occurred during the last 15 years, with 1998 and 2005 being the hottest. And we all know how extremely hot this past August was—one of the hottest months on record in many parts of the country.

If greenhouse gases continue to increase, climate models predict that the average temperature of the Earth's surface could increase from 2.5 to 10.4 degrees Fahrenheit above 1990 levels by the end of this century. This phenomenon of climate change may be a reason for many environmental issues facing our world today. Whether it's melting polar ice caps, devastating floods, shriveling droughts, or sea level rise, every area of the globe has the potential to be affected by the impacts of global warming.

The contributing factors to global warming are many and are not concentrated from one source. Emissions come from power plants, vehicles, industrial processes, agriculture, forestry, and other land use, and waste management. If we are to be successful in curbing our greenhouse gas emissions, we must institute an economy-wide application to protect our environment while not dislocating any vital economic sectors.

Working to reduce the contributing factors of climate change also has the strong potential of helping the U.S. reduce its dependence on foreign oil. New technologies are constantly being developed for alternative fuels and other petroleum-based products. It is important that we move forward with a balanced approach to both energy independence and emissions reduction that takes into account impacts to both the environment and the economy.

HONORING U.S. ARMY SPECIALIST MARISOL HEREDIA

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Ms. SOLIS. Madam Speaker, I rise to pay tribute to Specialist Marisol Heredia who died of injuries suffered while serving in Iraq. Specialist Heredia was a member of the U.S.

Army's 15th Brigade Support Battalion, 1st Calvary Division, deployed from Fort Hood, Texas.

Specialist Marisol Heredia was from El Monte, California. She was born on September 16, 1987. She received a public school education and attended Mountain View High School, where she was a dedicated student who graduated half a year earlier than her class.

For love of country and out of admiration for her older sister who served in the U.S. military, Specialist Heredia joined the United States Army in July, 2005. Specialist Marisol Heredia was deployed last October to serve her first tour of duty in Iraq. On July 18, 2007 a vehicle she was fueling caught on fire in Baghdad, Iraq. She was evacuated to Brooke Army Medical Center in Fort Sam Houston, Texas, for treatment, but passed away on September 7, 2007 as a result of her injuries.

Specialist Heredia served this country with courage, pride and loyalty. She gave the ultimate sacrifice to our country and for that we will be forever grateful to her and her family. She was buried yesterday on what would have been her 20th birthday. My prayers and deepest sympathy go out to her family and friends.

She is survived by her 3 sisters, as well as her mother and stepfather who were deeply touched by her kind heart and gentle strength.

PERSONAL EXPLANATION

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. THOMPSON of California. Madam Speaker, unfortunately, I was unable to travel to Washington, DC for votes on September 10, 2007.

However, I would like the record to reflect that I would have recorded ''yes'' for that day's recorded votes. They included:

(1) H. Res. 257—Supporting the goals and ideals of Pancreatic Cancer Awareness Month, and;

(2) H. Res. 643—Recognizing September 11 as a day of rememberance, extending sympathies to those who lost their lives on September 11, 2001, and their families, honoring the heroic actions of our nation's first responders and Armed Forces, and reaffirming the commitment to defending the people of the United States against any and all future challenges.

TRIBUTE TO BISHOP EDWARD SMITH

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 17, 2007

Mr. CLYBURN. Madam Speaker, I rise today to pay tribute to a spiritual leader whose commitment to his congregation and to his church spans half of a century. Bishop Edward Smith, dedicated pastor of the Progressive Church of Our Lord Jesus Christ, celebrates his 50th anniversary in the ministry this year. A beacon for hope in times of sorrow and an inspiring figure in times of celebration, Bishop Smith has faithfully and prayerfully served the Denmark community. I congratulate Bishop Smith on this significant milestone in his ministry.

In the Book of Micah we find the question, ''What does the Lord require of you, but to act justly, to love mercy, and to walk humbly with your God?'' Bishop Smith has certainly answered with an adherence to that biblical admonition. He began his service in 1957. Bishop Joseph Williams appointed the then Elder Smith as the new pastor of Progressive Church following the resignation of Elder Collins. In accepting this challenge, Bishop Smith said, ''The Lord saved me for service and if this is where I am to serve, here am I Lord use me.'' And so, with the Apostle Peter as his example, Bishop Smith sold his home in Columbia, South Carolina and went to Denmark to build a house for the Lord.

By fall 1959, Bishop Smith moved his church from Blackville, South Carolina to a storefront in Denmark, South Carolina, increasing his congregation from six to fifteen. With the power of faith, the force of hammers, and Bishop Smith as their guide, seven months of construction later, February 1963, there stood a new church on East Haynes Street.

Over the course of the 46 years that followed, he presided over an expansion that included a Progressive Child Development Center established in 1986, and the purchase of a sixteen acre track of land on Progressive Way, where Bishop Smith envisions a new K–12 school and efficiency apartments for the elderly. Today, the Progressive Church in Denmark attracts congregants from five neighboring counties.

Madam Speaker, I ask you and my colleagues to join me in congratulating Bishop Edward Smith on his 50th Anniversary. Like his spiritual guide, Saint Peter, he has established a strong house for God. In addition, this vibrant and devoted civic leader has enriched the lives of many in Denmark, South Carolina. I commend his steadfastness on behalf of ''the least of these'' and I applaud Bishop Edward Smith for his half century of public service.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, September 18, 2007 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 19

9:30 a.m.
Foreign Relations
To hold hearings to examine the nominations of Robin Renee Sanders, of New York, to be Ambassador to the Federal Republic of Nigeria, Barry Leon Wells, of Ohio, to be Ambassador to the Republic of The Gambia, Mark M. Boulware, of Texas, to be Ambassador to the Islamic Republic of Mauritania, James D. McGee, of Florida, to be Ambassador to the Republic of Zimbabwe, and Ronald K. McMullen, of Iowa, to be Ambassador to the State of Eritrea.
SD–419

Indian Affairs
To hold hearings to examine the process of federal recognition of Indian tribes.
SD–628

Rules and Administration
To hold a hearing to examine S. 1905, to provide for a rotating schedule for regional selection of delegates to a national Presidential nominating convention.
SR–301

Veterans' Affairs
To hold hearings to examine the current state of affairs for information technology with the Department of Veterans Affairs.
SD–562

Joint Economic Committee
To hold hearings to examine the evolution of an economic crisis, focusing on the subprime lending disaster and the threat to the broader economy.
SH–216

10 a.m.
Banking, Housing, and Urban Affairs
Business meeting to mark up S. 1518, to amend the McKinney-Vento Homeless Assistance Act to reauthorize the Act, and H.R. 835, to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians, and an original bill entitled, ''FHA Modernization Act of 2007''.
SD–538

Environment and Public Works
Transportation Safety, Infrastructure Security, and Water Quality Subcommittee
To hold hearings to examine America's wastewater infrastructure needs in the 21st century.
SD–406

10:30 a.m.
Aging
To hold hearings to examine preparing for the digital television transition, focusing on how senior citizens will be affected.
SD–106

2:30 p.m.
Judiciary
To hold hearings to examine the ''material support to terrorist organizations'' bar to admission to asylum and resettlement in the United States, focusing on the denial of refuge to the persecuted.
SD–226

3 p.m.
Foreign Relations
International Operations and Organizations, Democracy and Human Rights Subcommittee
To hold hearings to examine the Everglades, focusing on protecting natural treasures through international organizations.
SD–419

SEPTEMBER 20

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation by the American Legion.
345, Cannon Building

9:55 a.m.
Environment and Public Works
Business meeting to consider S. 589, to provide for the transfer of certain Federal property to the United States Paralympics, Incorporated, a subsidiary of the United States Olympic Committee, and General Services Administration resolutions.
SD–406

10 a.m.
Environment and Public Works
To hold an oversight hearing to examine the condition of our Nation's bridges.
SD–406

Finance
To hold hearings to examine a review of bank treatment of social security benefits.
SD–215

Small Business and Entrepreneurship
To hold hearings to examine expanding opportunities for women entrepreneurs, focusing on the future of women's small business programs.
SR–428A

2:30 p.m.
Homeland Security and Governmental Affairs
Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee
To hold hearings to examine the Office of Management and Budget's oversight on ongoing information systems projects, focusing on the efficacy of the management practices used by agencies to ensure the success of the projects.
SD–342

Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine S. 1143, to designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape System, S. 2034, to amend the Oregon Wilderness Act of 1984 to designate the Copper Salmon Wilderness and to amend the Wild and Scenic Rivers Act to designate segments of the North and South Forks of the Elk River in the State of Oregon as wild or scenic rivers, S. 1377, to direct the Secretary of the Interior to convey to the City of Henderson, Nevada, certain Federal land located in the City, S. 1608 and H.R. 815, bills to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard, S. 1740, to amend the Act of February 22, 1889, and the Act of July 2, 1862, to provide for the management of public land trust funds in the State of North Dakota, S. 1802, to adjust the boundaries of the Frank Church River of No Return Wilderness in the State of Idaho, S. 1939, to provide for the conveyance of certain land in the Santa Fe National Forest, New Mexico, S. 1940, to reauthorize the Rio Puerco Watershed Management Program, and S. 1433, to amend the Alaska National Interest Lands Conservation Act to provide competitive status to certain Federal employees in the State of Alaska.
SD–366

Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

SEPTEMBER 24

3 p.m.
Energy and Natural Resources
To hold an oversight hearing to examine scientific assessments of the impacts of global climate change on wildfire activity in the United States.
SD–366

SEPTEMBER 25

9:30 a.m.
Judiciary
To hold hearings to examine strengthening the Foreign Intelligence Surveillance Act (FISA).
SD–226

Veterans' Affairs
To hold oversight hearings to examine Persian Gulf War research.
SD–562

10 a.m.
Energy and Natural Resources
To hold hearings to examine S. 1756, to provide supplemental ex gratia compensation to the Republic of the Marshall Islands for impacts of the nuclear testing program of the United States.
SD–366

2:30 p.m.
Judiciary
To hold hearings to examine pending judicial nominations.
SD–226

SEPTEMBER 26

10 a.m.
Energy and Natural Resources
To hold hearings to examine S. 1543, to establish a national geothermal initiative to encourage increased production of energy from geothermal resources.
SD–366

2:30 p.m.
Judiciary
To hold hearings to examine the nomination of Michael J. Sullivan, of Massachusetts, to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives.
SD–226

SEPTEMBER 27

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine hard-rock mining on federal lands.
SD–366

Veterans' Affairs
To hold hearings to examine the nomination of Paul J. Hutter, of Virginia, to be General Counsel, Department of Veterans Affairs.
SD–562

2:30 p.m.
Foreign Relations
To hold hearings to examine the United Nations Convention on the Law of the Sea (T. Doc. 103–39).
SD–419

Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine S. 128, to amend the Cache La Poudre River Corridor Act to designate a new management entity, make certain technical and conforming amendments, enhance private property protections, S. 148, to establish the Paterson Great Falls National Park in the State of New Jersey, S. 189, to decrease the matching funds requirements and authorize additional appropriations for Keweenaw National Historical Park in the State of Michigan, S. 697, to establish the Steel Industry National Historic Site in the State of Pennsylvania, S. 1341, to provide for the exchange of certain Bureau of Land Management land in Pima County, Arizona, S. 1476, to authorize the Secretary of the Interior to conduct special resources study of the Tule Lake Segregation Center in Modoc County, California, to determine suitability and feasibility of establishing a unit of the National Park System, S. 867, to adjust the boundary of Lowell National Historical Park, S. 1709 and H.R. 1239, bills to amend the National Underground Railroad Network to Freedom Act of 1998 to provide additional staff and oversight of funds to carry out the Act, S. 1808, to authorize the exchange of certain land in Denali National Park in the State of Alaska, and S. 1969, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating Estate Grange and other sites related to Alexander Hamilton's life on the island of St. Croix in the United States Virgin Islands as a unit of the National Park System.
SD–366

Daily Digest
Senate

Chamber Action

Routine Proceedings, pages S11535–S

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 2051–2058, and S. Con. Res. 45–46. **Pages S11585–86**

Measures Reported:

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 an historical interpretive site along the trail, with amendments. (S. Rept. No. 110–156)

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, with amendments. (S. Rept. No. 110–157)

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. Rept. No. 110–158)

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, with an amendment in the nature of a substitute. (S. Rept. No. 110–159)

S. 1203, to enhance the management of electricity programs at the Department of Energy. (S. Rept. No. 110–160)

S. 1728, to amend the National Parks and Recreation Act of 1978 to reauthorize the Na Hoa Pili O Kaloko-Honokohau Advisory Commission. (S. Rept. No. 110–161)

H.R. 85, to provide for the establishment of centers to encourage demonstration and commercial application of advanced energy methods and technologies. (S. Rept. No. 110–162)

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. (S. Rept. No. 110–163)

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. (S. Rept. No. 110–164)

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. (S. Rept. No. 110–165)

H. Con. Res. 116, expressing the sense of Congress that the National Museum of Wildlife Art, located in Jackson, Wyoming, shall be designated as the ''National Museum of Wildlife Art of the United States''. (S. Rept. No. 110–166)

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, with an amendment in the nature of a substitute. (S. Rept. No. 110–167)

S. 278, to establish a program and criteria for National Heritage Areas in the United States, with an amendment in the nature of a substitute. (S. Rept. No. 110–168)

S. 289, to establish the Journey Through Hallowed Ground National Heritage Area, with an amendment in the nature of a substitute. (S. Rept. No. 110–169)

S. 443, to establish the Sangre de Cristo National Heritage Area in the State of Colorado, with an amendment in the nature of a substitute. (S. Rept. No. 110–170)

S. 444, to establish the South Park National Heritage Area in the State of Colorado, with an amendment in the nature of a substitute. (S. Rept. No. 110–171)

S. 647, to designate certain land in the State of Oregon as wilderness, with an amendment in the nature of a substitute. (S. Rept. No. 110–172)

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, with an

amendment in the nature of a substitute. (S. Rept. No. 110–173)

S. 800, to establish the Niagara Falls National Heritage Area in the State of New York, with an amendment in the nature of a substitute. (S. Rept. No. 110–174)

S. 817, to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide additional authorizations for certain National Heritage Areas, with an amendment in the nature of a substitute. (S. Rept. No. 110–175)

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, with an amendment in the nature of a substitute. (S. Rept. No. 110–176)

S. 955, to establish the Abraham Lincoln National Heritage Area, with an amendment in the nature of a substitute. (S. Rept. No. 110–177)

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, with an amendment in the nature of a substitute. (S. Rept. No. 110–178)

S. 1148, to establish the Champlain Quadricentennial Commemoration Commission and the Hudson-Fulton 400th Commemoration Commission, with an amendment in the nature of a substitute. (S. Rept. No. 110–179)

H.R. 1100, to revise the boundary of the Carl Sandburg Home National Historic Site in the State of North Carolina. (S. Rept. No. 110–180)

H.R. 1126, to reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988. (S. Rept. No. 110–181)

Page S11585

Measures Considered:

National Defense Authorization Act: Senate resumed consideration of 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, taking action on the following amendments proposed thereto: **Pages S11541–69**

Adopted:

Levin/McCain Modified Amendment No. 2174, to provide, with an offset, $59,041,000 for other procurement for the Army for the General Fund Enterprise Business System of the Army. **Page S11543**

Levin Amendment No. 2175, to modify the requirements on the Defense Science Board Review of the Department of Defense policies and procedures for the acquisition of information technology. **Page S11543**

Levin (for Sessions) Amendment No. 2168, to express the sense of Congress on the procurement program for the KC–X tanker aircraft. **Page S11543**

Levin (for Clinton) Amendment No. 2108, to require a report on the planning and implementation of the policy of the United States towards Darfur. **Pages S11543–44**

Levin (for Hagel) Amendment No. 2015, to provide for additional members on the Department of Defense Military Family Readiness Council. **Page S11544**

Levin (for Chambliss/Pryor) Amendment No. 2050, to require a report on surveys of patient satisfaction at military treatment facilities. **Page S11544**

Levin (for Bingaman) Amendment No. 2120, to require an additional element in the management plan for the Joint Improvised Explosive Device Defeat Fund. **Page S11544**

Levin (for Harkin) Amendment No. 2056, to provide support and assistance for families of members of the Armed Forces who are undergoing deployment. **Page S11544**

Levin (for Sessions/Shelby) Amendment No. 2147, to authorize the Air University to confer additional academic degrees. **Page S11545**

Levin (for Clinton) Amendment No. 2047, to specify additional individuals eligible to transportation for survivors of deceased members of the Armed Forces to attend their burial ceremonies. **Page S11545**

Levin (for Coleman) Amendment No. 2117, to revise the authorized variances on end strengths authorized for Selected Reserve personnel. **Page S11545**

Levin (for McCain) Amendment No. 2190, to designate the positions of Principal Military Deputy to the Assistant Secretaries of the military departments for acquisition matters as critical acquisition positions. **Page S11545**

Levin (for Reed/Collins) Amendment No. 2199, to require a Comptroller General assessment of the Defense Experimental Program to Stimulate Competitive Research. **Page S11545**

Levin (for Gregg/Boxer) Amendment No. 2203, to express the sense of Congress on family care plans and the deployment of members of the Armed Forces who have minor dependents. **Page S11545**

Levin (for Inhofe) Amendment No. 2201, to amend the American Servicemembers' Protection Act of 2002 to repeal the limitations on providing United States military assistance to parties to the International Criminal Court. **Page S11545**

Levin (for Inhofe) Amendment No. 2200, to prescribe that members of the Armed Forces and veterans out of uniform may render the military salute during hoisting, lowering, or passing of the flag. **Page S11546**

Levin (for Gregg) Amendment No. 2112, to require studies on support services for families of members of the Active and Reserve Components who are undergoing deployment. **Page S11546**

Levin (for Voinovich) Amendment No. 2099, to extend the date on which the National Security Personnel System will first apply to certain defense laboratories. **Page S11546**

Levin/McCain Amendment No. 2212, to authorize the Secretary of Defense to provide for the protection of certain individuals. **Pages S11546–47**

Levin (for Clinton/Whitehouse) Amendment No. 2222, to prevent nuclear terrorism. **Pages S11547–48**

Levin (for Warner/Webb) Modified Amendment No. 2230, relative to limitation on assistance to the government of Thailand. **Page S11548**

Levin (for Salazar/Sessions) Modified Amendment No. 2234, to provide authority for Department of Defense to provide support for certain sporting events. **Page S11548**

Levin (for Webb/Warner) Amendment No. 2272, to extend and modify the authorities on Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack. **Page S11548**

Levin (for Sessions) Amendment No. 2220, to authorize the payment of inactive duty training travel costs for certain Selected Reserve members. **Page S11549**

Levin (for Kohl/Warner) Amendment No. 2276, to require a report on the implementation of the green procurement policy of the Department of Defense. **Page S11549**

Levin (for Cornyn/Dole) Amendment No. 2257, to provide that the study on the national security interagency system shall focus on improving interagency cooperation in post-conflict contingency relief and reconstruction operations. **Page S11549**

Levin (for Akaka) Amendment No. 2281, to require a report on the control of the brown tree snake. **Pages S11549–50**

Levin (for McCaskill) Amendment No. 2250, to provide for a review of licensed mental health counselors, social workers, and marriage and family therapists under the TRICARE program. **Page S11550**

Levin (for Menendez) Amendment No. 2254, to require a Department of Defense Inspector General report on physical security of Department of Defense installations. **Page S11550**

Levin (for Durbin) Amendment No. 2268, to provide for an increase in the number of nurses and faculty. **Pages S1150–51 S11557–58**

Levin (for Sessions) Amendment No. 2292, to provide for continuity and efficiency of the depot operations of the Department of Defense to reset combat equipment and vehicles in support of the wars in Iraq and Afghanistan **Page S11551**

Levin (for Dole) Amendment No. 2305, to require a report on counternarcotics assistance for the Government of Haiti. **Pages S11551–52**

Levin (for Coleman/Klobuchar) Amendment No. 2216, relating to satisfaction by members of the National Guard and Reserve on active duty of applicable professional licensure and certification requirements. **Page S11552**

Levin (for Biden) Amendment No. 2309, to require a report on the airfield in Abeche, Chad, and other resources needed to provide stability in the Darfur region. **Page S11552**

Levin (for Schumer) Amendment No. 2308, to authorize, with an offset, an additional $162,800,000 for Drug Interdiction and Counter-Drug Activities, Defense-wide, to combat the growth of poppies in Afghanistan, to eliminate the production and trade of opium and heroin, and to prevent terrorists from using the proceeds for terrorist activities in Afghanistan, Iraq, and elsewhere. **Page S11552**

Levin (for Salazar) Amendment No. 2310, to express the sense of Congress regarding Department of Defense actions to address the encroachment of military installations. **Page S11552**

Levin (for McCaskill/Collins) Amendment No. 2617, to provide further protection for contractor employees from reprisal for disclosure of certain information. **Page S11553**

Levin (for Hatch/Crapo) Amendment No. 2313, to commend the founder and members of Project Compassion. **Page S11553**

Levin (for Chambliss) Amendment No. 2863, to express the sense of the Senate on collaborations between the Department of Defense and the Department of Veterans Affairs on health care for wounded warriors. **Pages S11553–54**

Levin (for Chambliss) Amendment No. 2282, to establish a National Guard yellow ribbon integration program. **Page S11554**

Levin (for Bingaman) Amendment No. 2210, to modify a reporting requirement. **Pages S11554–55**

Levin (for Cantwell) Amendment No. 2291, to require a report on the search and rescue capabilities of the Air Force in the northwestern United States. **Page S11555**

Levin (for Brown) Amendment No. 2096, to require a comprehensive accounting of the funding required to ensure that the plan for implementing the final recommendations of the 2005 Defense Base Closure and Realignment Commission remains on schedule. **Page S11555**

Levin (for Dorgan) Amendment No. 2315, to authorize a land conveyance at the Lewis and Clark United States Army Reserve Center, Bismarck, North Dakota. **Page S11555**

Levin (for Dodd) Amendment No. 2176, to require the Comptroller General of the United States to review the application of certain authorities under the Defense Production Act of 1950. **Pages S11555–56**

Levin (for Cardin) Amendment No. 2326, to grant a Federal charter to the Korean War Veterans Association, Incorporated. **Page S11556**

Levin (for Pryor) Amendment No. 2263, to enhance the availability of rest and recuperation leave. **Page S11556**

Levin (for Chambliss) Amendment No. 2294, to require the Secretary of Defense to submit a plan to ensure the appropriate size of the Department of Defense acquisition workforce. **Pages S11556–57**

Levin Modified Amendment No. 2277, to require a report on water conservation projects. **Page S11557**

Levin (for McConnell) Amendment No. 2862, to authorize to be increased by up to $49,300,000 the amount authorized to be appropriated for the construction of munitions demilitarization facilities at Blue Grass Army Depot, Kentucky, and Pueblo Chemical Depot, Colorado, and to ensure the timely destruction of lethal chemical agents and munitions. **Page S11557**

Withdrawn:

Levin Amendment No. 2087 (to Amendment No. 2011), to provide for a reduction and transition of United States forces in Iraq. **Pages S11558–59**

Reed Amendment No. 2088 (to Amendment No. 2087), to change the enactment date. **Pages S11558–59**

Dodd (for Levin) Amendment No. 2274 (to the language proposed to be stricken by Amendment No. 2011), to provide for a reduction and transition of United States forces in Iraq. **Pages S11558–59**

Levin Amendment No 2275 (to Amendment No. 2274), to provide for a reduction and transition of United States forces in Iraq. **Pages S11558–59**

Pending:

Nelson (NE) (for Levin) Amendment No. 2011, in the nature of a substitute. **Page S11541**

Levin (for Specter/Leahy) Amendment No. 2022, to restore habeas corpus for those detained by the United States. **Pages S11542–43, S11559**

Warner (for Graham/Kyl) Amendment No. 2064, to strike section 1023, relating to the granting of civil rights to terror suspects. **Pages S11559–69**

A motion was entered to close further debate on Levin (for Specter/Leahy) Amendment No. 2022 (listed above), and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, September 19, 2007. **Page S11569**

Rate Payer Recovery Act—Referral Agreement: A unanimous-consent agreement was reached providing that the Committee on Environment and Public Works be discharged from further consideration of S. 2006, to provide for disaster assistance for power transmission and distribution facilities, and the bill then be referred to the Committee on Homeland Security and Governmental Affairs. **Page S11614**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the status of each of the 18 Iraqi benchmarks, as received during recess of the Senate on September 14, 2007; which was referred to the Committee on Foreign Relations. (PM–25) **Pages S11576–77**

Petitions and Memorials: **Pages S11577–85**

Additional Cosponsors: **Pages S11586–88**

Statements on Introduced Bills/Resolutions: **Pages S11588–S11603**

Additional Statements: **Pages S11575–76**

Amendments Submitted: **Pages S11603–14**

Notices of Hearings/Meetings: **Page S11614**

Adjournment: Senate convened at 2 p.m. and adjourned at 7:12 p.m., until 10 a.m. on Tuesday, September 18, 2007. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S11614.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 3539–3557; and 10 resolutions, H. Con. Res. 210–212; and H. Res. 651–657 were introduced. **Pages H10432–34**

Additional Cosponsors: **Pages H10434–35**

Reports Filed: Reports were filed today as follows:

Supplemental report on H.R. 1852, to modernize and update the National Housing Act and enable the Federal Housing Administration to use risk-based pricing to more effectively reach underserved borrowers (H. Rept. 110–217, Pt. 2);

H. R. 2698, to authorize appropriations for the civil aviation research and development projects and activities of the Federal Aviation Administration, with an amendment (H. Rept. 110–329);

H. Res. 650, providing for consideration of the bill (H.R. 1852) to modernize and update the National Housing Act and enable the Federal Housing Administration to use risk-based pricing to more effectively reach underserved borrowers (H. Rept. 110–330); and

H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes, with an amendment (H. Rept. 110–331). **Page H10432**

Speaker: Read a letter from the Speaker wherein she appointed Representative Ruppersberger to act as Speaker Pro Tempore for today. **Page H10371**

Recess: The House recessed at 12:31 p.m. and reconvened at 2:00 p.m. **Page H10371**

Presidential Message: Read a message from the President wherein he transmitted a report that assesses the status of each of the 18 Iraqi benchmarks contained in Public Law 110–28 and declares whether satisfactory progress toward meeting these benchmarks is, or is not, being achieved—referred to the Committee on Armed Services and the Committee on Foreign Affairs and ordered printed (H. Doc. 110–58). **Page H10372**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Congratulating scientists F. Sherwood Rowland, Mario Molina, and Paul Crutzen for their work in atmospheric chemistry, particularly concerning the formation and decomposition of ozone, that led to the development of the Montreal Protocol on Substances that Deplete the Ozone Layer: H. Res. 593, to congratulate scientists F. Sherwood Rowland, Mario Molina, and Paul Crutzen for their work in atmospheric chemistry, particularly concerning the formation and decomposition of ozone, that led to the development of the Montreal Protocol on Substances that Deplete the Ozone Layer; **Pages H10372–73**

Establishing a Science and Technology Scholarship Program to award scholarships to recruit and prepare students for careers in the National Weather Service and in National Oceanic and Atmospheric Administration marine research, atmospheric research, and satellite programs: H.R. 1657, to establish a Science and Technology Scholarship Program to award scholarships to recruit and prepare students for careers in the National Weather Service and in National Oceanic and Atmospheric Administration marine research, atmospheric research, and satellite programs, by a 2/3 yea-and-nay vote of 360 yeas to 16 nays, Roll No. 868; **Pages H10373–75, H10407**

Extending for two months the authorities of the Overseas Private Investment Corporation: H.R. 3527, to extend for two months the authorities of the Overseas Private Investment Corporation, by a 2/3 yea-and-nay vote of 347 yeas to 30 nays, Roll No. 869; **Pages H10384, H10407–08**

Providing authority to the Peace Corps to provide separation pay for host country resident personal services contractors of the Peace Corps: H.R. 3528, to provide authority to the Peace Corps to provide separation pay for host country resident personal services contractors of the Peace Corps; **Pages H10384–85**

Commending the first democratic elections in Aceh, a province in Sumatra, Indonesia, and expressing support for the further democratic development and implementation of the Helsinki Memorandum of Understanding: H. Res. 238, to commend the first democratic elections in Aceh, a province in Sumatra, Indonesia, and to express support for the further democratic development and implementation of the Helsinki Memorandum of Understanding; **Pages H10391–93**

Expressing the sense of the House of Representatives that the Government of the People's Republic of China should immediately release from custody the children of Rebiya Kadeer and Canadian citizen Huseyin Celil and should refrain from further engaging in acts of cultural, linguistic, and

religious suppression directed against the Uyghur people: H. Res. 497, to express the sense of the House of Representatives that the Government of the People's Republic of China should immediately release from custody the children of Rebiya Kadeer and Canadian citizen Huseyin Celil and should refrain from further engaging in acts of cultural, linguistic, and religious suppression directed against the Uyghur people; **Pages H10393–95**

Recognizing the 50th anniversary of Malaysia's independence: H. Res. 518, amended, to recognize the 50th anniversary of Malaysia's independence; **Pages H10395–97**

Recognizing the remarkable example of Sir Nicholas Winton who organized the rescue of 669 Jewish Czechoslovakian children from Nazi death camps prior to the outbreak of World War II: H. Res. 583, to recognize the remarkable example of Sir Nicholas Winton who organized the rescue of 669 Jewish Czechoslovakian children from Nazi death camps prior to the outbreak of World War II; **Pages H10397–H10400**

Commending the actions of the Government of Germany and its cooperation with United States intelligence agencies in preventing a large-scale terrorist attack against locations in Germany, including sites frequented by Americans: H. Res. 639, amended, to commend the actions of the Government of Germany and its cooperation with United States intelligence agencies in preventing a large-scale terrorist attack against locations in Germany, including sites frequented by Americans; and **Pages H10400–01**

Awarding a Congressional Gold Medal to Michael Ellis DeBakey, M.D.: H.R. 1154, to award a Congressional Gold Medal to Michael Ellis DeBakey, M.D. **Pages H10401–06**

Supplemental Report: Agreed that the Committee on Financial Services be permitted to file a supplemental report on H.R. 1852, to modernize and update the National Housing Act and enable the Federal Housing Administration to use risk-based pricing to more effectively reach underserved borrowers. **Page H10406**

Recess: The House recessed at 4:48 p.m. and reconvened at 6:30 p.m. **Page H10406**

Suspension—Failed: The House failed to agree to suspend the rules and pass the following measure:

Regional Economic and Infrastructure Development Act of 2007: H.R. 3246, amended, to amend title 40, United States Code, to provide a comprehensive regional approach to economic and infrastructure development in the most severely economically distressed regions in the Nation, by a 2/3 yea-and-nay vote of 225 yeas to 152 nays, Roll No. 867. **Pages H10375–84, H10406–07**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed until Tuesday, September 18th:

Vietnam Human Rights Act of 2007: H.R. 3096, amended, to promote freedom and democracy in Vietnam. **Pages H10385–91**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H10435.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H10406–07, H10407, H10407–08. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:11 p.m.

Committee Meetings

EXPANDING HOMEOWNERSHIP ACT OF 2007

Committee on Rules: Granted, by a non-record vote, a structured rule. The rule provides 1 hour of general debate on H.R. 1852, Expanding Homeownership Act of 2007, divided and controlled by the Chairman and Ranking Minority Member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill except for clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Financial Services, modified by the amendment printed in Part A of the Rules Committee report, shall be considered as adopted. The bill as amended shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against provisions in the bill as amended.

The rule makes in order only those further amendments printed in Part B of the Rules Committee report. The further amendments made in order in Part B may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subjected to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments except for clauses 9 and 10 of rule

XXI are waived. The rule provides one motion to recommit with or without instruction. The rules provides that the Chair may postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard from Chairman Frank, Representatives Waters and Biggert.

TERRORISM RISK INSURANCE REVISION AND EXTENSION ACT OF 2007

Committee on Rules: Heard testimony from Chairman Frank and Representatives Brown-Waite and Buchanan, but action was deferred on H.R. 2761, The Terrorism Risk Insurance Revision and Extension Act of 1007.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D 1137)*

S.1, to provide greater transparency in the legislative process. Signed on September 14, 2007. (Public Law 110–81)

COMMITTEE MEETINGS FOR TUESDAY, SEPTEMBER 18, 2007

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: to hold an oversight hearing on the National Football League retirement system, 10 a.m., SR–253.

Committee on Finance: to hold hearings to examine breaking the methamphetamine supply chain, focusing on meeting challenges at the border, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the nomination of Christopher Egan, of Massachusetts, to be Representative of the United States of America to the Organization for Economic Cooperation and Development, with the rank of Ambassador, 2:30 p.m., SD–419.

Committee on the Judiciary: to hold hearings to examine corporate fraud prosecutions and the attorney-client privilege under the McNulty Memorandum, 10:30 a.m., SD–226.

Select Committee on Intelligence: closed business meeting to consider pending intelligence matters, 2:30 p.m., SH–219.

CONGRESSIONAL PROGRAM AHEAD

Week of September 17 through September 22, 2007

Senate Chamber

On *Tuesday* at 11 a.m., Senate will begin consideration of H.R. 1124, District of Columbia College Access Act, consider certain amendments, and after a period of debate, vote on passage of the bill. At approximately 2:15 p.m., Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of S. 1257, District of Columbia House Voting Rights Act.

On *Wednesday*, Senate will vote on the motion to invoke cloture on Levin (for Specter/Leahy) Amendment No. 2022 to H.R. 1585, National Defense Authorization Act.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Banking, Housing, and Urban Affairs: September 19, business meeting to markup S. 1518, to amend the McKinney-Vento Homeless Assistance Act to reauthorize the Act, and H.R. 835, to reauthorize the programs of the Department of Housing and Urban Development for housing assistance for Native Hawaiians, and an original bill entitled, ''FHA Modernization Act of 2007,'' 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: September 18, to hold an oversight hearing on the National Football League retirement system, 10 a.m., SR–253.

Committee on Energy and Natural Resources: September 20, Subcommittee on Public Lands and Forests, to hold hearings to examine S. 1143, to designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape System, S. 2034, to amend the Oregon Wilderness Act of 1984 to designate the Copper Salmon Wilderness and to amend the Wild and Scenic Rivers Act to designate segments of the North and South Forks of the Elk River in the State of Oregon as wild or scenic rivers, S. 1377, to direct the Secretary of the Interior to convey to the City of Henderson, Nevada, certain Federal land located in the City, S. 1608 and H.R. 815, bills to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard, S. 1740, to amend the Act of February 22, 1889, and the Act of July 2, 1862, to provide for the management of public land trust funds in the State of North Dakota, S. 1802, to adjust the boundaries of the Frank Church River of No Return Wilderness in the State of Idaho, S. 1939, to provide for the conveyance of certain land in the Santa Fe National Forest, New Mexico, S. 1940, to reauthorize the Rio Puerco Watershed Management Program, and S. 1433, to amend the Alaska National Interest Lands Conservation Act to provide competitive status to certain Federal employees in the State of Alaska, 2:30 p.m., SD–366.

Committee on Environment and Public Works: September 19, Subcommittee on Transportation Safety, Infrastructure Security, and Water Quality, to hold hearings to examine America's wastewater infrastructure needs in the 21st century, 10 a.m., SD–406.

September 20, Full Committee, business meeting to consider S. 589, to provide for the transfer of certain Federal property to the United States Paralympics, Incorporated, a subsidiary of the United States Olympic Committee, and General Service Administration resolutions, 9:55 a.m., SD–406.

September 20, Full Committee, to hold an oversight hearing to examine the condition of our nation's bridges, 10 a.m., SD–406.

Committee on Finance: September 18, to hold hearings to examine breaking the methamphetamine supply chain, focusing on meeting challenges at the border, 10 a.m., SD–215.

September 20, Full Committee, to hold hearings to examine a review of bank treatment of social security benefits, 10 a.m., SD–215.

Committee on Foreign Relations: September 18, to hold hearings to examine the nomination of Christopher Egan, of Massachusetts, to be Representative of the United States of America to the Organization for Economic Cooperation and Development, with the rank of Ambassador, 2:30 p.m., SD–419.

September 19, Full Committee, to hold hearings to examine the nominations of Robin Renee Sanders, of New York, to be Ambassador to the Federal Republic of Nigeria, Barry Leon Wells, of Ohio, to be Ambassador to the Republic of The Gambia, Mark M. Boulware, of Texas, to be Ambassador to the Islamic Republic of Mauritania, James D. McGee, of Florida, to be Ambassador to the Republic of Zimbabwe, and Ronald K. McMullen, of Iowa, to be Ambassador to the State of Eritrea, 9:30 a.m., SD–419.

September 19, Subcommittee on International Operations and Organizations, Democracy and Human Rights, to hold hearings to examine the Everglades, focusing on protecting natural treasures through international organizations, 3 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: September 20, Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine the Office of Management and Budget's oversight on ongoing information systems projects, focusing on the efficacy of the management practices use by agencies to ensure the success of the projects, 2:30 p.m., SD–342.

Committee on Indian Affairs: September 19, to hold hearings to examine the process of federal recognition of Indian tribes, 9:30 a.m., SD–628.

Committee on the Judiciary: September 18, to hold hearings to examine corporate fraud prosecutions and the attorney-client privilege under the McNulty Memorandum, 10:30 a.m., SD–226.

September 19, Full Committee, to hold hearings to examine the ''material support to terrorist organizations'' bar to admission to asylum and resettlement in the United States, focusing on the denial of refuge to the persecuted, 2:30 p.m., SD–226.

Committee on Rules and Administration: September 19, to hold a hearing to examine S. 1905, to provide for a rotating schedule for regional selection of delegates to a national Presidential nominating convention, 9:30 a.m., SR–301.

Committee on Small Business and Entrepreneurship: September 20, to hold hearings to examine expanding opportunities for women entrepreneurs, focusing on the future of women's small business programs, 10 a.m., SR–428A.

Committee on Veterans' Affairs: September 19, to hold hearings to examine the current state of affairs for information technology with the Department of Veterans Affairs, 9:30 a.m., SD–562.

September 20, Full Committee, to hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation by the American Legion, 9:30 a.m., 345, Cannon Building.

Select Committee on Intelligence: September 18, closed business meeting to consider pending intelligence matters, 2:30 p.m., SH–219.

September 20, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

Special Committee on Aging: September 19, to hold hearings to examine preparing for the digital television transition, focusing on how senior citizens will be affected, 10:30 a.m., SD–106.

House Committees

Committeee on Armed Services, September 18, Subcommittee on Oversight and Investigations, hearing on the benefits and medical care for Federal and U.S. contractor employees deployed to Iraq and Afghanistan, 10 a.m., 2212 Rayburn.

September 20, full Committee, hearing on Accountability During Contingency Operations: Preventing and Fighting Corruption in Contracting and Establishing and Maintaining Appropriate Controls on Materiel, 11:30 a.m., 2118 Rayburn.

Committee on the Budget, September 20, hearing on Using Taxpayers' Dollars Most Efficiently: Perspectives on Performance Budgeting, 10 a.m., 210 Cannon.

Committee on Education and Labor, September 18, Subcommittee on Health Families and Communities, hearing on the Juvenile Justice and Delinquency Prevention Act, 10 a.m., 2175 Rayburn.

September 18, Subcommittee on Workforce Protections, hearing on the Family and Medical Leave Act: Extending Coverage to Military Families Left at Home, 2 p.m., 2175 Rayburn.

September 19, full Committee, hearing on H.R. 1644, Re-Empowerment of Skilled and Professional Employees and Construction Tradesworkers (RESPECT) Act, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, September 18, Subcommittee on Health, hearing entitled ''Answering the Call: Medical Monitoring and Treatment of 9/11 Health Effects,'' 10 a.m., 2322 Rayburn.

September 18, Subcommittee on Oversight and Investigations, hearing entitled ''Nuclear Terrorism Prevention: Status Report on the Federal Government's Assessment of New Radiation Detection Monitors,'' 10 a.m., 2123 Rayburn.

September 19, and 20, Subcommittee on Commerce, Trade, and Consumer Protection, hearings entitled ''Protecting Children from Lead-Tainted Imports,'' 10 a.m., on September 19 and 9:30 a.m., on September 20, 2123 Rayburn.

September 19, Subcommittee on Telecommunications and the Internet, hearing entitled ''Issues in Emergency Communications: A Legislative hearing on H.R. 3403, 911 Modernization and Public Safety Act of 2007, and an Oversight hearing of the Department of Homeland Security's Office of Emergency Communications,'' 10 a.m., 2322 Rayburn.

Committee on Financial Services, September 18, to consider the following: H.R. 2868, to eliminate the exemption from State regulation for certain securities designated by national securities; H.R. 2930, Section 202 Supportive Housing for the Elderly Act of 2007; H.R. 2787, CJ's Home Protection Act of 2007; a measure to require rapid implementation of guidelines and regulations regarding the accuracy of consumer information furnished to consumer reporting agencies that were required to be established by the Fair and Accurate Credit Translations Act of 2003 and have not been implemented, to provide that the Federal Trade Commission shall take the lead in implementation of the guidelines and regulations; a measure to include all banking agencies within the existing regulatory authority under the Federal Trade Commission Act with respect to depository institutions; and to consider pending Committee business, 10 a.m., 2128 Rayburn.

September 20, hearing entitled Legislative and Regulatory Options for Minimizing and Mitigating Mortgage foreclosures,'' 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, September 18, Subcommittee on the Middle East and South Asia, hearing on U.S. Relations with Saudi Arabia: Oil, Anxiety, and Ambivalence, 1:30 p.m., 2172 Rayburn.

September 19, full Committee, hearing on Assessment of the Administration's September Report on the Status of U.S. Political and Military Efforts in Iraq, 10 a.m., 2172 Rayburn.

September 19, Subcommittee on the Western Hemisphere, hearing on U.S.-Brazil Relations, 2:30 p.m., 2172 Rayburn.

September 20, Subcommittee on Asia, the Pacific, and the Global Environment, hearing on U.S. Assistance in East Asia and the Pacific: An Overview, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, September 18, hearing entitled ''The Grades Are In—Is the Department of Homeland Security Measuring Up?'' 2:30 p.m., 311 Cannon.

September 20, hearing entitled ''Protecting the Protectors: Ensuring the Health and Safety of Our First Responders in the Wake of Catastrophic Disasters,'' 10 a.m., 311 Cannon.

Committee on the Judiciary, September 18, hearing on Warrantless Surveillance and the Foreign Intelligence Surveillance Act: The Role of Checks and Balances in Protecting Americans' Privacy Rights (Part II), 11 a.m., 2141 Rayburn.

September 19, Subcommittee on Commercial and Administrative Law, hearing on the Regulatory Improvement Act of 2007, 2 p.m., 2141 Rayburn.

September 20, Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, hearing on the United States Citizenship and Immigration Services Fee Increase Rule, 2141 Rayburn.

Committee on Natural Resources, September 18, Subcommittee on National Parks, Forests and Public Lands, oversight hearing entitled ''Management of the Statue of Liberty National Monument,'' 10 a.m., 1324 Longworth.

September 18, Subcommittee on Water and Power, hearing on the following bills: H.R. 2733, Trinity River Restoration Fund Act of 2007; and H.R. 2085, McGee Creek Project Pipeline and Associated Facilities Conveyance Act, 10 a.m., 1334 Longworth.

September 19, full Committee, oversight hearing on Diversifying Native Economies, 10 a.m., 1324 Longworth.

September 20, Subcommittee on Insular Affairs, to mark up H.R. 53, Virgin Islands National Park School Lease Act, 3 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, September 18, Subcommittee on Federal Workforce, Postal Service and the District of Columbia, to mark up the following: H.R. 2780, To amend section 8339(p) of title 5, United States Code, to clarify the method for computing certain annuities under the Civil Service Retirement System which are based on part-time service; H.R. 1236, To make permanent the authority of the United States Postal Service to issue a special postage stamp to support breast cancer research; H.R. 2414, Metropolitan Police Department and Fire Service Act of 2007; a measure to amend the Federal Merit System Reauthorization Act of 2007; and H.R. 1110, to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums, 10 a.m., 2247 Rayburn.

September 20, full Committee, hearing on Assessing the State of Iraqi Corruption; and to mark up the following measures: H. Con. Res. 193, Recognizing all hunters across the United States for their continued commitment to safety; H. Res. 303, Expressing the sense of the House of Representatives that a day ought to be established to bring awareness to the issue of missing persons; H. Res. 584, Supporting the goals and ideals of ''National Life Insurance Awareness Month;'' H. Res. 605, Supporting the goals and ideals of Gold Star Mothers Day; H. Res. 641, Acknowledging the importance of understanding the history of the United States of America and recognizing the need to foster civic responsibility in all citizens; H.R. 2089, To designate the facility of the Unites States Postal Service located at 701 Loyola Avenue in New Orleans, Louisiana, as the ''Louisiana Armed Services Veterans Post Office;'' H.R. 2276, To designate the facility of the United States Postal Service located at 203 North Main Street in Vassar, Michigan, as the ''Corporal Christopher E. Esckelson Post Office Building;'' H.R. 3233, To designate the facility of the United States Postal Service located at Highway 49 South in Piney Woods,

Mississippi, as the ''Laurence C. and Grace M. Jones Post Office Building;'' H.R. 3297, To designate the facility of the United States Postal Service located at 950 West Trenton Avenue in Morrisville, Pennsylvania, as the ''Nate DeTample Post Office Building;'' H.R. 3307, To designate the facility of the United States Postal Service located at 570 Broadway, Bayonne, New Jersey, as the ''Dennis P. Collins Post Office Building;'' H.R. 3308, To designate the facility of the United States Postal Service located at 216 Main Street in Atwood, Indiana, as the ''Lance Corporal David K. Fribley Post Office;'' H.R. 3325, To designate the facility of the United States Postal Service located at 235 Mountain Road in Suffield, Connecticut, as the ''Corporal Stephen B. Bixler Post Office;'' H.R. 3382, To designate the facility of the United States Postal Service located at 299 North William Street in Goldsboro, North Carolina, as the ''Philip A. Baddour, Sr. Post Office;'' H.R. 3518, To designate the facility of the United States Postal Service located at 1430 South Highway 29 in Cantonment, Florida, as the ''Charles H. Hendix Post Office Building;'' H.R. 1236, To make permanent the authority of the United States Postal Service to issue a special postage stamp to support breast cancer research; and H.R. 1110, To amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums, 10 a.m., 2154 Rayburn.

Committee on Rules, September 19, to consider H.R. 2881, FAA Reauthorization Act of 2007, 3 p.m., H–313 Capitol.

Committee on Science and Technology, September 19, hearing on Bridge Safety: Next Steps to Protect the Nation's Critical Infrastructure, 10 a.m., 2318 Rayburn.

Committee on Small Business, September 19, hearing to examine the Small Business Administration's contracting programs, 10 a.m., 2360 Rayburn.

September 20, to mark up an Investment measure, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, September 19, Subcommittee on Coast Guard and Maritime Transportation, hearing on Cruise Ship Security Practices and Procedures, 11 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, September 18, hearing on the state of the Department of Veterans Affairs, 11 a.m., 334 Cannon.

September 19, full Committee, hearing on the findings of the President's Commission on Care for America's Returning Wounded Warriors, 10 a.m., 334 Cannon.

September 20, Subcommittee on Economic Opportunity, oversight hearing on Licensure and Certification of Transitioning Veterans, 2 p.m., 334 Cannon.

Committee on Ways and Means, September 18, to mark up the following: H.R. 3375, To extend the trade adjustment assistance program under the Trade Act of 1974 for 3 months; the Federal Aviation Administration Extension Act of 2007; and the Airport and Airway Trust Fund Financing Act of 2007, 10 a.m., 1100 Longworth.

September 19, Subcommittee on Health, to mark up H.R. 1424, Paul Wellstone Mental Health and Addiction Equity Act of 2007, 10 a.m., 1100 Longworth.

September 19, Subcommittee on Income Security and Family Support, hearing on Unemployment Insurance to Reduce Barriers for Jobless Workers, 1 p.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, September 18, hearing on FISA, 10 a.m., 2118 Rayburn.

September 18, executive, briefing on current efforts against Biological threats, 2 p.m., H–405 Capitol.

September 19, executive, briefing on Hot-Spots, 8:45 a.m., H–405 Capitol.

September 20, hearing on FISA with the DNI, 9 a.m., 1300 Longworth.

Select Committee on Energy Independence and Global Warming, September 20, hearing entitled ''Renewable Electricity Standands: Lighting the Way,'' 9 a.m., room to be announced.

Joint Meetings

Joint Economic Committee: September 19, to hold hearings to examine the evolution of an economic crisis, focusing on the subprime lending disaster and the threat to the broader economy, 9:30 a.m., SH–216.

Joint Hearing: September 20, Senate Committee on Veterans' Affairs, to hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation by the American Legion, 9:30 a.m., 345, Cannon Building.

Next Meeting of the SENATE

10 a.m., Tuesday, September 18

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will begin consideration of H.R. 1124, District of Columbia College Access Act, consider certain amendments, and after a period of debate, vote on passage of the bill. At approximately 2:15 p.m., Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of S. 1257, District of Columbia House Voting Rights Act.

(Senate will recess following the disposition of H.R. 1124, District of Columbia College Access Act, until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Tuesday, September 18

House Chamber

Program for Tuesday: Consideration of the following suspensions: (1) H. Res. 326—Commemorating the 25th anniversary of the Vietnam Veterans Memorial; (2) H. Con. Res. 207—Recognizing the 60th anniversary of the United States Air Force as an independent military service; (3) H. Res. 443—Recognizing the service of the 65th Infantry Borinqueneers during the Korean War, honoring the people of Puerto Rico who continue to serve and volunteer for service in the Armed Forces and make sacrifices for the country, and commending all efforts to promote and preserve the history of the 65th Infantry Borinqueneers; and (4) H. Res. 604—Expressing the nation's sincerest appreciation and thanks for the service of the members of the 303rd Bombardment Group (Heavy) upon the occasion of the final reunion of the 303rd Bomb Group (H) Association. Consideration of H.R. 1852—Expanding American Homeownership Act of 2007 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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