



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 110<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 154

WASHINGTON, FRIDAY, FEBRUARY 15, 2008

No. 26

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. MCGOVERN).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
February 15, 2008.

I hereby appoint the Honorable JAMES P. MCGOVERN to act as Speaker pro tempore on this day.

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

### PRAYER

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

Lord God, creator of the universe, we bless You and we praise You for all the blessings showered upon this Nation. Yesterday, with sacred words from the Hebrew Scriptures, memorable songs, and beautiful expressions of memory and thanksgiving, this Congress celebrated the life, love, and illustrious service of the Honorable Tom Lantos. May You who create harmony in the heavens bring peace to all who mourn now.

His passing is a great loss to this body and the Nation because of his strong leadership and his ability to create faithful and lasting friendships both as a statesman and a champion for human rights. Lord, may Your people from all across this Nation and from around the world continue to console his wife, Annette, and his family, staff, and friends, with their prayers, affection, and sympathy.

Lord, because the Honorable Tom Lantos lived a great American story, he will inspire many. May You, our provident God, empower many more to draw upon his great legacy and work for securing human rights and human

dignity for every person everywhere here on Earth both now and forever. Amen.

### THE JOURNAL

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

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

### PLEDGE OF ALLEGIANCE

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

Mr. PRICE of Georgia 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.

### HOUR OF MEETING ON MONDAY, FEBRUARY 25

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns on Thursday, February 21, pursuant to this order, it adjourn to meet at 4 p.m. on Monday, February 25.

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

Mr. PRICE of Georgia. Mr. Speaker, reserving the right to object, if I may.

Mr. Leader, I just had the opportunity to lead the house in the Pledge, which is a solemn honor. We stand here in an empty Chamber, virtually. Yesterday this House had an opportunity to act and protect our Nation to a greater degree by adopting FISA, which the Senate adopted in a bipartisan manner 68-29. It troubles me and many on our side that we're not proceeding with that business today, and I think that it's important that we

know, the Nation knows, Representatives here know that this House is not acting when it could, and I would suggest respectfully, Mr. Leader, we should.

Mr. HOYER. Would the gentleman yield under his reservation?

Mr. PRICE of Georgia. I am happy to yield.

Mr. HOYER. I thank the gentleman for yielding.

In fact, I am from this very Chamber about 25 feet from here going to have a meeting with Mr. ROCKEFELLER, Mr. REYES, Mr. LEAHY, and Mr. CONYERS on proceeding to accomplish the objective the gentleman wants to seek and we want to seek.

As you also know, 2 days ago, we had a vote on ensuring the extension of the existing statute, not because we believed that was necessary but for an abundance of caution, and as the gentleman knows, every one of your Members voted against that extension on the demand that we do what you wanted us to do now. But in the protection that was available to you to extend for 21 days the protections you say are now going to be absent, every one of you voted "no." I'm sorry that that happened.

Mr. PRICE of Georgia. Reclaiming my time and continuing to reserve the right to object, the gentleman certainly knows that this has been extended from August until earlier this month. And then we agreed to a 14-day extension, until this evening. We believe, as I know you know well, our side believes that this needs to be adopted. Bipartisan action in the Senate proceeded along those lines and agrees that it ought to be adopted. We believe that letting the time lapse further only brings significant potential detriment to our Nation. So we strongly believe that it needs to be adopted.

You know that we're not in the majority. We're in the minority. Thirty-four of your Members voted not to extend for 21 days. Not to extend. Your

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

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side, the majority, could have adopted an extension had you been able to muster the votes, but we don't have the majority. We're at your disposal, if you will. But we strongly believe that here we are in a Chamber that is virtually empty, and in fact I would suggest, Mr. Leader, respectfully, that we're abrogating our duties as representatives of the people.

Mr. DANIEL E. LUNGREN of California. Would the gentleman yield under his reservation?

Mr. PRICE of Georgia. I am happy to yield.

Mr. DANIEL E. LUNGREN of California. I would just like to make something very clear for the record. In a statement that is contained in the Washington Post today, written by the DNI, the Director of National Intelligence, he points out that it is not only necessary to extend the Protect America Act but it is absolutely essential, in his opinion and in the opinion of the others in the intelligence community leadership, that we have an immunity for those telecommunications companies that responded affirmatively to the request of our intelligence agency to assist after 9/11. He states unequivocally that it's his opinion and the opinion of the others of the leadership of the intelligence community that we put ourselves at risk if we do not do that and that failure to do that has already visited upon us some problems with respect to cooperation around the world.

So let's just please let the record be correct that it is not just the extension of the Protect America Act, which was the sole subject of the vote that we had 2 days ago, or 3 days ago, but it is also the question of immunity, or the Good Samaritan law, to apply to those companies who have responded affirmatively to the request to save our Nation. And that needs to be stressed. That's the crux of the question, as the gentleman from Maryland made very clear on the floor yesterday, or 2 days ago, in the debate.

I thank the gentleman for yielding.

Mr. HOYER. Would the gentleman yield so I might respond to the gentleman from California's response?

Mr. PRICE of Georgia. Under my reservation, I'm happy to yield to the gentleman from Maryland.

Mr. HOYER. I disagree with Mr. McConnell, Admiral McConnell, whose op-ed I read this morning. And as the gentleman knows, I would reiterate, had we extended by 21 days the Protect America Act, which all of your Members voted against, had we done that, the immunity which was provided in that would have continued. As the gentleman also knows, that the only issue here is whether or not the administration has to go to the trouble to go to the FISA Court, which it has done so over 16,000 times, not this administration but the previous administration, and only had its request rejected five times; 99.9 percent of the time the FISA Court has approved. And once it

approves, the telecoms, the telecommunication companies, acting in response to that court order are not liable for their actions. Therefore, we regret that we have not extended that, but, as I said, I am meeting today, we will be meeting through the next days, to try to come to an agreement.

Because the Senate delayed its action for 3 months after we passed our bill, it presented us with a bill that you wanted us to take as a fait accompli, without going to conference, without having the opportunity to discuss it. We think that was unreasonable and we didn't agree. So we're going to pursue this process and we are all in agreement that we ought to get this done.

Mr. PRICE of Georgia. Reclaiming my time, continuing under my reservation, I would just point out to the gentleman, as he well knows again, that the majority party could have passed a 21-day extension had it desired, but it was unable to do so.

Mr. HOYER. Will the gentleman yield?

Mr. PRICE of Georgia. I am happy to yield to my friend.

Mr. HOYER. Ninety percent of our party voted for that. All we needed was just a few from your side, and you all, each and every one without exception, voted against extending the present law which you now say if it lapses will put the country at risk. We do not agree with that, but that is your contention, not our contention. And it is somewhat, I think, contradictory for you on the one hand to say we're putting our country at risk and on the other hand voting to a person to not extend the law which you say protects our country.

Mr. PRICE of Georgia. Reclaiming my time, I would just point out once again that this has been delayed from August until earlier this month, and then 14 days, or until this evening. I respect the leader greatly, but frankly many, the vast majority if not all Members on our side, never believed that the majority party would, in fact, allow this to lapse. And so to unilaterally disarm us, as many folks have described this action on the part of the majority, is something that was, we felt, unconscionable.

Mr. DANIEL E. LUNGREN of California. Will the gentleman yield?

Mr. PRICE of Georgia. I'm happy to yield under my reservation to the gentleman from California.

Mr. DANIEL E. LUNGREN of California. The gentleman from Maryland knows that I have great respect for his abilities here on the floor and consider him an expert in parliamentary procedure. However, when the opinion of the DNI, Admiral McConnell, comes to bear, I must respectfully tell the gentleman from Maryland that I believe he has the experience upon which we should rely in this Chamber. He is not a partisan. He has served both Democrat and Republican administrations. He was the head of the NSA during at least 4 if not 6 years of the Clinton ad-

ministrations, and he is, I believe, a straight shooter. He is the one who came to us and said because of the decision by the FISA Court, reinterpreting in a sense the state of the law, that at least 60 percent of the valuable, legitimate terrorist targets internationally are closed off to us if we do not have the provisions of the Protect America Act and, he said, an immunity given to those companies which have assisted us in the past.

Now, the gentleman can smile about it, I understand, but the fact of the matter in he is the top intelligence expert in the United States. He along with the unanimous opinion of the top intelligence officers of the United States have told us that is a fact.

Now, the gentleman, as I said, is a well-respected parliamentarian, a well-respected leader in this House, and I would certainly respect his opinion on those issues. But what we're talking about here is intelligence. And so I think we have laid bare the differences. You on your side believe with your knowledge and experience that the law we had prior to our passage of the Protect America Act is sufficient to protect the Nation. That is directly contradicted by Admiral McConnell, directly contradicted by someone who served both Democrat and Republicans and has had their respect.

I do not recall the gentleman from Maryland ever calling into question the opinion or the direction or the leadership of Admiral McConnell when he served in the Clinton administration, and I don't understand that while his judgment was appropriate there, his judgment is to not be respected here. So the fact of the matter in the dispute is whether we believe the top intelligence officers of the United States that we need this law, including the immunity, or I call it the Good Samaritan law, for those telecommunications companies that have responded positively to our request to help find out what the enemy is doing, or as the gentleman from Maryland suggests, superior knowledge and judgment with respect to this, and, therefore, we ought to put aside what Admiral McConnell has told us in the past and continues to tell us even till today.

Mr. PRICE of Georgia. Reclaiming my time, I thank the gentleman for his response.

Mr. HOYER. Would the gentleman yield?

Mr. PRICE of Georgia. I'm happy to yield under the reservation to my friend the leader.

Mr. HOYER. I thank the gentleman for yielding.

This is an important issue which is therefore why I think it's worthy of making sure that everybody understands. The gentleman from California makes the point that he believes that we are at risk. I again reiterate, all of your Members voted against the extension. The gentleman from Georgia says we had a lot of time. Very frankly Senator REID has given the opinion, it is

my opinion, respected as a parliamentarian apparently or knowledge of parliamentary procedure, that the reason it was delayed in coming to this body was because, as the gentleman from Georgia pointed out, you made the comment, which I think is absolutely accurate, all of you on your side of the aisle thought that we would take whatever the Senate gave us because we would be fearful; we would be fearful of not pursuing substantive legislative process to discuss this very important issue. I agree with you. Every one of your Members thought, in your words, we would blink. The question is not blinking. The question is substantively getting to a result that furthers the protection of our country and the protection of our Constitution. That is our perception. That is our belief. And I will tell my friend from California that it's not my opinion alone but it's the opinion of a number of people, including the former adviser to this administration on terrorism as well as the previous administration on terrorism, Richard Clarke, that the opinion I have expressed is an accurate opinion.

The gentleman also knows in terms, and I want to say, also, I don't think it's the appropriate place nor do I intend to get into my perception of Admiral McConnell's position. That's not the purpose of this debate. I have some views, but I'm not going to get into those. What I am going to get into and simply respond to these observations is that we believe the country is protected. We believe that in terms of all of those al Qaeda objects that you make reference to, I hope and presume, I do not know, I have no secret information that I'm disclosing, but I would be shocked and dismayed and deeply disappointed if at this point in time the administration did not have in place orders that covered at least from now until August of this year, which is when we last authorized this bill, the Protect America Act, and under which the administration could have gotten authority which would have lasted for a full year. So those orders are still in place, they will not lapse, and it will be no impediment to further interception of those communications.

Mr. PRICE of Georgia. Reclaiming my time, and I appreciate those comments. There's clearly a difference of opinion. Just to set the record straight, it's important that this House and the Nation know that 34 of your Members voted not to extend for 21 days, a little greater number than the 21.

Mr. HOYER. If the gentleman will yield, a lot of them didn't believe that the act ought to be in place, you understand, at all.

Mr. PRICE or Georgia. I appreciate that, because I was about to make that point. The objection to the extension comes from both the left and the right. It's not that we thought you would blink. We could not believe that the majority would not live up to its primary responsibility, which we perceive

as making certain that this Nation is protected. That's what we believed.

This House, Mr. Speaker, has adopted billions and trillions of dollars worth of spending in less time than it would have taken this week to come to conference and reach an agreement. We're here on Friday. We're ready to go. We are ready to go, Mr. Speaker.

Mr. HOYER. I believe the gentleman is speaking about when you were in charge, passing those trillions of dollars in very short periods of time. We took a longer time, as you may recall. I think you were responsible, as a matter of fact, for some of that time that we spent.

Mr. PRICE of Georgia. And I appreciate that, Mr. Leader. We slowed that down a little bit and hopefully we spent a little less.

Mr. HOYER. Right.

Mr. PRICE of Georgia. I appreciate that. But our side looks at the world and sees Hezbollah challenging Israel to open war. We look at the world and we see al Qaeda threatening to assassinate the Filipino President. We look at the world in, I believe, realistic eyes, and we cannot believe that this House will leave this Nation exposed to threats in this time in our history. It just is astounding to us.

And so I rise, Mr. Speaker, to reserve the right to object, because I believe strongly that the majority of Members of this House, if given the opportunity, would support the bill that came from the Senate.

I am pleased to yield under the reservation to my friend from California.

Mr. DANIEL E. LUNGREN of California. To underscore that point, as the gentleman from Maryland knows, a letter was sent by 21 Members on your side of the aisle to the Speaker asking that the Senate bill be presented and stating that they would support it in whole if it were presented on the floor. Now, again, I'm not a math major, but 21 on your side and virtually everyone on our side perhaps, with the exception of three, certainly adds up to a majority in this House.

So, if the question is would the House be given the time to work its will, the statement of support on your side of the aisle in written form from your membership sufficient to create a majority in this House shows that we had the will if given the opportunity to support a bill coming out of the Senate which responded affirmatively to the presentation made by Admiral McConnell.

I again understand the gentleman from Maryland disagrees with the admiral, disagrees with the assessment, but the fact of the matter is a majority in this House disagrees with the gentleman from Maryland. They specifically said in their letter that all of the specific aspects of the bill about which they were concerned were taken care of by the Rockefeller-Bond bill and would support it if it were presented here on the floor and said a key part of that was the inclusion of the immunity for

those companies who had assisted this Nation. And, remember, it's not a blanket immunity. It is an immunity only if they acted in good faith at the request of the United States Government from 9/11 up until the present time. That is not a blanket immunity, and that's what we are confronted with here, a failure to allow us just to vote it on the floor. We could debate it then and the gentleman from Maryland and his minority of Members, a strong minority but a minority of Members who believe the admiral is wrong would have their opportunity to debate and attempt to persuade the majority of Members who have already indicated that they support the admiral's position and believe that we should follow on that support with actual legislation.

So that's the point I think that ought not to be lost here. It's not that we're not in charge or you're in charge. It's a question of whether the leadership will allow the majority of the House of Representatives to work its will on probably the most important issue facing the American people at the present time.

I thank the gentleman for yielding.

Mr. PRICE of Georgia. Reclaiming my time, I appreciate that and I appreciate, Mr. Speaker, the indulgence of the House in allowing this debate to go forward which I think has been important.

I withdraw my reservation.

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

There was no objection.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 1216. An act to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of light motor vehicles, and for other purposes.

H. Con. Res. 293. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that pursuant to section 5 of title I of division H of Public Law 110-161, the Chair, on behalf of the Vice President, appoints the following Senator as Vice Chairman of the U.S.-Japan Interparliamentary Group conference for the One Hundred Tenth Congress:

The Senator from Alaska (Mr. STEVENS).

The message also announced that pursuant to the provisions of title 2, United States Code, section 1151, as amended, the Chair, on behalf of the President pro tempore, appoints the following individual to the Board of Trustees of the Open World Leadership Center:

The Senator from Mississippi (Mr. WICKER).

The message also announced that pursuant to the provisions of Public Law 100-702, the Chair, on behalf of the President pro tempore, reappoints the following individual to the Federal Judicial Center Foundation Board:

John B. White Jr. of South Carolina.

The message also announced that pursuant to the provisions of Public Law 110-161, the Chair, on behalf of the Democratic Leader, appoints the following individuals to serve as members of the National Commission on Children and Disasters:

Mark Shriver of Maryland and Sheila Leslie of Nevada.

#### ADJOURNMENT

Mr. HOYER. Mr. Speaker, pursuant to House Concurrent Resolution 293, 110th Congress, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 25 minutes a.m.), the House adjourned until Tuesday, February 19, 2008, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5400. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Wood Packaging Material; Treatment Modification [Docket No. APHIS-2006-0129] (RIN: 0579-AC32) received February 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5401. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—ELECTRONIC FILING AND REVISION OF FORM D [RELEASE NOS. 33-8891; 34-57280; 39-2453; IC-28145; FILE NO. S7-12-07] (RIN: 3235-AJ87) received February 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5402. A letter from the Chairperson, National Council on Disability, transmitting a copy of the NCD's "National Disability Policy: A Progress Report," as required by Section 401(b)(1) of the Rehabilitation Act of 1973, as amended, covering the period from December 2005 through December 2006, pursuant to 29 U.S.C. 781(a)(8); to the Committee on Education and Labor.

5403. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Allotments From Federal Employees (RIN: 3206-AJ88) received February 6, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5404. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule—Reexportation of Con-

trolled Substances [Docket No. DEA-276F] (RIN: 1117-AB00) received January 10, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5405. A letter from the Assistant Secretary for the Army for Civil Works, Department of Defense, transmitting the Department's report on the Hurricane and Storm Damage Risk Reduction System Vertical Settlement, New Orleans, LA, pursuant to Pub. L. 109-234, Title II, Chapter 3; to the Committee on Transportation and Infrastructure.

5406. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting the Department's report on the progress of the Louisiana Coastal Protection and Restoration (LaCPR) Study, pursuant to Public Law 109-148; to the Committee on Transportation and Infrastructure.

5407. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting the Department's report on the progress of the Comprehensive Plan report on the Mississippi Coastal Improvements Program (MsCIP), pursuant to Public Law 109-148; to the Committee on Transportation and Infrastructure.

5408. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting the Department's recommended re-authorization of a flood damage reduction project for the Santa Barbara Streams, Lower Mission Creek, Santa Barbara, California; to the Committee on Transportation and Infrastructure.

5409. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting the Department's environmental assessment report for the Tanque Verde Creek, Arizona; to the Committee on Transportation and Infrastructure.

5410. A letter from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a report to Congress on the extent to which the implementation by the United States Coast Guard of regulations issued or enforced, or interpretations or guidelines established, pursuant to Public Law 104-55, carry out the intent of Congress and recognize and provide for the differences in the physical, chemical, biological, and other properties, and in the environmental effects, of the classes of fats, oils, and greases described under that law; to the Committee on Transportation and Infrastructure.

5411. A letter from the Secretary, Department of Transportation, transmitting the Department's interim report in accordance with Section 1807(e) of Public Law 109-59, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users; to the Committee on Transportation and Infrastructure.

5412. A letter from the Secretary, Department of Transportation, transmitting the Department's report entitled, "2006 Status of the Nation's Highways, Bridges and Transit: Conditions and Performance," pursuant to 23 U.S.C. 502(h); to the Committee on Transportation and Infrastructure.

5413. A letter from the Chair, National Surface Transportation Policy and Revenue Study Commission, transmitting the Commission's report entitled, "Transportation

for Tomorrow: Report of the National Surface Transportation Policy and Revenue Study Commission"; to the Committee on Transportation and Infrastructure.

5414. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule—Guidance Necessary to Facilitate Electronic Tax Administration-Updating of Section 7216 Regulations [TD 9375] (RIN: 1545-BA96) received January 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5415. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule—Guidance Regarding Marketing of Refund Anticipation Loans (RALS) and Certain Other Products in Connection with the Preparation of a Tax Return [REG-136596-07] (RIN: 1545-BH12) received January 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5416. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule—Revenue Procedure 2008-12—received January 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. BORDALLO (for herself and Ms. ROS-LEHTINEN):

H. Con. Res. 300. Concurrent resolution recognizing the necessity for the United States to maintain its significant leadership role in improving the health and promoting the resiliency of coral reef ecosystems, and for other purposes; to the Committee on Natural Resources.

By Mr. KIRK (for himself, Mr. TANNER, and Mr. LAMPSON):

H. Con. Res. 301. Concurrent resolution encouraging the United States Geological Survey, the National Science Foundation, and the Department of Defense to support a recovery mission for the human remains of the crew killed in the George One crash in Antarctica, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Science and Technology, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 82: Mr. SKELTON.

H.R. 1032: Mr. BERMAN, Mr. RANGEL, Ms. SOLIS, and Ms. BERKLEY.

H.R. 1419: Mr. HOLT.

H.R. 2352: Mr. COHEN.

H.R. 2702: Mr. LOEBSACK.



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WASHINGTON, FRIDAY, FEBRUARY 15, 2008

No. 26

## Senate

(Legislative day of Thursday, February 14, 2008)

The Senate met at 10 o'clock and 2 seconds a.m., on the expiration of the recess, and was called to order by the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island.

### APPOINTMENT OF THE ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 15, 2008.

To the Senate:

Under the provisions of Rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

ROBERT C. BYRD,  
*President pro tempore.*

Mr. WHITEHOUSE thereupon assumed the chair as Acting President pro tempore.

### NATIONAL DRUG PREVENTION AND EDUCATION WEEK

• Mr. JOHNSON. Mr. President, I speak today in recognition of National Drug Prevention and Education Week. One of the most serious issues facing our youth in rural America and throughout the United States is drug use and abuse. Drug abuse and addiction is a problem that never seems to go away and prevention and education are two of the most important steps that we can take to ensure the welfare of our next generation while preserving our current generation. As a nation, we cannot sit idly by and watch the trend of substance abuse grow.

We, as a community, must continue fighting the challenges imposed by

drugs on our communities. We have to face the fact that cocaine, marijuana, and heroin remain a constant threat. We cannot ignore the rapidly increasing use of meth or the abuse of prescription drugs in our rural communities across South Dakota and throughout the Nation. I will continue to seek funding for organizations and programs like South Dakota's Glory House Methamphetamine Addiction Treatment Center and Martin Addiction Recovery Center to help those addicted to drugs and alcohol. We cannot afford to let these and other programs disappear from lack of funding. As we all know, the devastating effects of drug addiction do not just affect those who are addicted, but everyone around them. The services they provide to addicts and families of addicts are irreplaceable in communities in South Dakota. We have a responsibility to our citizens, our State, and our Nation to continue the fight against drug use, abuse and addiction.

Education and prevention are the first steps in this fight against substance abuse. For that reason, the Senate passed S. Res. 434, a resolution designating this week as National Drug Prevention and Education Week. We urge local communities, schools, friends, youths and parents to carry out drug education and drug prevention activities not only throughout this designated week, but throughout the year so we can continue to beat back the horrible tide of drug use and abuse to preserve the health of our Nation for years to come.●

### BLACK ENGINEER OF THE YEAR AWARD WINNERS

• Mr. BROWN. Mr. President, I speak today to honor the public service of four great Ohioans—Dr. Woodrow Whitlow, Jr., Jo Ann Charleston, Dr. Rickey Shyne, and Dr. Yolanda Hicks.

I am proud to honor these four NASA Glenn engineers for their achievements in the fields of science, engineering, and technology.

On the Shores of Lake Erie, just outside the city of Cleveland, OH, world class scientists and engineers at the NASA Glenn Research Center are conducting world class research. Dr. Wilson, Ms. Charleston, Dr. Shyne, and Dr. Hicks, each of whom has contributed meaningfully to NASA Glenn's important work, are rightfully being honored at this year's Black Engineer of the Year Awards ceremony.

It is the pragmatic, yet creative, approach taken by researchers like Dr. Whitlow, Ms. Charleston, Dr. Shyne, and Dr. Hicks that will allow this country to remain at the forefront of aerospace and space exploration technology. It is the work of the many dedicated scientists and engineers like them that drives our economy and ensures our country's future prosperity.

I am proud to honor these great Ohioans, the work of the NASA Glenn Research Center, and the many other award recipients at the Black Engineer of the Year Awards ceremony. In this new global economy, American innovation in the fields of math, science, and engineering is critical. The hard work and dedication of these four serve as an inspiration for the next generation of American innovators.●

### HONORING OUR ARMED FORCES

• Mr. LAUTENBERG. Mr. President, another 2 months have passed, and more American troops lost their lives overseas in Iraq and Afghanistan. It is only right that we take time in the Senate to honor them.

Since last memorializing the names of our fallen troops on December 19, the Pentagon has announced the deaths of 79 troops. They lost their lives in Iraq and in Operation Enduring

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Freedom, which includes Afghanistan. They will not be forgotten. Today I submit their names into the RECORD:

SGT Corey E. Spates, of LaGrange, Georgia  
 SSGT Javares J. Washington, of Pensacola, Florida  
 PFC Jack T. Sweet, of Alexandria Bay, New York  
 SP Michael T. Manibog, of Alameda, California  
 SGT Timothy P. Martin, of Pixley, California  
 SSG Gerald A. Whisenhunt, of Orrick, Missouri  
 SGT Gary D. Willett, of Alamogordo, New Mexico  
 PO1 Luis A. Souffront, of Miami, Florida  
 SSG Bradley J. Skelton, of Gordonville, Missouri  
 CPL Miguel A. Baez, of Bonaire, Georgia  
 SGT John C. Osmolski, of Eustis, Florida  
 SGT Timothy R. Van Orman, of Port Matilda, Pennsylvania  
 SSG Donald T. Tabb, of Norcross, Georgia  
 SSG Rafael Alicea Rivera, of Bayamon, Puerto Rico  
 CPO Michael E. Koch, of State College, Pennsylvania  
 CPO Nathan H. Hardy, of Durham, New Hampshire  
 SP Christopher J. West, of Arlington, Texas  
 SSG Chad A. Barrett, of Saltville, Virginia  
 SGT Matthew F. Straughter, of St. Charles, Missouri  
 CAPT Michael A. Norman, of Killeen, Texas  
 CAPT David E. Schultz, of Illinois  
 SGT James E. Craig, of Hollywood, South Carolina  
 SSG Gary W. Jeffries, of Roscoe, Texas  
 CPL Evan A. Marshall, of Athens, Georgia  
 SP Brandon A. Meyer, of Orange, California  
 PFC Joshua A.R. Young, of Riddle, Oregon  
 SGT Mikeal W. Miller, of Albany, Oregon  
 MAJ Alan G. Rogers, of Hampton, Florida  
 SSG Robert J. Wilson, of Boynton Beach, Florida  
 SFC Matthew R. Kahler, of Granite Falls, Minnesota  
 CPL Duncan C. Crookston, of Denver, Colorado

SGT Tracy R. Birkman, of New Castle, Virginia  
 SSG Robert J. Miller, of Iowa City, Iowa  
 PFC Billy M. MacLeod, of Cheboygan, Michigan  
 SGT Michael R. Sturdivant, of Conway, Arkansas  
 LCpl James M. Gluff, of Tunnel Hill, Georgia  
 SPC Richard B. Burruss, of Naples, Florida  
 SPC Jon M. Schoolcraft III, of Wapakoneta, Ohio  
 SSG Justin R. Whiting, of Hancock, New York  
 PFC Danny L. Kimme, of Fisher, Illinois  
 PFC David H. Sharrett II, of Oakton, Virginia  
 SPC John P. Sigsbee, of Waterville, New York  
 LCpl Curtis A. Christensen Jr., of Collingswood, New Jersey  
 PFC Keith E. Lloyd, of Milwaukee  
 LTC Richard J. Berrettini, of Wilcox, Pennsylvania  
 CPL Todd E. Davis, of Raymore, Missouri  
 SSG Jonathan K. Dozier, of Rutherford, Tennessee  
 SSG Sean M. Gaul, of Reno, Nevada  
 SGT Zachary W. McBride, of Bend, Oregon  
 SFC Matthew I. Pionk, of Superior, Wisconsin  
 SGT Christopher A. Sanders, of Roswell, New Mexico  
 SGT David J. Drakulich, of Reno, Nevada  
 SGT David J. Hart, of Lake View Terrace, California  
 PFC Ivan E. Merlo, of San Marcos, California  
 PFC Phillip J. Pannier, of Washburn, Illinois  
 MAJ Michael L. Green, of Chagrin Falls, Ohio  
 SGT James K. Healy, of Hesperia, California  
 PFC Timothy R. Hanson, of Kenosha, Wisconsin  
 CPL James D. Gudridge, of Carthage, New York  
 POSC Menelek M. Brown, of Roswell, New Mexico  
 CPL Jason F. Lemke, of West Allis, Wisconsin  
 MAJ Andrew J. Olmsted, of Colorado Springs, Colorado

CAPT Thomas J. Casey, of Albuquerque, New Mexico  
 SPC Joshua R. Anderson, of Jordan, Minnesota  
 SSG Ryan D. Maseth, of Pittsburgh, Pennsylvania  
 SGT Shawn F. Hill, of Wellford, South Carolina  
 FCGEN P. Douglas, U.S. Navy, of Newcomb, Tennessee  
 SGT Reno S. Lacerna, of Waipahu, Hawaii  
 PFC Brian L. Gorham, of Woodburn, Kentucky  
 PFC Joseph R. Berlin, Jr., of Chelsea, Alabama  
 POFC Victor W. Jeffries, of Honolulu, Hawaii  
 CAPT Rowdy J. Inman, of Panorama Village, Texas  
 SGT Benjamin B. Portell, of Bakersfield, California  
 SGT Bryan J. Tutten, of St. Augustine, Florida  
 SGT Peter C. Neesley, of Grosse Pointe Farms, Michigan  
 SrA Nicholas D. Eischen, of Sanger, California  
 PFC George J. Howell, of Salinas, California  
 1LT Jeremy E. Ray, of Houston, Texas  
 CPL Robert S. Ferrell, of Dallas, Texas

We cannot forget these men and women and their sacrifice. These brave souls left behind parents and children, siblings, and friends. We want them to know the country pledges to preserve the memory of our lost soldiers, who paid the ultimate price, with the dignity they deserve.●

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RECESS UNTIL 11 A.M., TUESDAY,  
 FEBRUARY 19, 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands in recess until 11 a.m. on Tuesday, February 19, 2008.

Thereupon, the Senate, at 10 o'clock a.m. and 35 seconds, recessed until Tuesday, February 19, 2008, at 11 a.m.

## EXTENSIONS OF REMARKS

### LEAVE NO SAILOR BEHIND

#### HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2008

Mr. KIRK. Madam Speaker, today I introduced a resolution calling on the Department of Defense, the U.S. Geological Survey, and the National Science Foundation to support a mission to recover the remains of three naval aviators in Antarctica.

On December 30, 1946, a Navy aircraft participating in Operation Highjump over Antarctica crashed, killing three of the nine on board. Among those killed in the crash of the "George One," as the seaplane was known, was Radioman Wendell Hendersin, the brother of Betty Jean Spencer of Mundelein, Illinois.

Along with the other casualties, Hendersin was buried in a common grave near the crash site. Although the survivors held a small service, Hendersin never received a proper burial.

After 2 weeks stranded on the ice, the survivors were rescued, but the remains of the three Americans were never recovered. At the time, servicemembers killed overseas were usually buried abroad. Due to the risks involved at the time, the Navy decided against undertaking a recovery mission. In the 61 years that have passed, Department of Defense policy changed and technology now makes a recovery operation likely to succeed at lower risk.

Thanks to the efforts of the U.S. Geological Survey, the location of the George One is known. The USGS estimates that the wreckage is under about 165 feet of ice. With the location known and the technology in place to launch a successful recovery mission, the time has come to bring these brave naval aviators home.

PROVIDING FOR ADOPTION OF H. RES. 979, RECOMMENDING THAT HARRIET MIERS AND JOSHUA BOLTEN BE FOUND IN CONTEMPT OF CONGRESS, AND ADOPTION OF H. RES. 980. AUTHORIZING COMMITTEE ON THE JUDICIARY TO INITIATE OR INTERVENE IN JUDICIAL PROCEEDINGS TO ENFORCE CERTAIN SUBPOENAS

SPEECH OF

#### HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2008

Mr. BERMAN. Madam Speaker, I rise in strong support of this resolution. Many Americans are frustrated and angry because they believe that this administration is not being held to account for its actions. Now, after 7 years, much of the public turns this frustration at Congress because it is the branch with the responsibility for oversight.

Last year, the House Judiciary Committee undertook a very serious investigation into allegations that a number of key law enforcement officers in our country—United States attorneys—were being fired for their unwillingness to respond to political pressure in various cases. This led to information about other actions that were clearly politicizing the work of the Department of Justice. You will hear people on the other side talk about the investigation wasting time. This was no fishing expedition. The fact is that the revelations from this investigation led to the resignation of the Attorney General of the United States.

We are here today because this administration responded to a legitimate investigation—the exercise of our oversight duty—by stonewalling in the extreme. The disrespect shown to this body has been stunning, culminating in the fact that when the committee subpoenaed the testimony of Harriet Miers, neither she nor her attorney bothered to even show up to assert the privilege she claimed.

To justify the administration's behavior, the President has asserted an astonishingly broad theory of executive privilege which claims that any document or information from any individual who has ever worked for the President is covered and therefore immune from being compelled to testify before Congress. This view of executive privilege may be unprecedented in our history, and if accepted, it would chill any meaningful oversight of the executive branch and grant near limitless power to the President to hide information from Congress, the courts, and the American people.

The utter contempt shown by this administration toward Congress and its constitutional duties is unacceptable, and to permit these actions to stand unchallenged would be an abrogation of our constitutional responsibility.

Approving these contempt resolutions would send a strong message to the administration that Congress will not be ignored. At the end of the day, whether civil or criminal action is successful, our most important goal should be getting to the truth.

If we do not respond to the administration's disregard of the legislative branch, we risk rendering permanent damage to our own institution and to this country's cherished system of checks and balances. Failure to act will also set a dangerous precedent that future administrations will almost assuredly seek to exploit. To my colleagues on the other side who are trying to dismiss these resolutions as partisan—I urge you not to be shortsighted. This is not a partisan issue. It is a matter that strikes at the heart of our democracy and the checks and balances on which it depends.

Congress has been eminently patient in awaiting the President to provide information on the U.S. attorneys scandal. Yet, rather than work with us to get to the bottom of wrongdoing in his administration, the President has continued his pattern of actively hiding possible evidence of illegal behavior by high-ranking officials in his Government and stonewalling any inquiries to get to the truth. Because it is each Member's very responsibility

to support and defend the Constitution, we have absolutely no other choice than to pursue this action against the President's Chief of Staff and his former chief legal counsel. I urge my colleagues to vote "yes."

### HONORING FLINT SCOTTISH BAND

#### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2008

Mr. KILDEE. Madam Speaker, I rise today to pay tribute to the Flint Scottish Pipe Band. The Flint Scottish Pipe Band has won several competitions in the United States and Canada over the past year and will celebrate their victories at the annual Ceilidh on February 16, in Davison, Michigan. The Ceilidh will feature traditional music and Scottish food.

Scottish immigrants to the Flint, Michigan, area founded the Flint Scottish Pipe Band in 1916. The Band's Gaelic motto is "Cuidich 'n Rìgh" which means, "Help the King." Their emblem is the stag's head of the MacKenzie Seaforth Highlanders. Composed of both pipes and drums the band is under the direction of Pipe Major Dennis Lowe and Drum Sergeant Teddy Barr.

In 2007, the Flint Scottish Pipe Band won the U.S. championship in grade 5, the Canadian championship in grade 5, the southern U.S. championship in grade 5, and they are the eastern U.S. champions in grade 5. Over the past season the pipe section took first place 9 times, the mid section took first place 3 times, and the drum section swept first place in all competitions.

The members of the Flint Scottish Pipe Band gather every Thursday in Flint to practice and they are preparing to travel to Scotland in 2009 to compete in the world championships. Their membership comes from all over Michigan and is open to persons with a love for the traditional pipe and drum music of Scotland.

Madam Speaker, I ask the House of Representatives to join me in applauding the Flint Scottish Pipe Band for their achievements over the past year. I wish them the best success in the upcoming competitions and the world championships. They are to be commended for preserving the traditions of Scotland in the heart of Michigan and bringing the music of the pipes and drums to thousands.

### HONORING POTEET HIGH SCHOOL'S AWARD WINNING BANDS

#### HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 15, 2008

Mr. HENSARLING. Madam Speaker, today I rise to recognize the Poteet High School Marching Band for winning the 2007 UIL Class

• 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.



4A State Marching Title and the Honor Band for being named the 2008 Class 4A Honor Band for the State of Texas by the Texas Music Educators Association.

Last fall, the Poteet High School Marching Band secured the state championship title for its division for the second time in 3 years. The marching band received perfect scores from four of the five judges, placing them above 23 other elite bands.

Meanwhile, the Poteet High School Honor Band was named the 2008 Class 4A Honor Band for the State of Texas, the most prestigious honor for a high school concert band. For their achievement, the band will perform at the Texas Music Educators Association Convention in San Antonio, Texas.

Madam Speaker, on behalf of the Fifth District of Texas, I am honored to recognize the Poteet High School Marching and Honor Bands, both the directors and students, for their talent, dedication to the arts, and their exceptional performance.

CONGRATULATING MICHELE  
"MISSY" MANDELL ON HER  
SERVICE TO THE PEOPLE OF  
TEXAS

### HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 15, 2008*

Mr. CONAWAY. Madam Speaker, I rise today to thank and commend Mrs. Michele "Missy" Mandell for her dedication to the people of central Texas. For the past 19 years Missy has worked at the Lower Colorado River Authority, LCRA, most recently as the executive manager of Federal affairs. She departs at the end of this month, but leaves a legacy of tireless work to meet the needs of the communities in the 58 counties where the LCRA operates.

Missy served as a liaison to the myriad of stakeholders in public water service and power generation, including local communities, Federal agencies, industry organizations, and elected officials, such as myself. No matter the issue, she was always able to navigate the complex web of laws, rules, and regulations to help LCRA provide services to its clients. I was fortunate to work with her here in Washington and always found her to be a valuable partner in solving the critical issues facing my constituents. It is likely that the customers of LCRA do not know Missy Mandell, but they all owe her a great debt for her work on their behalf.

In addition to her constant work for the LCRA, Missy also found time to give back to her community. She has donated her time and considerable experience by serving on the board of directors for the Children's Advocacy Council; the advisory board of the LBJ Liberal Arts and Sciences Academy; and the city of Austin's Environmental Board and the Charter Revision Council. Through her selfless giving, the city of Austin is a better place.

I am certain that Missy will prosper in her new career; she has the drive, experience, and intellect to thrive in whatever she chooses. The LCRA is not merely losing a long-serving employee, but a passionate advocate, a tireless consensus-builder, and ever-optimistic citizen, always seeking to improve the

lives of those she worked for. It has been my pleasure to know and work with Mrs. Missy Mandell and I offer her my best wishes and prayers, safe in the knowledge that God will smile on her future endeavors.

### RECOGNIZING DR. MARTINEZ OF UNIVERSITY OF CONNECTICUT

### HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 15, 2008*

Mr. COURTNEY. Madam Speaker, dreams of higher education have become increasingly elusive for thousands of well-qualified students from low-income and disadvantaged backgrounds. On February 7, 2008, the House passed the College Opportunity and Affordability Act, legislation that will move our Nation one step closer to expanding higher education opportunities for all. I rise today to celebrate this achievement and recognize the role that Dr. Maria Martinez, the University of Connecticut's director of the Center for Academic Programs, has served in delivering higher education outreach services to Connecticut's most vulnerable communities.

For the past four decades, TRIO programs, including Talent Search, Upward Bound, and Student Support Services, have facilitated access to higher education opportunities for disadvantaged students in Connecticut and across the Nation. Dr. Martinez is charged with implementing TRIO and similar programs at the University of Connecticut. On March 22, 2007, in light of pending reauthorization of these programs under the College Opportunity and Affordability Act, Dr. Maria D. Martinez testified before the House Committee on Education and Labor.

Perhaps the most poignant of her testimonials included a reference to one of UConn's TRIO alumni, Dr. Franklin Chang-Diaz. She stated that Franklin struggled with English in high school and was recruited into UConn's Student Support Services program. Upon completing his undergraduate degree, Franklin earned a doctorate in plasma physics at MIT, was recruited by NASA, and became America's first Hispanic astronaut. He currently holds the world record for most space missions flown.

The College Opportunity and Affordability Act strengthens these programs and brings hope to thousands of students just like Franklin. In Dr. Chang-Diaz's words, "TRIO is one of the ways this country really becomes the land of opportunity."

Madam Speaker, education systems form the pillars for potential prosperity and health of any society. Our Nation must remain vigilant of these systems and continue to improve them until they reflect our highest aspirations. Continuing to support programs like TRIO is necessary to ensure these worthy objectives. I ask my colleagues to join with me and my constituents in recognizing the importance of TRIO programs and Dr. Martinez's role in delivering these services to underprivileged students in Connecticut.

### EXPRESSING THE CONDOLENCES OF THE HOUSE OF REPRESENTA- TIVES ON THE DEATH OF THE HONORABLE TOM LANTOS, A REPRESENTATIVE OF THE STATE OF CALIFORNIA

SPEECH OF

### HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 12, 2008*

Mr. WAXMAN. Madam Speaker, I rise to join my colleagues in expressing profound sorrow at the passing of our good friend, TOM LANTOS.

TOM was neither an ordinary American nor an ordinary Member of Congress. His personal experience as a Holocaust survivor—and the only survivor ever to be elected to Congress—defined his work in the House of Representatives. He bestowed on all of us a unique perspective that we both needed and relied on.

As the founding co-chair of the Congressional Human Rights Caucus, TOM was known to all of us here and throughout the country as the conscience of the Congress. From the genocide in Darfur, to the human rights crisis in Burma, to the global AIDS epidemic, to modern-day slavery and human trafficking, TOM persevered on behalf of the world's most forsaken and most forgotten.

It was an honor to serve with TOM on the Oversight and Government Reform Committee and Human Rights Caucus. His contributions to Congress, to our democracy, and to the disenfranchised and dispossessed around the world will remain with us always.

On a personal note, Janet and I will never forget TOM and Annette's love for one another and their complete devotion to their children, grandchildren, and great grandchildren. We are certain the love of the Lantos family and the reflection in the days ahead on TOM's extraordinary life will carry them through this very sad time.

### REGARDING THE PRESIDENT'S BUDGET AND IRAQ

### HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 15, 2008*

Ms. SCHAKOWSKY. Madam Speaker, this week, the Washington Post listed a number of existing programs that would be eliminated in President Bush's budget. These are programs that make a real difference in people's lives but have gotten less attention than the major cuts in his budget.

For example, the President's budget proposes to eliminate the Commodity Supplemental Food Program, which provides food packages for about 500,000 low-income elderly persons, women, and children each month. The program received \$140 million in 2008. To put that in context, \$140 million is the cost of funding 10 hours of the war in Iraq.

During this economic downturn, the President's budget eliminates the Community Services Block Grant and other community services programs. These programs, which were funded at \$698 million in 2008, reduce poverty



and provide assistance for individuals dealing with housing, health, nutrition, energy, and substance abuse problems. \$698 million is the cost of a little more than 2 days of the war in Iraq.

At a time of soaring energy prices and record oil company profits, the President's budget eliminates Weatherization Assistance to help Americans lower their energy bills by making improvements to their home's energy efficiency. At \$227 million, these program cuts would provide to funding for a little more than 16 hours of the war in Iraq.

The President's budget also eliminates the COPS program, which provides grants and other assistance to help communities hire, train, and retain police officers and to improve law enforcement technologies. In 2008 it received \$587 million, the cost of about a day and a half in Iraq.

The President's budget eliminates the Manufacturing Extension Partnership, which helps small U.S. manufacturers by providing resources to help them create jobs, leverage private-sector investment, and be more competitive. These cuts would reduce private-sector investment in U.S. manufacturing by an estimated \$1.5 billion, and lead to the loss of approximately 37,000 jobs which could be created or retained. The MEP only cost \$87 million in 2008, the cost of a little more than 6 hours in Iraq.

The budget eliminates \$1.2 billion in funding for career and technical education in high schools and vocational colleges. This would withdraw assistance for approximately 8 million students who are currently supported by the program—at a cost of approximately 3½ days in Iraq.

Finally, the President's budget eliminates Medicaid funding for the Graduate Medical Education program, which provides physician training programs to pediatricians to address the major shortfall in pediatric specialists. The policy reduces funding to the program by \$302 million—the cost of a little less than 1 day for the war in Iraq.

Taken together, all of these programs, which benefit millions of Americans, would pay for a little more than a week in Iraq. President Bush's budget represents a sad continuation of his failed fiscal policies. With this budget, the President is telling us that he believes that America should slash investments that help the families across the Nation who are struggling to make ends meet, and that we should instead waste billions of dollars on a misguided war and on tax cuts for his wealthy friends.

I hope that my colleagues reject these cuts and reject any budget that makes funding the war in Iraq a higher priority than meeting the needs of American families.

HONORING MARGARET  
GALLAGHER-ZELLEY-SCHMIT

**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 15, 2008*

Mr. KILDEE. Madam Speaker, I rise today to pay tribute to the life of Margaret Mary Gallagher-Zelley-Schmit as she celebrates her 90th birthday. Her family and friends will gather on Sunday, February 24, in Grand Blanc, Michigan.

Born on February 21, 1918, in Boyne City, Michigan, Margaret Gallagher graduated from St. Joseph High School in Escanaba, Michigan, in 1936. She attended the Chicago Business School and married LeRoy Zelley. LeRoy became a licensed funeral director in 1938 and the couple started Zelley Funeral Home on the east side of Flint, Michigan in 1953. The funeral home quickly became an institution and landmark in the Flint community. The couple had four sons: LeRoy III, Glen, Michael and Joseph.

Margaret obtained her college degree from Wayne State University and funeral director's license in 1967. Margaret and LeRoy provided funeral services to over 4,000 families before LeRoy passed away in 1976. Margaret retired in 1987 and married Roy "Bud" Schmit in 1989. In 2004, Bud passed away.

Margaret spends her time organizing her photos and memorabilia for a book she is planning to write about her life. She also celebrates and promotes her Irish heritage and in 2006 was the Flint St. Patrick's Day Irish Mother of the Year.

Madam Speaker, I ask the House of Representatives to join me in congratulating Margaret Mary Gallagher-Zelley-Schmit as she turns 90 years old. I would like to extend best wishes for her upcoming birthday and for many, many more. May her coming year be filled with happiness and good health.

HONORING EDWARD E. MUNGER

**HON. GEORGE RADANOVICH**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 15, 2008*

Mr. RADANOVICH. Madam Speaker, I rise today to honor the life of BG Edward E. Munger for his dedication and service to his country and his community. General Munger passed away at the age of 68 on February 12, 2008, at his home in Fresno, California. A service honoring his life will be held on Friday, February 15, 2008, in Fresno.

General Munger was born in Fresno on February 15, 1939. As a senior at Fresno High School, he decided to enlist as a private in the California Army National Guard and was selected to attend the California Military Academy Officer Candidate Program. In 1959 he received his commission as a second lieutenant in the United States Army. Twenty years later, General Munger was selected to attend the National War College. At the War College his major focus was on the Middle East. He was able to travel throughout the region to meet with leaders including President Anwar Sadat of Egypt, King Faud and Crown Prince Abdullah of Saudi Arabia, the Emir and leaders of the ruling Al-Khalifa family in Bahrain, and Prime Minister Menachem Begin of Israel. Upon completing his studies at the War College he was promoted to full colonel and accepted a 4-year tour of active duty service as the Executive Staff Director and Chief of Staff of the Reserve Forces Policy Board in the Office of the Secretary of Defense at the Pentagon. After serving for 32 years, General Munger retired from the military as a brigadier general in 1990. With his departure he was awarded the Legion of Merit and the Defense Superior Service Medal.

Outside of the military General Munger was a businessman who also gave a great amount

of time and effort to the community. General Munger owned Engineered Sound, an electronics engineering and installation company. He served as a Fresno County deputy sheriff. He and his brother were co-owners of the Granada Capital Company. He was very involved with the Boy Scouts of America. He earned the prestigious Silver Beaver Award and the Sequoia Council Distinguished Scout Award. He was the president of I.R.O. Soararsis, a support organization for Kings Canyon National Park. He was a member of the Valley Children's Hospital Board of Trustees and also created the Fairy Godfather fund. This fund assists the hospital financially and also provides a toy or stuffed animal for sick and terminally ill children whose families cannot afford it. General Munger was a member of the Rotary Club of Fresno's board of directors and a member of the Fresno County Planning Commission.

In 2004 General Munger returned to the Middle East with a civilian group called Brotherhood of the Badge. They delivered law enforcement equipment, two way radios, and protection vests to the new Iraqi Police in Baqubah. Since the first visit, more than 12,000 vests and other equipment have been delivered to the Iraqi Police through the U.S. military. General Munger was diagnosed with liver cancer in 2005, shortly after returning from the Middle East.

General Munger will be remembered for all that he has sacrificed and for all that he has achieved. He is preceded in death by his parents and his brother Maynard. He is survived by his wife of 37 years, Tamsen Munger, and their adult children, Edward and Eleanor.

Madam Speaker, I rise today to posthumously honor Brigadier General Edward E. Munger for his dedication to his family, his country and his community. I invite my colleagues to join me in honoring his life and wishing the best for his family.

HONORING THE LIFE AND SERVICE  
OF MRS. SUE MASON

**HON. THADDEUS G. McCOTTER**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 15, 2008*

Mr. McCOTTER. Madam Speaker, today I rise to honor and acknowledge Sue Mason upon receiving the Women of Westland's 2008 ATHENA Award. The ATHENA Award recognizes individuals who have attained and personified the highest level of professional excellence in their business or profession, have devoted time and energy to the community in a meaningful way, and have opened the door of leadership opportunity for women.

Throughout her distinguished career Sue has been committed to her family and community. Mrs. Mason faithfully serves as the community editor for the Westland and Garden City Observer newspaper. Her community service activities revolve around her children's education and athletics as she supports the Wayne-Westland Soccer Association, and she is a valued member of the Garden City Public School's Foundation for Educational Excellence committee.

Sue has earned numerous awards throughout the years for her service and professional conduct including being named the O&E Journalist of the Year and being recognized by the

Westland Civitans as their Citizen of the Year. Sue has also been honored by the Michigan PTA and Wayne-Westland community schools for her exemplary coverage of educational issues. Sue has been described as “a well-rounded, thoughtful individual who is a gen-

uine asset to our local journalistic community.” Of all her accomplishments, Sue is most proud of her family, and celebrates this honor with her husband Bob and her children Bobby and Carol Lee.

Madam Speaker, I ask my colleagues to join me in extending sincere congratulations to this year's ATHENA Award winner, Sue Mason, for her dedication to professional excellence and commitment to her community and country.

# Daily Digest

## Senate

### *Chamber Action*

*Routine Proceeding, pages S1087–S1088*

**Recess:** Senate met at 10:00:02 a.m. in pro forma session, and recessed at 10:00:35 a.m., until 11 a.m. on Tuesday, February 19, 2008. (For Senate's pro-

gram, see the remarks of the Acting Majority Leader in today's Record on page S1088.)

### *Committee Meetings*

*(Committees not listed did not meet)*

No committee meetings were held.

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## House of Representatives

### *Chamber Action*

**Public Bills and Resolutions Introduced:** 2 resolutions, H. Con. Res. 300–301 were introduced.

**Page H1000**

**Additional Cosponsors:**

**Page H1000**

**Reports Filed:** There were no reports filed today.

**Speaker:** Read a letter from the Speaker wherein she appointed Representative McGovern to act as Speaker Pro Tempore for today.

**Page H997**

**Meeting Hour:** Agreed that when the House adjourns on Thursday, February 21, 2008 it adjourn to meet at 4 p.m. on Monday, February 25, 2008.

**Pages H997–99**

**Senate Message:** Message received from the Senate today appears on pages H999–H1000.

**Quorum Calls—Votes:** There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and at 10:25 a.m., pursuant to the provisions of H. Con. Res. 293, the House stands adjourned until 10 a.m. on Tuesday, February 19, 2008.

### *Committee Meetings*

#### **ARMY'S WOUNDED SERVICE MEMBER SERVICES**

*Committee on Armed Services:* Subcommittee on Military Personnel held a hearing on the status of the implementation of the Army's medical action plan and other services' support for wounded service members. Testimony was heard from LTG Eric Schoomaker, M.D., USA, Surgeon General, and BG Michael Tucker, USA, Assistant Surgeon General, Warrior Care and Transition, both with the U.S. Army; VADM Adam Robinson, M.D., USN, Surgeon General, U.S. Navy; and LTG James Roudebush, M.D., USAF, Surgeon General, U.S. Air Force.

*Next Meeting of the SENATE*

11 a.m., Tuesday, February 19

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Tuesday, February 19

## Senate Chamber

Program for Tuesday: Senate will meet in a pro forma session.

## House Chamber

Program for Tuesday: The House will meet in a pro forma session.

## Extensions of Remarks, as inserted in this issue

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Waxman, Henry A., Calif., E208



# Congressional Record

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