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House of Representatives

The House met at 10 a.m.

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

Loving God, ever attentive to human need and openness, for some believers, You are distant and to be feared, only to be encountered in some mysterious happening or at the end of life. To other believers, Lord, You are ever present, sustaining all life, to be discovered just beneath the surface of each ordinary day. Perhaps it is Your love itself that arranges for us to experience at that precise moment what is the best and holiest thing that could ever happen to us.

Since the art of timing seems so important to us in the teaching of our young people, in the exercise of the free market, as well as in love and politics, perhaps it is best for us, too, to leave the timing of Your self-revelation also in Your hands.

Your wisdom in knowing us may best serve those who pray. For then, we will commend not only our concerns, our loved ones, our very selves, but our times to You, with the words: ''In God we trust.''

Even in Your timing, O God, we trust, now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain five 1-minute requests from each side of the aisle.

BISHOP PAUL S. MORTON

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

Mr. JEFFERSON. Madam Speaker, I rise today to pay tribute to a peerless religious leader in our country, Bishop Paul S. Morton, who has been on a mission for God as pastor of Greater St. Stephen Full Gospel Baptist Church for the past 33 years.

He took the helm of Greater St. Stephen when he was 24 years old, and at that time the church had nearly 1,000 members. Over the next 30 years, through dynamic leadership as a premiere pastor, teacher, and award-winning gospel singer, the membership of the church grew to over 20,000 members, the largest church in my State of Louisiana, and one of the largest in the Nation. He is now retiring as its pastor.

In 1994, God gave Bishop Morton the vision to found the Full Gospel Fellowship. The fellowship now has over 1,500 churches nationally and internationally, including churches in Western Europe, Western and Southern Africa, India, Japan and the Caribbean.

Bishop Morton will continue to serve as International Presiding Bishop of the Full Gospel Fellowship. We thank God for his service to our community, to our Nation, to the international community, and to almighty God. We wish him God's choicest blessings as he repositions himself for greater service.

TAYLORSVILLE VFW AUXILIARY AND TAYLOR KING SUPPORT DEPLOYED TROOPS

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

Ms. FOXX. Madam Speaker, I rise today in honor of a group of true American patriots.

This past Christmas, a group of citizens in Taylorsville, North Carolina worked hard to communicate to our men and women stationed overseas that they are in our prayers and on our mind.

A civic-minded band of women in the Veterans of Foreign Wars Auxiliary from the rural community of Taylorsville worked together to rally their community to send care packages to local Armed Forces members stationed abroad during Christmas. The sacrifice of military service during Christmas is often overlooked during a time when many of our brave military men and women are stationed abroad, making this effort all the more meaningful to the soldiers they aided.

Thanks to the selfless work of Margaret Milsap, Mary Lasky and Jeanette Stevenson, which was spearheaded by Mary Matthews, more than 80 care packages were sent to 30 deployed soldiers during this past Christmas. Taylor King Furniture, a Taylorsville business, generously footed the entire bill for the mailing of the 80-plus packages.

Together, the VFW Auxiliary and Taylor King provided a slice of home to 30 soldiers serving in foreign countries during Christmas. I hope their example of citizenship and patriotism during uncertain times serves to inspire many more Americans to show their support for our troops who fight for freedom every day.

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DR. JACK SMITH, A GREAT AMERICAN

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

Mr. SIRES. Madam Speaker, I wanted to take a moment to recognize a great American, a constituent of mine from Bayonne, New Jersey, Dr. Jack Smith.

After seeing the second plane hit the World Trade Center on 9/11, Dr. Smith immediately left his Bayonne practice and went to help treat victims in Lower Manhattan. He said he felt the world had changed that day, and he decided to enlist in the Army Medical Reserve at the age of 49 years old.

Dr. Smith has since served two tours overseas. He was sent on his first tour to Bagram Air Base in Afghanistan where he served in the 325th Combat Support Hospital Unit. His second tour was with the First Squadron of the 167th RSTA Cavalry Unit in Iraq. There he worked at the battalion aid station, the Air Force Theatre Hospital, and gave medical support for two intelligence gathering missions outside the wire.

When asked about managing his service, family, and practice, Dr. Smith says he's been blessed. I believe we are blessed to have individuals like Dr. Smith serving our country. His courage and service are an example to us all, and I want to thank him and his family for his service.

NEW EMPLOYEE VERIFICATION ACT

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

Mr. SAM JOHNSON of Texas. Madam Speaker, last Thursday, I introduced the New Employee Verification Act; it's H.R. 5515. This proposal will achieve three important objectives: one, ensure a legal workforce; two, safeguard workers identity; and three, protect Social Security.

Effective work site enforcement is essential to securing our borders. Reforming work site enforcement will affect millions of workers, and it must be done immediately and done right. Having an effective safeguard in place will allow us to have a rational debate about the number of workers we need to legally enter our Nation.

My bill has a mandatory component that builds off of what we've learned from current E-Verify. I also have a component that helps prevent identity theft through the creation of a voluntary system to authenticate and safeguard workers' identities.

This bill has strong support in the employer community. I look forward to working with both sides of the aisle to see this bill signed into law.

IN HONOR OF MIKE DALY

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

Mr. HARE. Madam Speaker, I rise today to recognize a true humanitarian from my congressional district, Mike Daly. In 2007, Mike retired as principal of the Black Hawk Area Education Center in East Moline, Illinois, ending a remarkable 35-year career in special education and public service.

Throughout his career, Mike demonstrated tremendous passion and dedication. He successfully established partnerships between local businesses, service organizations, and the special needs community to provide opportunities for his students, such as competing in the Special Olympics, and always believing that communities should not have boundaries.

Mike's tireless efforts have touched the lives of thousands of people and their families, and I am proud to have the opportunity to represent him.

Mike, thank you for your work, your commitment to others, and your efforts to make your community a better place for everyone.

I wish you the best in your retirement, and may you continue to find fulfillment in helping others.

□ 1015

PENTAGON TO KEEP 140,000 TROOPS IN IRAQ—STATUS QUO CONTINUES DESPITE NO POLITICAL PROGRESS

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

Mr. PASCRELL. Madam Speaker, in case anyone was still under the impression that the President was serious about changing the dynamics on the ground in Iraq, they should put all those hopes aside. If the administration gets its way, this President will leave 8,000 more troops in Iraq when he leaves office than were there before the surge last year.

In 2006, before the President's troop escalation plan, there were 132,000 American troops in Iraq. This summer after five combat brigades come home, there still will be 140,000 troops on the ground.

There is not going to be a change. Last year the President moved ahead with this troop escalation plan, promising that it would give the Iraq Government the stability to make some of the tough political decisions. As the troop escalation comes to an end, the Iraq Government has failed to bring about any real political progress, and repeated deployments are severely straining our military readiness.

Madam Speaker, the status quo is not working. We will continue to fight to end this war and head our country in a new direction.

SUCCESS IN IRAQ AND AFGHANISTAN

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

Mr. WILSON of South Carolina. Madam Speaker, last weekend I was honored to travel with a delegation to visit our troops in Iraq and Afghanistan. I am grateful to report that I saw significant success while walking the market district of Haditha in Anbar province, Iraq, to driving across Asadabad, Afghanistan, to see a new bridge under construction.

Violence in Iraq has declined by over 60 percent since the beginning of the surge. In Afghanistan I appreciate the success of the 218th Brigade of the South Carolina Army National Guard, led by Brigadier General Bob Livingston, to train Afghani forces to secure their own homeland. The best way to protect American families at home is to stop terrorists overseas.

There are many challenges we face both in Iraq and Afghanistan, but the brave men and women fighting on the front lines have done everything we have asked of them. So let's do what they have asked of us. Let them complete the mission, protecting American families.

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

TRIBUTE TO RYAN NEWMAN, WINNER OF THE 2008 DAYTONA 500

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

Mr. DONNELLY. Madam Speaker, I rise today to celebrate the success and triumph of Ryan Newman, winner of the 2008 Daytona 500. Born and raised in South Bend, Indiana, Ryan serves as a shining example to young men and women who aspire to achieve great success after long hours of work and sacrifice.

Ryan's younger years were spent learning about cars at the elbow of his dad and developing the team spirit he's created to this day. He was an honors graduate of LaSalle High School and also a graduate of Purdue University.

Supported by his family, his community, nationwide fans, and a great team, Ryan won the 50th running of the Daytona 500, the Super Bowl of NASCAR. In a race with 16 different leaders and 42 lead changes, Ryan prevailed because of persistence and skill.

It is my pleasure to pay tribute to the many years of hard work and dedication that have paid off for Ryan Newman, a model Hoosier. The Second District is proud of his success and of one of its hardest-working sons, a man who serves as a role model for youth throughout the country.

PROVIDING FOR CONSIDERATION OF H.R. 2857, GENERATIONS INVIGORATING VOLUNTEERISM AND EDUCATION ACT

Ms. MATSUI. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1015 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1015

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2857) to reauthorize and reform the national service laws. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 2857 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore (Mrs. TAUSCHER). The gentlewoman from California is recognized for 1 hour.

Ms. MATSUI. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of this rule is for debate only.

GENERAL LEAVE

Ms. MATSUI. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1015.

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

There was no objection.

Ms. MATSUI. Madam Speaker, I yield myself such time as I may consume.

House Resolution 1015 provides for consideration of House Resolution 2857, the Generations Invigorating Volunteerism and Education, or GIVE, Act under a structured rule. The rule provides 1 hour of general debate controlled by the Committee on Education and Labor. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule makes in order the Education and Labor Committee-reported substitute as an original bill for the purpose of amendment.

The rule makes in order 11 amendments, which are listed in the Rules Committee report accompanying the resolution. Each amendment is debatable for 10 minutes. The rule also provides one motion to recommit, with or without instructions.

Madam Speaker, I rise today in support of a vital piece of legislation, legislation that directly affects all of our communities and the lives of millions of Americans; legislation that strengthens our communities, helps educate our future generations, teaches our youth to prepare for and respond to unthinkable tragedies, and fosters the growth of respect and compassion throughout our entire society.

The Corporation for National Community Service estimates that in 2006 the national service participants provided the Nation with nearly $4 billion worth of service projects. The GIVE Act reauthorizes our country's investment in community service and volunteerism.

As co-chair of the National Service Caucus, it is a pleasure to call attention to the tremendous work of those involved at every level and in every program of the corporation.

Madam Speaker, service and volunteerism are the bedrock of our emergency preparedness and national security. In times of strife, the American people have always shown a spirit of service and ingenuity. Investing in service and volunteer programs prepares us to handle any crisis. We must focus on building our national capacity, and harnessing the enterprising spirit of the American people is a good way to do so. In the wake of a catastrophe, a first responder is likely to be a civilian. A neighbor is likely to be the first one to provide assistance. By building up our service and volunteer programs, we are taking proactive steps to bolster our national security and capability to weather a disaster now and in the years to come.

We saw firsthand the importance of having trained volunteers in the wake of the 2005 hurricanes. These forever changed thousands of lives and communities in the gulf coast. We watched as men and women mourned their loved ones and remembered the lives they once had. We also witnessed an outpouring of support and compassion from individuals who were touched by this immense tragedy.

Following the devastation in the gulf coast, more than 92,000 national service volunteers contributed over 3.5 million hours of service to the recovery effort. They repaired neighborhoods. They rebuilt lives. Our national service participants have also applied their expertise towards training local community volunteers, further expanding the network of effective workers to 260,000 people.

The assistance from volunteers following the devastating storms represents only one example of the many accomplishments that our service volunteers achieve every single day. Through programs such as AmeriCorps State and National, Volunteers in Service to America, and National Civilian Community Corps, AmeriCorps volunteers address critical needs in our communities.

When I am home in Sacramento, I am reminded by my constituents of the great work done by AmeriCorps NCCC volunteers. AmeriCorps NCCC members are disaster trained and available for immediate deployment in the event of a natural disaster anywhere within the United States, as they were to the gulf coast. In fact, NCCC teams have responded to every national disaster since the program was established.

Over $26 million worth of hurricane recovery resources have come from AmeriCorps NCCC alone, which is more than we spent on the entire program nationwide. This is quite a return on our investment.

The GIVE Act will strengthen the emergency preparedness and response training of our country's NCCC participants. The changes will also help the program continue to grow. Recently, the corporation added two new campuses, one in Iowa and one in Mississippi.

The GIVE Act recognizes the work of every volunteer in this country. It seeks to reach out to more people to greatly expand the number of volunteers across this country. Our bill will expand AmeriCorps membership from 75,000 to 100,000 by 2012. The bill seeks to tap the growing pool of baby boomers reaching retirement that wish to continue serving their country by lowering the age of participation in Senior Corps to 55 from 60 years old. Equally important is that the bill harnesses the energy of future generations in addition to the baby boomers.

Engaging our youth early on is vitally important to the safety of our communities and the lives of our children. The Summer of Service program

will ensure that students making the transition from middle to high school have an opportunity to participate in service programs. By increasing the education award, the bill allows young service participants to apply the skills that they learn in volunteerism to a successful education. The benefits of service will continue to accrue to volunteers even after they complete their service.

Madam Speaker, as a result of the great work of the AmeriCorps members, extraordinary things are happening all over America. The corporation supports such important nonprofit organizations as Habitat for Humanity, City Year, and Red Cross.

National service participants have built homes, healed wounds, and taught elementary school kids. These volunteers are part of the backbone of our country. With very little funding, service participants leverage millions of dollars and perform crucial work in classrooms, national parks, and areas of our Nation hit by disaster.

As a result, I hope my colleagues will support the rule and the underlying legislation. The spirit of service that is so important to all of our communities is one that should be encouraged and supported.

Madam Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. I would like to thank my friend, the gentlewoman from California (Ms. MATSUI), for the time and I yield myself such time as I may consume.

In a world often plagued by selfishness, those who commit themselves to the service of others through volunteerism really serve as a beacon of compassion and hope for all.

□ 1030

Community service is one of the most gratifying, rewarding, fulfilling ways people can give back to their communities. Community service has always been a vital pillar of our society. Volunteers all over the Nation dedicate millions of hours to their contemporaries, all in the hope of making people's lives better. Through their selfless work and tireless effort, volunteers help improve the lives of millions of Americans.

In 1993, Congress, with my support, passed legislation creating AmeriCorps and the Corporation for National and Community Service to administer and coordinate Federal community service programs. Since then, almost 500,000 Americans have served with thousands of nonprofit organizations, public agencies, and faith-based organizations nationwide.

These citizens tutor and mentor children, they coordinate after-school programs, they build homes for the needy, they conduct neighborhood patrols, restore the environment, respond to disasters, build nonprofit capacity, recruit and manage volunteers. They do, oftentimes, exemplary work.

The underlying legislation, Madam Speaker, H.R. 2857, the Generations Invigorating Volunteerism and Education Act, known as the GIVE Act, will reauthorize the national service programs administered by the Cooperation for National Community Service. This reauthorization will help increase the number of volunteers in AmeriCorps to over 100,000 by 2012. It will also create service opportunities for middle school and high school students through the Summer of Service program.

The legislation emphasizes the critical role of service in meeting the national priorities of emergency and disaster preparedness. I do believe it will help improve program integrity.

I am pleased that the committee, the Committee on Education and Labor, worked in a bipartisan manner to reauthorize this program and to include provisions that will make these programs more effective and efficient, responding to State and local needs, and performance-oriented. It goes to show, Madam Speaker, that when we are willing to work together and negotiate, we can bring forth good pieces of legislation with bipartisan support.

Now, I know the majority is trumpeting this rule with which we bring this underlying legislation to the floor because it will allow Members to debate all the amendments to the Rules Committee. But I remind my colleagues, Madam Speaker, the majority does this only when the underlying legislation is noncontroversial, even though the majority promised to be the most open Congress in history. If the majority is so proud of this rule, it should allow open rules on controversial bills as well.

In closing, Madam Speaker, I urge Americans everywhere, regardless of whether they take part in a AmeriCorps, to volunteer and give back to their communities. The rewards are extraordinary to both the volunteer and to the community. As Winston Churchill said, ''We make a living by what we do, but we make a life by what we give.''

Madam Speaker, I reserve the balance of my time.

Ms. MATSUI. I would like to inquire of the gentleman from Florida if he has any remaining speakers.

Mr. LINCOLN DIAZ-BALART of Florida. We have no other speakers. I am ready to make my final remarks.

The SPEAKER pro tempore. The gentleman from Florida is recognized.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield myself the balance of my time.

Although the reauthorization of AmeriCorps certainly is an important matter and one that deserves our attention, I must express my disappointment that the majority decided to take up this legislation before we finish our work on bipartisan legislation to protect Americans from international terrorism.

On February 14, the majority decided to leave Washington to take a President's Day recess and allowed the Protect America Act to expire 2 days later, rendering U.S. intelligence officials unable to begin new terrorist surveillance without cumbersome bureaucratic hurdles. Because of the inaction of the majority, the United States is more vulnerable to terrorist attack.

This didn't have to happen, Madam Speaker. Earlier last month, the Senate passed, by a bipartisan vote, really an extraordinary vote of 68–29, a bill updating the Foreign Intelligence Surveillance Act, FISA, a bill that the chairman, Democratic chairman of the Senate Intelligence Committee said, and I quote, ''is the right way to go in terms of the security of the Nation.''

We could have easily considered that legislation, but the majority in the House instead decided to head home. The House should vote on the Senate measure, and the House should vote on the Senate measure now.

Madam Speaker, we must always try to stay one step ahead of those who wish to harm Americans. Now is not the time to in any way tie the hands of our intelligence community. The modernization of the foreign intelligence surveillance is a critical national security priority.

I am pleased that several of my colleagues on the other side of the aisle also agree. On January 28, 21 members of the Blue Dog Coalition, Democrats, sent a letter to the distinguished Speaker in support of the Senate Rockefeller-Bond FISA legislation. The letter states, and I quote, ''The Rockefeller-Bond FISA legislation contains satisfactory language addressing all these issues, and we fully support that measure, should it reach the House floor without substantial change. We believe these components will ensure a strong national security apparatus that can thwart terrorism across the globe and save American lives here in our country.''

Today, I will give all Members of the House an opportunity to vote on the bipartisan long-term modernization of FISA. I call on all my colleagues, including the members of the Blue Dog Coalition that signed the letter to the distinguished Speaker, to join with me in defeating the previous question so that we can immediately move to concur in the Senate amendment and send the bill to the President to be signed into law.

I remind my colleagues that defeating the previous question will not prohibit consideration of the underlying legislation being brought to the floor today, the GIVE Act, but would merely require that we first take a vote on FISA modernization.

Madam Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted into the RECORD prior to the vote on the previous question.

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

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. I urge my colleagues to vote ''no'' on the previous question and in favor of a bipartisan long-term solution that helps protect American lives from international terrorism.

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

Ms. MATSUI. Madam Speaker, first, I would like to say that the Foreign Intelligence Surveillance Act continues to give the intelligence community the tools it needs to monitor terrorists. The government always has the option of tapping targets immediately and returning to the FISA Court within 72 hours to obtain an order.

My constituents and those of other Members of Congress view the protection of civil liberties as one of their top priorities. The American people want us to do our representational duty to uphold the Constitution and deliberate on this issue. We are working hard to ensure that our national security needs are met as our constitutional rights are protected.

Now we are working to support national service in our country, which helps our communities respond to disasters and also encourages our youth to engage in civic participation. Last year, I had the pleasure of meeting with Tatiana, a strong and determined young woman from Sacramento, my hometown, who received an award for CorpsMember of the Year. When Tatiana was just 15, her mother was incarcerated, and later, she was expelled from high school. Meeting with her and hearing her story of how she used the local Conservation Corps to turn her life around was truly inspiring.

This reauthorization takes programs and infrastructure that have touched so many lives, such as Tatiana, and builds off its foundation to greatly increase the quality and quantity and improve national service. National service is a proven return on our investment. With this bill, we will broaden those involved in service, and in doing so, foster the values of civic engagement and duty that can change a life and also draw upon the lessons of guidance and wisdom of our seniors that only a lifetime of experience can provide.

This bipartisan legislation makes excellent improvements to an already successful Federal agency. It improves access and support for organizations and grant applicants, and most importantly, reassures our valued volunteers that Congress supports them and their work. I urge a ''yes'' vote on the previous question and on the rule.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 1015 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

At the end of the resolution, add the following:

SEC. 3. ''That upon adoption of this resolution, before consideration of any order of business other than one motion that the House adjourn, the bill (H.R. 3773) to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes, with Senate amendment thereto, shall be considered to have been taken from the Speaker's table. A motion that the House concur in the Senate amendment shall be considered as pending in the House without intervention of any point of order. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the Majority Leader and the Minority Leader or their designees. The previous question shall be considered as ordered on the motion to final adoption without intervening motion.''

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution .... [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. MATSUI. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time of any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 217, nays 193, answered ''present'' 1, not voting 17, as follows:

[Roll No. 103]

YEAS—217

Abercrombie	Delahunt	Kind
Ackerman	DeLauro	Klein (FL)
Allen	Dicks	Kucinich
Altmire	Dingell	Langevin
Andrews	Doggett	Larsen (WA)
Arcuri	Doyle	Larson (CT)
Baca	Edwards	Lee
Baird	Ellison	Levin
Baldwin	Ellsworth	Lewis (GA)
Becerra	Emanuel	Lipinski
Berkley	Engel	Loebsack
Berman	Eshoo	Lofgren, Zoe
Berry	Etheridge	Lowey
Bishop (GA)	Farr	Lynch
Bishop (NY)	Filner	Mahoney (FL)
Blumenauer	Frank (MA)	Maloney (NY)
Boren	Giffords	Markey
Boswell	Gillibrand	Marshall
Boucher	Gordon	Matsui
Boyd (FL)	Green, Al	McCarthy (NY)
Boyda (KS)	Green, Gene	McCollum (MN)
Brady (PA)	Grijalva	McDermott
Braley (IA)	Gutierrez	McGovern
Brown, Corrine	Hall (NY)	McIntyre
Butterfield	Hare	McNerney
Capps	Harman	McNulty
Capuano	Hastings (FL)	Meek (FL)
Cardoza	Herseth Sandlin	Meeks (NY)
Carnahan	Higgins	Melancon
Carney	Hill	Michaud
Castor	Hinchey	Miller (NC)
Chandler	Hinojosa	Miller, George
Clarke	Hirono	Mitchell
Clay	Hodes	Mollohan
Cleaver	Holden	Moore (KS)
Clyburn	Holt	Moore (WI)
Cohen	Honda	Moran (VA)
Conyers	Hooley	Murphy (CT)
Cooper	Hoyer	Murphy, Patrick
Costa	Inslee	Murtha
Costello	Israel	Nadler
Courtney	Jackson (IL)	Napolitano
Cramer	Jackson-Lee (TX)	Neal (MA)
Crowley	Jefferson	Oberstar
Cuellar	Johnson (GA)	Obey
Cummings	Jones (OH)	Olver
Davis (AL)	Kagen	Ortiz
Davis (CA)	Kanjorski	Pallone
Davis (IL)	Kaptur	Pascrell
Davis, Lincoln	Kildee	Pastor
DeFazio	Kilpatrick	Payne
DeGette		Perlmutter

Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wu
Yarmuth

NAYS—193

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

ANSWERED ''PRESENT''—1

Johnson (IL)

NOT VOTING—17

Brown-Waite, Ginny
Cubin
Fattah
Gonzalez
Johnson, E. B.
Keller
Kennedy
McCrery
Murphy, Tim
Poe
Rangel
Renzi
Reynolds
Rush
Woolsey
Wynn
Young (AK)

□ 1106

Messrs. CARTER and PICKERING changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. MATSUI. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 222, noes 190, not voting 16, as follows:

[Roll No. 104]

AYES—222

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

NOES—190

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

NOT VOTING—16

Brown-Waite, Ginny
Cubin
Fattah
Gonzalez
Johnson, E. B.
Keller
Kennedy
McCrery
Poe
Rangel
Renzi
Reynolds
Rush
Woolsey
Wynn
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there is 1 minute remaining in this vote.

□ 1113

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GEORGE MILLER of California. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material on the bill, H.R. 2857, into the RECORD.

The SPEAKER pro tempore (Ms. MOORE of Wisconsin). Is there objection to the request of the gentleman from California?

There was no objection.

GENERATIONS INVIGORATING VOLUNTEERISM AND EDUCATION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 1015 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2857.

□ 1114

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2857) to reauthorize and reform the national service laws, with Mrs. TAUSCHER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. MCKEON) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Madam Chairman, I rise in strong support of H.R. 2857, the Generations Invigorating Volunteerism and Education Act, the first reauthorization of national and community service laws and programs since 1993. I am pleased that today this House is taking up this important measure that will take volunteerism and service into the 21st century.

It was in March of 1961 that President John F. Kennedy first challenged a generations of Americans to ask ''not what your country can do for you; ask what you can do for your country.'' By establishing the Peace Corps and the Volunteers in Service to America programs, he inspired millions of Americans to make a difference here at home and around the globe. He created a powerful legacy of hope and service that connects us as Americans.

Almost 50 years later, we should be very proud that volunteering in America is at a 30-year high. Through AmeriCorps and other service programs, new generations of Americans have become inspired to build stronger, more vibrant communities, help children succeed in schools, and rebuild cities in times of disaster.

In fact, in 2006, more than 61 million Americans gave back to their communities through service. That same year, volunteers in my home State of California contributed more than 858 million hours of service to our State economy, a value of more than $17 billion. In the 15 years since AmeriCorps was enacted into law, more than 500,000 Americans of all ages and backgrounds have participated in this program.

Our current and future generations of volunteers deserve our renewed support for their programs, just as President Kennedy first provided decades ago. The GIVE Act, this legislation, recognizes this growing service movement that is taking place across the Nation. It builds upon the successful work being done in communities across by members of AmeriCorps, VISTA, Senior Corps and Learn and Serve America.

AmeriCorps has become a successful model for public-private partnerships. Last year, the AmeriCorps program leveraged more than $200 million in matching funds, mobilized more than 1.4 million volunteers, and worked with 2,000 small and large faith-based and community-based organizations across the country.

The GIVE Act would strengthen the AmeriCorps service model by putting us on the path to increasing the number of AmeriCorps members from 75,000 to 100,000 by 2012 with a focus of engaging low-income, disadvantaged, and at-risk youth.

With soaring tuition prices making it more difficult for many students to get a college degree, the GIVE Act would help AmeriCorps members pay for college by increasing the scholarship that they earn in exchange for their service from $4,725 to $5,255 by 2012.

This bill would also introduce young people to community service by creating a new Summer of Service initiative that will offer middle school and high school students the opportunity to spend the summer working to improve their communities while earning a $500 education award that can be used for college or for college preparation.

Alumni of these programs remain valuable resources to our communities. More than 72 percent of AmeriCorps members continue to volunteer in their communities after their term of service ends. After Hurricane Katrina devastated gulf coast communities, AmeriCorps alumni played a key role in relief, recovery, and rebuilding efforts.

To help tap into these resources in times of emergency, this bill would expand the number of volunteers ready to respond by creating an Alumni Reserve Corps of service alumni with previous experience serving during disasters.

Volunteering also provides critical opportunities for older Americans to make a difference in their communities. Each year, nearly half a million older Americans participate in the Senior Corps programs, mentoring children of prisoners, providing independent living services to seniors, assisting victims of natural disasters, and mobilizing other volunteers.

The GIVE Act would expand the purpose of Senior Corps programs by adding an emphasis on recruiting retired STEM, health care, law enforcement and military professionals to help with education, after-school, public safety and technology needs.

In addition, it would phase in the competition for the Retired and Senior Volunteer Programs, an important part of the Senior Corps by 2013, allowing new grantees and volunteers to join the service movement and encouraging innovation and evolution among high-performing programs. I also want to thank the RSVP program for working with us to ensure a responsible transition.

I want to thank Members on both sides of the aisle, in particular Representatives MCCARTHY, MCKEON and PLATTS, for their leadership, as well as the Service Caucus for their support.

I also want to thank our committee staff for their hard work on this bill, including Alex Ceja, Denise Forte, Stephanie Moore, Deborah Koolbeck with Mrs. MCCARTHY, Brad Thomas with Mr. MCKEON, and Becky Wolfkiel with Mr. PLATTS.

Let me also thank Voices of Services and its member organizations, who were invaluable in helping us develop this legislation.

It is clear that service has played an important role in this country's history and will continue to help us meet the challenges and needs of our communities. It is clear that the interest in volunteering reaches across all generations: our young people, retiring baby boomers, and older Americans. The GIVE Act reflects their commitment, and our commitment, to building a stronger country through service. I urge my colleagues to join us in this effort by supporting this legislation.

Madam Chairman, I reserve the balance of my time.

Mr. MCKEON. Madam Chairman, I yield myself such time as I may consume, and I rise in support of the GIVE Act.

I would like to begin by thanking Chairman MILLER, as well as the Chair and the ranking member of the subcommittee, Mrs. MCCARTHY of New York and Mr. PLATTS from Pennsylvania, for their efforts to develop a solid, bipartisan bill that will strengthen our national service programs. I would also like to recognize Brad Thomas from my staff for his hard work on this bill.

Like many of my colleagues, particularly on this side of the aisle, I historically have had concerns about AmeriCorps and the other programs within the Corporation for National and Community Service. Particularly during the 1990s, Federal management of these programs was at best dismal.

For years, I joined many of my colleagues, led by Mr. HOEKSTRA, in seeking to establish performance measures to ensure that these national service programs are in fact meeting their goals.

Under the Bush administration, it has become clear that these programs are being held more accountable and they have become more efficient as a result. For example, the corporation received its seventh consecutive clean audit during the fiscal year 2006. Likewise, the corporation's leadership has instituted significant improvements in efficiency and quality, including streamlining the grants and application reporting processes, consolidating five field service centers into one, and automating education award payments, time and attendance, and travel.

In short, the recent management of this program has far surpassed its record of low accountability under the previous administration; and for that reason in particular, it deserves our continued support.

Moreover, this program brings together our neighbors to serve one another and thus benefit our Nation. Although there are clear opportunities to strengthen and improve these programs, the simple fact is that the corporation plays a key and increasingly effective role in, as President Bush would say, ''rallying the armies of compassion.''

Later today I plan to offer an amendment that will strengthen this already good bill. The purpose of my amendment is to acknowledge the patriotism, commitment, and sacrifice made by members of the military and their families. In return for their service to our Nation, I believe the least we can do is ensure our national service programs are able to benefit veterans and military families.

Madam Chairman, this bill is based on sound principles for reform outlined by the administration and developed in conjunction with the corporation. It includes a long overdue emphasis on accountability with its inclusion of performance measures and increased competition. And on the whole, I find the bill to be a balanced one that is worthy of our support.

Madam Chairman, this bill represents a bipartisan effort to come together on a program that is good for the citizens of this Nation.

Unfortunately, our Democrat colleagues have been unwilling to work in the same bipartisan fashion on our Nation's security interests. It has been 18 days since the Protect America Act expired, nearly 3 weeks that the majority has conspicuously refused to bring the bipartisan Senate Foreign Intelligence Surveillance Act modernization bill to a vote. And yesterday we got a glimpse of the reason why. An anonymous Member argued that delaying action on this critical security measure made for good politics. Madam Chairman, it is unfathomable that our Nation's security may be put at risk in the name of political gamesmanship. I strongly urge the majority to bring FISA modernization for a vote.

Madam Chairman, I yield the balance of my time to the gentleman from Pennsylvania (Mr. PLATTS), and I ask unanimous consent that he be allowed to control that time.

The CHAIRMAN. The gentleman from Pennsylvania will control the time.

Mr. PLATTS. I reserve my time.

Mrs. MCCARTHY of New York. Madam Chairman, I yield myself such time as I may consume.

This is a great day for national service. It has been 15 years since we reauthorized our national service laws. As chairwoman of the Healthy Families and Communities Subcommittee, I am pleased to speak in support of H.R. 2857, the Generations Invigorating Volunteerism and Education Act, the GIVE Act.

I am also pleased to say that the administration and the service community support the GIVE Act. I would like to thank Chairman MILLER for his continued strong support and work on this reauthorization. I would also like to extend my thanks to the ranking member of our committee, Mr. MCKEON, for his hard work.

Finally, I would like to thank my good friend and ranking member of the subcommittee, Mr. PLATTS, for his work on this reauthorization.

Later I will speak on my manager's amendment, which is also a bipartisan effort. National service has a distinguished and strong history in our Nation. The benefits of service cannot be disputed. Evidence shows that service and volunteering lowers school dropout and crime rates, lowers costs associated with the aging population, and improves health among the elderly.

Volunteering is a cost-effective way of working to solve the challenges facing our Nation today. That is why the passage of the GIVE Act is necessary. One of the most effective volunteer organizations in this Nation is AmeriCorps. AmeriCorps volunteers offer a range of services focused on low-income and disadvantaged communities. Our legislation recognizes their invaluable work and increases the number of participants to 100,000.

The GIVE Act also encourages programs to recruit underrepresented populations to serve, including scientists and engineers, young people in our aging-out foster care, children at risk of delinquency, and other disadvantaged young people.

I truly believe that expanding national service, particularly to disadvantaged youth, is an effective way to combat things like youth gangs and violence, and the evidence bears it out.

□ 1130

If we are serious about reducing gang violence, we must take the first step and offer children an alternative.

This legislation creates a Summer of Service program which gives middle school and high school students an opportunity to become engaged in a positive way within their community. Through the Summer of Service program, our Nation's young people will have a chance to serve with others their own age while improving their community.

Research shows that if students are engaged in service at an early age, they continue to serve throughout their life.

We are strengthening the mission of the first responder volunteer program, the National Civil Community Corps by requiring more intense disaster and emergency relief training during down periods in order to be better prepared in a time of crisis.

We are all aware of what our Nation faced in the wake of Hurricane Katrina, and the NCCC was there to respond, and continues to recover today.

The GIVE Act will help our Nation become better prepared for future disasters by training and preparing more emergency volunteers. The GIVE Act creates in the corporation an office of outreach and recruitment. The new office will establish a reserve corps made up of those who have gone through the program and are alumni. The reserve corps alumni will be called on during emergencies, disasters, or other times of national need.

We've heard people asking over and over again during our hearings, why aren't we using former volunteers? The new outreach office will work to connect over 500,000 former volunteers who can be resources for recruitment.

The GIVE Act lowers the age of participation in the National Senior Service to 55 years old. By lowering the age, we are encouraging retiring Americans to participate in national service and giving older Americans the opportunity to lead us into the future. Our Nation's retiring and retired adults are a rich resource that cannot be overlooked.

Every American, old and young, has skills that improve the day-to-day functions of our society. The GIVE Act encourages individuals to get involved, creates a deeper commitment to service, and makes our Nation more like what it should be.

I want to again thank Chairman MILLER for his deep commitment to national service, Ranking Member MCKEON and Congressman PLATTS for their work with us on this bipartisan activity. And I urge my colleagues to support this much needed legislation.

Madam Chairman, I reserve the balance of my time.

Mr. PLATTS. Madam Chairman, I appreciate the opportunity to speak today, and I certainly rise also in support of H.R. 2857, the Generations Invigorating Volunteerism and Education Act. This program will certainly strengthen and finally reauthorize the Nation's national and community service programs. And after 15 years, this reauthorization is certainly long overdue.

I want to add my words of praise and thanks to my Chair, Chairwoman

MCCARTHY, as well as to the full committee Chair, Chairman MILLER, and the ranking member, BUCK MCKEON, for their important leadership in moving this reauthorization forward of this very important program that promotes active involvement of citizens of all ages.

In 1973, Congress passed the Domestic Volunteer Service Act, DVSA, to foster and expand volunteer service in communities while helping vulnerable and disadvantaged populations such as the elderly and the poor. DVSA authorized the National Senior Volunteer Corps, made up of the Foster Grandparents Program, the Senior Companion Program, and the Retired and Senior Volunteer Program.

Seventeen years later, Congress passed the National and Community Service Act, NCSA, of 1990. NCSA aims to address unmet human, educational, environmental, and public safety needs, as well as to renew a sense of civic responsibility by encouraging citizens to participate in national service programs. Authorized under NCSA are Learn and Serve America, AmeriCorps State and national grants, and the National Civilian Community Corps.

Both DVSA and NCSA are administered by the Corporation for National Community Service, and both laws were most recently amended in 1993 by the National and Community Service Act. While authorization of appropriations for both laws expired at the end of fiscal year 2006, these programs have remained funded through annual appropriations measures.

I'm pleased to be a cosponsor of H.R. 2857, the GIVE Act, and believe that this bill makes commonsense improvements to our Nation's national service programs. Not only does it provide increased flexibility for States, but importantly, and as referenced by Ranking Member MCKEON, it also increases accountability and efficiency within the administration of these programs.

H.R. 2857 strengthens existing community and national service programs by providing year-round service opportunities for students and elderly alike, and further encourages involvement of disadvantaged youth. This legislation also expands eligibility requirements for senior serving programs like Foster Grandparents and the Senior Companion Program, ensuring that individuals with an interest in serving have options available to them. Finally, the GIVE Act reauthorizes DVSA and NCSA through fiscal year 2013.

Recent natural disasters such as Hurricanes Katrina and Rita, as well as the wild fires in California, have showcased the important efforts of AmeriCorps and NCCC volunteers. I am proud to be part of this effort to strengthen national service programs and ensure that participants can continue to aid disadvantaged and needy populations. And I have seen firsthand in my district the great work of senior citizens in the Senior Companion Program and young citizens in AmeriCorps partnering with Habitat for Humanity to truly make a difference in Central Pennsylvania. And we know that these efforts are being replicated across the country.

So, Madam Chairman, I hope that all will join in supporting the GIVE Act and vote in favor of this legislation.

I reserve the balance of my time.

Mrs. MCCARTHY of New York. Madam Chairman, may I inquire how much time we have on both sides.

The CHAIRMAN. The gentlewoman from New York has 19½ minutes remaining. The gentleman from Pennsylvania has 22½ minutes remaining.

Mrs. MCCARTHY of New York. Madam Chairman, I yield 1½ minutes to the gentleman from Illinois (Mr. HARE), a member of the Education and Labor Committee.

Mr. HARE. Madam Chairman, H.R. 2857, the GIVE Act, reauthorizes our national service programs for the first time in 15 years. This legislation strengthens programs like AmeriCorps, Vista, Senior Corps and Learn and Serve America so they can continue their invaluable services and expand into underserved communities.

The people of my congressional district are no strangers to community service. We have four effective Retired Senior Volunteer Programs, known as RSVPs, located in my district: West Central Illinois RSVP, Adams County RSVP, RSVP of the Quad Cities, and RSVP of Springfield, Illinois. Together, these programs engage 3,464 volunteers in 577,226 hours of services in 13 counties. I had the opportunity to visit several of these last October and was impressed by their organization, their large number of volunteers, and the variety of services that they offer.

Illinois RSVP volunteers serve the young and old, the healthy and the infirm. They work in hospitals, nursing homes, libraries, with the Red Cross, police department, and assist with home delivery meal programs. These dedicated volunteers touch the lives of hundreds of people and have a profound impact on the communities in which they serve.

I want to thank Chairman MILLER, Ranking Member MCKEON, and their staffs for their work on this legislation and their efforts to address these concerns.

Mr. PLATTS. Madam Chairman, I yield as much time as he consumes to the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Madam Chairman, you know it's a good day today where we have the opportunity to go back and reauthorize the Corporation for National and Community Service. This is a program that 15 years ago is a program that I supported, and I'm glad that this Congress is going to take the steps to move this program forward and continue the efforts in this area.

However, if we're really going to protect the Corporation for National and Community Service, if we are really going to protect the individuals that are working in these types of programs, what we should have been doing today and what we should do is we should extend the terrorist surveillance program. We should pass FISA modernization.

You know, 3 weeks ago the majority said that this bill would come to the floor. They needed a 3-week extension to get the bill done. That expires this week.

We're going to have a long day today. We'll be here till 2 or 3 o'clock, which I think will be the third week in a row where we will go home early and we will not take care of this vital national security issue.

We've had a 6-month extension, we had a 2-week extension. The program now has lapsed for 3 weeks. Each and every day our capabilities erode just a little bit more. And each and every day we remove these capabilities to track foreign terrorists by our Intelligence Community, each and every day America becomes a little bit more vulnerable. Americans living at home, people in this program, our men and women in uniform in Afghanistan and in Iraq, they're a little bit more vulnerable. Our embassy personnel around the world are a little bit more vulnerable.

Earlier this week the statement was made, well, you know, we'd maybe like to do FISA this week but the schedule is just too full. We're not going to have the opportunity to get to it. We're not going to have the opportunity to get to it. We're going to be done working some time in the middle of the afternoon and we're going to leave a national security issue laying on the table for the third week in a row?

Will the majority deal with this issue next week? Will they deal with it before we go on recess? Or will they allow it to lapse for 6 weeks? How vulnerable does America need to become before the majority decides to act on FISA?

I just wonder if the majority's even looking at what's going on around the world, taking a look at the attacks that are taking place in Pakistan, taking a look at the attacks that are happening in Afghanistan, listening to the rhetoric that's coming out of Iran, listening to the rhetoric that's coming out from al Qaeda in Iraq, listening to the rhetoric that's coming out of Hezbollah in Syria and in Lebanon. There are threats against our allies. There are threats against Western Europe. There are threats against our friends in Northern Africa. There are threats against Western Europe, and yes, there are threats against the United States of America.

They're not listening to what al Qaeda and radical jihadists and other terrorists are saying. They're not reading what these individuals are saying, because if you were listening to what they were saying, if you were reading what they were writing, and if you were watching what they were doing, you would understand that the threat is real and that it is a grave mistake to

allow this intelligence tool and to allow other intelligence tools to erode continually.

Yes, America's more vulnerable today than it was 3 weeks ago. America is more vulnerable today than it was 14 months ago because, on national security issue after national security issue, the other side refuses to give our intelligence community the tools that they need to keep America safe. These tools have developed. They've evolved. They've been working very, very well in protecting America. But for the last 14 months, the majority has not only let these tools evolve and deteriorate, in many cases they've been under direct attack from the majority. Today our intelligence community is paying a price because they do not have the tools necessary to keep America safe. Hopefully, America will not pay a price because the intelligence community hasn't been given the tools by the majority to keep America safe.

It's time to bring the Senate bill to the floor. This is a bill that has widespread support, passed by 68 votes in the Senate, supported by a majority of the Republicans and the Democrats in the Senate.

Bring that bill to the House. Bring it up right after the GIVE Act. Make sure that we've got the tools in place to keep America safe and to keep the people working in this program and other programs safe.

Mrs. MCCARTHY of New York. Madam Chairman, I yield 3 minutes to my colleague on the Healthy Families and Communities Subcommittee, the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. Madam Chairman, I rise today to commend Chairman MILLER, Chairwoman MCCARTHY, Ranking Member MCKEON, and others for putting together a very strong reauthorization of the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973.

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It supports the Nation's priorities in a number of important areas. In particular, I'd like to thank the committee's leadership for recognizing the critical role that veterans and older Americans can play in solving problems and strengthening communities, by recommending several new provisions.

Our veterans are simply the best of what this country has to offer, both with respect to their exemplary character and the technical, professional, and administrative expertise which they acquire during their years of service. They are an invaluable and untapped resource to underserved communities. America should embrace the opportunity to establish a well-defined veterans-centered and -integrated community support system based on national and community service. The GIVE Act begins a national conversation on how to make this happen.

Every day nearly 8,000 of the Nation's 78 million baby boomers turn 60. We know from research that the vast majority plan to work or stay engaged in their community well past traditional retirement age. This is a wonderful opportunity, given their stated interest in helping others and the ever-worsening labor shortage in education, health care, government, and nonprofit work.

I'm a strong supporter of the idea that those who have finished their midlife careers can be a force for social good in the 21st century. By turning the aging of America into a positive story, we can tap into this energy. It is going to take creativity, experimentation, bold action, and looking to the future more than the past. Congress has a critical responsibility, along with the States and the private sector, to ensure baby boomers will have the opportunity to serve.

We talk about this wave of returning veterans, and we talk about the demographic wave of aging Americans. How you respond to a wave depends on how you position yourself. That wave can either come crashing down on us, or it can be a wave that lifts us up and moves us forward.

I look forward to continuing to work with the committee and this Congress to explore additional proposals to capture the energy, idealism, and talent of our veterans and millions of older Americans who want to make a major contribution to the public good.

Mr. PLATTS. Madam Chairman, I certainly am pleased to be part of moving this legislation, the GIVE Act; but I do want to associate myself with the gentleman from Michigan, the ranking member of the House Select Committee on Intelligence, on the importance of us moving the reauthorization of FISA; and, hopefully, we will get to that as quickly as possible and restore the tools to our intelligence community they need to protect our Nation and our citizens.

With that, I'd like to yield as much time as he may consume to the distinguished gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Madam Chairman, I thank the gentleman for yielding to me.

Frankly, I don't think there is a more important bill than this; and yet to hear some of the critics, it's like we're just paying people to be volunteers.

The thing I love about Ronald Reagan was Ronald Reagan believed in the future of America, the youth of America, and that the best was yet to come. And he gave us a sense of hope, as did President Kennedy.

When President Kennedy talked about the Peace Corps, I was in eighth grade. My parents bought a TV set to listen to the debate between Nixon and President Kennedy, and I was just enthralled by a President who asked me, a young person, to do something for the world, and that was to become a Peace Corps volunteer.

And from that point on, that was one of my dreams. It was something I wanted to do . . . become a Peace Corps Volunteer.

Guess what? Peace Corps volunteers are paid. We earn a salary and are given a stipend because we have to eat. We are given a certain sum of money at the end, not for education, but to frankly be able to come back and just buy some clothes. When you clean your underwear on rocks for 2 years, you don't want to continue to wear them when you get home.

So what did President Clinton want to do? He said we have the Peace Corps for those who volunteer overseas. And we have Vista for those who want to be of service in these United States. But we can make Vista better. We're going to have expanded national service here at home, and by the way, while this was happening we in Congress were getting rid of summer jobs for kids.

The President said and I want this expanded national service program to be a bipartisan proposal. I want to work with Republicans. Let's make this something all of us can get behind.

I got excited with his call to us. Let's work together, and we did. Because instead of a national program where one-size-fits-all, he said it's going to be a competitive process, something Republican should like.

And by the way, I'll just say parenthetically, Ms. MATSUI has an amendment that I am a chief cosponsor of that says let's have more of the dollars be competed for by State and local communities. It's an amendment that should pass.

So what we did is have a national program called AmeriCorps, but we had two-thirds of it going to the States. Now, the problem with that is you're going to have some bad programs that might get funded. The good thing about it is you're going to have some great programs that are going to be funded. And so former President Clinton took a risk. He said instead of having a one-size-fits-all, which would mean we'll have vanilla, and, no one can criticize it, we had some great programs and some bad programs. So the critics of AmeriCorps then took the bad programs and started to criticize as if this was all of AmeriCorps, as if this was the President's national service bill.

Well, the bottom line is we have some great programs. Thank God we had these programs for people impacted by Katrina and other natural disasters. In my part of the country, we have young people who are giving to their neighbors, and if you think they're paid, they're paid a minimum wage and they have a stipend they can use towards their education. It gets them to think about their future and get an education.

But we have people here who will say, well, let's give out Pell Grants, we're going to give out Pell Grants for nothing; and yet we have an opportunity to give out grants that someone actually earned.

I can't speak more strongly for this legislation. I congratulate President

Clinton for bringing it forward, for working with Republicans, at least those who were willing to work with him, and for having a program that has energized young people to be of service.

There are six former Peace Corps volunteers in this House, three Republicans, three Democrats. If you asked any one of us what was the most significant time in our lives, it was serving in the Peace Corps. It was helping others. But we came back more enriched than probably we gave. And I'm absolutely certain of this, the folks that are doing national service, they don't get much monetarily, but they give a lot; and in return they get a lot in terms of their personal development. They grow as individuals. They have more confidence in themselves. I think they're better Americans.

I hope whoever's the next President, and we have three good candidates to choose from, I have a preference obviously, but I think that they are going to inspire Americans to be of greater service, and they could use this legislation to help them.

I hope we pass it, and I thank our sponsors for bringing this bill out. I particularly want to thank our colleagues from New York and from Pennsylvania for their effort here today. God bless this country and God bless this program.

Mrs. MCCARTHY of New York. Madam Chairman, I'd like to yield 1 minute to the gentlelady from New Hampshire (Ms. SHEA-PORTER), a member of the Healthy Families and Communities Subcommittee.

Ms. SHEA-PORTER. Madam Chairman, as a former social worker and administrator and a cosponsor of the GIVE Act, I rise today to express my strong support for H.R. 2857.

I was able to see firsthand the hard work and self-sacrifice and dedication of our AmeriCorps volunteers during the Katrina recovery effort. As a relief volunteer myself, I worked side by side with the AmeriCorps volunteers. You can't say enough about these young people who gave of themselves and worked tirelessly for many, many hours to give comfort to their fellow Americans. This convinced me how essential AmeriCorps and other national service programs really are to this Nation.

My experiences as a social worker and as an administrator and relief volunteer have made the reauthorization of this program a high priority for me, and I'm proud that it's a high priority for this Congress as well.

I'm also grateful that the committee passed my amendment to increase the minimum amount of the State formula grants. This increase acknowledges that these volunteer programs are equally important in smaller States such as New Hampshire. These programs and the participants who are in them work miracles for very low money, and we need to thank them.

Mr. PLATTS. Madam Chairman, I'd like to reserve the balance of my time at this point.

Mrs. MCCARTHY of New York. Madam Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND), a former member of the Education Committee.

Mr. KIND. Madam Chairman, I want to thank and commend my good friend Mrs. MCCARTHY from New York for the wonderful leadership that she has shown in the reauthorization of this important legislation.

I agree with my good friend and colleague from Connecticut that this is one of the more important pieces of legislation that we will be dealing with in this session of Congress, and I commend the efforts of everyone on the committee for the bipartisan support that's been shown on behalf of this bill.

Madam Chairman, this legislation will provide a vital increase in funding for a variety of domestic volunteer service programs, including AmeriCorps, Volunteers in Service to America, and Learn and Serve America. Expanding these important community-based programs is essential so that residents in the neediest places receive the assistance that they need and deserve.

I'm very proud that my home State of Wisconsin has more than 35 AmeriCorps programs. Jump Start for Young Children is just one of several programs that help prepare young children from low-income families to succeed and go on in school. Just this past year, this program benefited from the service of 3,500 corps members and volunteers from over 70 colleges. Together, these individuals were able to assist more than 13,000 preschoolers in over 20 of our States in this country. I'd like to applaud the hard work and selfless efforts of these individuals who have not only rebuilt houses in communities but also lives.

I'm especially proud that three of my congressional staff members are former AmeriCorps volunteers: Karrie Jackelen, Brad Smith, and David De Gennaro. The contributions of these participants is truly admirable given the enormous difference they've made in so many lives.

Mr. Chairman, there is a yearning for community involvement and community service across this country, and it's especially acute with the youth, the children of our Nation.

It was unfortunate that the current President sent this Nation to war without asking for any type of contribution or significant sacrifice from the average American. Except for our troops and their families who have borne the brunt of this sacrifice and burden, there's very little asked of the American people.

This legislation, which was the vision of President Clinton and his administration, tries to correct that deficiency. It's a good, bipartisan bill. I encourage my colleagues to pass the GIVE Act today.

Mr. PLATTS. Mr. Chairman, I will continue to reserve my time.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. KLEIN).

Mr. KLEIN of Florida. Mr. Chairman, I rise today in strong support of the Generations Invigorating Volunteerism and Education Act, otherwise known as the GIVE Act. This legislation speaks to what makes our country great, Americans volunteering to give back to their communities. Volunteerism is so important to helping the less fortunate, working to better one's community, and instilling a sense of patriotism and love for one's country.

Volunteers are critical to pulling our country through hard times. Following the hurricanes that plagued my home State of Florida, I witnessed firsthand the overwhelming response from volunteers who came out to respond to the needs of hurricane victims. Volunteers came together to provide these victims with clothing, food, shelter, and other items that displaced residents and families needed to get their lives back on track.

The GIVE Act will continue this strong tradition of volunteerism in America by increasing community service opportunities and providing new incentives for volunteering.

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Furthermore, I am proud to support legislation that puts a premium on disaster preparedness and emergency response.

I would like to commend Representative MCCARTHY for her work on this bill and urge my colleagues to support this bill for the betterment of all our communities and our country as a whole.

Mrs. MCCARTHY of New York. Mr. Chairman, may I inquire as to how much time is remaining.

The Acting CHAIRMAN (Mr. HOLDEN). Each side has 11 minutes remaining.

Mrs. MCCARTHY of New York. Mr. Chairman, with that, I yield myself as much time as I may consume.

Mr. Chairman, as we have been working through this bill, through our hearings and everything else, and listening to the volunteers that work in AmeriCorps and other aspects of volunteering, and also listening to our young people from communities that are underserved on how they want to serve and be part of it, before my colleague from Connecticut (Mr. SHAYS) talked about how we've done away with summer jobs. We see in our communities today more and more of our young people joining gangs and getting into trouble. We see that our juvenile justice system and our prisons are being overflowed, unfortunately, with young people. This is a program that can help them.

You know, I look at our country and I marvel at how people volunteer and give their time to help other people that are in need. With the programs that we're putting forth and through the work of the subcommittee and

through the work of my colleague Mr. PLATTS from Pennsylvania, we have put together a great bill. This is a bill that can help people to the future. This is a bill that incorporates our elderly and our young. So, it's something that I think we should all be proud of. And certainly I'm hoping that we're not going to have any controversies further down the line.

And may I just say one thing: A number of speakers have gotten up and talked about the FISA bill. Let me say this to the American people: With the continuation that we have, this country is being protected. And we are trying to work it out with our colleagues from the other side and the administration. But let me make one thing very clear, the country is being protected. The intelligence committees can do what they need to do, and our intelligence community is getting information at that.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. PLATTS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to again just thank my subcommittee chairman, Chairwoman MCCARTHY, for her leadership on this important legislation, as well as the full committee Chair, Mr. MILLER, and the ranking member, Mr. MCKEON.

As a number of speakers have talked about their own experience and the gentleman from Connecticut, through his work in the Peace Corps, these opportunities to participate in the programs that are funded and authorized under the National Community and Service Act impact not just those who receive the benefit of the work done, but those who actually participate. And with a family member who has participated in AmeriCorps, I have seen that impact on that individual and how they were a stronger person and better prepared for the rest of their adult years because of having been part of AmeriCorps.

So, again, I urge a ''yes'' vote for this legislation and look forward to it moving forward through the House and working with the Senate to get it to the President's desk.

Mr. HINOJOSA. Mr. Chairman, I rise in strong support of H.R. 2857, the Generations Invigorating Volunteerism and Education or ''GIVE'' Act.

This legislation reauthorizes and strengthens our national service programs. I would like to thank my good friend CAROLYN MCCARTHY, chairwoman of the Healthy Families and Communities Subcommittee and Congressman TODD PLATTS, the ranking member, for their excellent, bipartisan work on this legislation.

The spirit of service runs strong in America. Many Americans—young and old, rich and poor—look for ways to give back to their communities and the Nation. Our national service programs nurture this spirit and ensure that all American have opportunities to serve.

The GIVE Act will increase the number of Americorps volunteers to 100,000. In my congressional district Americorps volunteers are promoting community development, improving education, and enhancing the quality of life for many of our residents. They bring a great deal of energy and contribute to a strong sense of community in our area.

The GIVE Act fosters an ethic of civic engagement in young people through a summer of service program that will enable students in middle and high school to volunteer and earn an education award for college.

The GIVE Act promotes service in areas of national need for global competitiveness, such as science, technology, engineering, and mathematics.

The GIVE Act will ensure that we can effectively and efficiently mobilize volunteers in times of national disaster.

The GIVE Act strengthens opportunities for our seniors by providing flexibility to the senior corps programs. In my congressional district, we have very strong programs that engage our seniors in service and provide them companionship and support. Our seniors continue to make tremendous contributions to our communities. We cannot afford to let their talent or energy go to waste.

My home State of Texas is a big believer in national service. We have 48,000 senior corps members. Since 1994, 24,000 Texans have earned education awards by serving as Americorps volunteers; 48,000 students have participated in Learn and Serve America, linking service with academic achievement.

The GIVE act will make this great tradition of service even stronger. I urge all of my colleagues to vote ''yes.''

Mr. LEWIS of Georgia. Mr. Chairman, I rise today in strong support of the GIVE Act and I thank my colleague Mrs. MALONEY for her leadership on this issue. Volunteers in our National Service Corps are doing the hard work of building what I like to call the Beloved Community—a community at peace with itself based on justice and human dignity.

We all live in one house, the American house, and people are suffering. We need so many more Americans to volunteer, to share their talents, their time and their love. That is how we form the Beloved Community.

So many Americans are giving of themselves through Americorps/VISTA, Summer of Service, and our Senior Volunteer Corps. Many more want to give and volunteer, but they can't find the time. They are stuck at work trying to make ends meet. They sit in traffic. They are helping their kids with homework. Businesses and governments need to encourage and allow people to volunteer.

Young people have been behind all of the great social movements in this Nation. We must tap into the idealism and the talents of our young people, and the young at heart, who can build bridges and ease suffering.

Something is happening in America. In Atlanta, we are embracing the merger between the Points of Light Foundation and the ''Hands On'' Network. I want to mention their good work and their leadership in recruiting and training volunteers.

I look forward to working with my colleagues to find more ways, like competitive grants for nonprofits, to expand our volunteer infrastructure, to push our national service agenda forward.

The GIVE Act is a good bill. It has my support. I thank my colleagues.

Mr. VAN HOLLEN. Mr. Chairman, throughout our history, American citizens have never hesitated to heed the call to service. They have answered in times of peace and prosperity, in times of war and recession. They have donated time and money and sweat—as much as they could, whenever it was needed.

When our Nation faced the Great Depression, President Roosevelt formed the Civilian Conservation Corps and put citizens to work for the national interest. When we faced political uncertainty in the world, President Kennedy challenged our young people to serve and dispatched the Peace Corps on missions of international aid and public diplomacy. And when neighbors have challenges, when communities struggle, or when the Nation sees tragedy, our citizens rally and lend a hand.

In recent years, we have seen some of the largest increases in volunteerism in history. This new trend is led by our young people, who are serving in record numbers. The number of college students who volunteer increased by 20 percent between 2002 and 2005. And the programs we consider today are a key part of that service.

Today's legislation will increase enrollment in AmeriCorps and establish ways to deploy AmeriCorps alumni in times of national need. It will establish an Office of Outreach and Recruitment to match new volunteers with service opportunities. It will create a new program, a Summer of Service, to encourage more young people to help their communities. It will strengthen our emergency preparedness and disaster response with improvements to the National Civilian Community Corps. And it will challenge our scientists, mathematicians, and engineers to meet our Nation's technical needs with creativity and innovation.

Mr. Chairman, Americans have made tremendous investments through national service. Let us, in turn, pass this legislation today to assist their efforts and continue their commitment to our Nation's future.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise today in strong support of the Generations Invigorating Volunteerism and Education Act. The GIVE Act will expand the Corporation for National and Community Service which has been instrumental in helping connect Americans to high quality, meaningful service and service-learning opportunities. The GIVE Act will increase the benefits of service available to more participants and more communities, improve program quality, ensure participant diversity, increase the value of the AmeriCorps education award, and reduce the age eligibility for Senior Corps to 55.

In the last 14 years more than 500,000 individuals have served through AmeriCorps and have earned education awards worth more than $1.5 billion. Senior Corps members have generated more than 1 billion volunteer service hours, and more than 15 million young people have participated in service-learning initiatives funded by Learn and Serve America. In addition, the national service programs have provided opportunities for growing numbers of Americans to serve our Nation.

Since AmeriCorps was created in 1994, Texas has benefited from over 22,000 young people serving for at least 1 year in our communities. Through programs such as the ''National Civilian Community Corps'' and ''City Year,'' AmeriCorps volunteers address critical Texas needs in the areas of education, public safety, disaster response and recovery, and environment preservation. These programs serve the important role of providing an outlet for service to the country in a manner previously not afforded.

Mr. Chairman, the AmeriCorps program has done great things for Texas and this Nation as a whole, as is reflected in the AmeriCorps members pledge to ''get things done.'' I am indeed honored to support this wonderful program which represents the very best of the United States of America.

Mr. SHAYS. Mr. Chairman, I would like to thank the Committee on Education and Labor for all of their work in bringing this bill to the floor today.

National service is one of the most productive, cost efficient investments the Federal Government can make.

My wife Betsi and I were Peace Corps volunteers and we call ourselves volunteers because we gave 2 years of our lives in service to others.

Americorps is a similar program to Peace Corps. It takes 18, 19, 20-year-old kids and gives them an opportunity to work in a program mentored by various nonprofit organizations.

The passion of participants in Peace Corps, AmeriCorps, and other national service programs is undeniable. As they give back to their country they also learn something about themselves, each other, and the world around them.

I am pleased H.R. 2857 expands the AmeriCorps program and increases the education award, which participants in the program receive upon completion of service.

As the cost of a college education increases, students often have to choose between public service careers and other jobs to pay back student loans.

I am also pleased we are making amendments in order under this rule because I believe they will strengthen this underlying reauthorization.

Congresswoman MATSUI and I have offered an amendment to streamline funding for State and national AmeriCorps programs, which will encourage coordination, efficiency, and high quality programs.

Furthermore, this amendment will improve the collaboration between State and national entities to better serve local needs.

Congressman MCDERMOTT, Congressman FARR and I have offered an amendment to establish a Congressional Commission on Civic service that will investigate ways to increase and encourage service opportunities throughout the country.

The Commission will consider and promote ideas to inspire community service initiatives around the Nation.

There is no substitute for the passion of our Nation's volunteers, who can be found mentoring students, building houses, assisting senior citizens or beautifying our national parks.

As a co-sponsor of this legislation, I am proud to support national service initiatives and encourage my colleagues to support this important reauthorization today.

Mr. MORAN of Virginia. Mr. Chairman, I would like to take a minute to recognize an enduring legacy of John F. Kennedy—the Peace Corps—in recognition of its 47th anniversary this year. It is an honor to serve with the likes of my colleague and friend CHRIS SHAYS and others in this body and the others who serves our country in the enhancement of citizen diplomacy. I hope all Americans will join us in supporting and expanding this enduring commitment to convey our values as a Nation.

As Fareed Zakaria wrote: ''We must begin to think about life after Bush—a cheering prospect for his foes, a dismaying one for his fans (however few there may be at the moment). In 11 months he will be a private citizen, giving speeches to insurance executives. America, however, will have to move on and restore its place in the world. To do this we must first tackle the consequences of our foreign policy of fear. Having spooked ourselves into believing that we have no option but to act fast, alone, unilaterally and pre-emptively, we have managed in six years to destroy decades of international good will, alienate allies, embolden enemies and yet solve few of the major international problems we face.''

The London Financial Times last December reported that the U.S. has suffered a significant loss of power and prestige around the world in the years since the beginning of this century, limiting our ability to influence international crises, according to an annual survey from a well regarded British security think-tank. The 2007 Strategic Survey of the nonpartisan International Institute for Strategic Studies' picked the decline of U.S. authority as one of the most important security developments of the past year—but suggested the fading of American prestige began earlier, largely due to its failings in Iraq.

One of our most special and effective citizen agencies of public diplomacy is the Peace Corps. Think of this—more than 187,000 volunteers have served this venerable legacy of former President Kennedy, serving in 139 countries—where they bring our values to other peoples, and bring understanding and appreciation of other cultures back home.

The greatest gift of the Peace Corps and other civilian programs is not just that ordinary Americans share their values and our culture with other peoples, but also that when volunteers return, they bring greater understanding and appreciation of other cultures.

Foreign policy is not just what we do, but also who we are. America as a place has often been the great antidote to U.S. foreign policy—and it should be again. Mr. Zakaria writes that ''When American actions across the world have seemed harsh, misguided or unfair, America itself has always been open, welcoming and tolerant. . .''

At the end of the day, our openness is our greatest foreign policy. We have succeeded not because of the ingenuity of our government, but rather because of efforts like this unique program to keep ourselves open to the world—to sending our people out across the countries of the world to share our unique culture, our goods and services, our ideas and inventions, our people and cultures. This openness, this civilian diplomacy, has allowed us to make friends across boundaries. It will be central to our place as a nation in the future.

This week, as we celebrate National Peace Corps Week, we honor the more than 190,000 volunteers who have served in 139 developing countries since President Kennedy's call to service in 1961—and I honor 44 of my constituents currently serving our country in places as diverse as China, Mali, Azerbaijan, Macedonia, El Salvador, and Namibia. This can be lonely and demanding service, but service that can create enduring friendships and values that transcend boundaries and cultures.

Today, more than 8,000 Peace Corps volunteers around the world are currently providing training and education in 74 countries. These volunteers each donate their time and skills for over 2 years, in order to make a difference in the world and to promote understanding between cultures. By offering their valuable skills and showing a passion for helping others, they show the world that Americans value learning and cross-cultural exchange.

Volunteers work in areas of education, health and HIV/AIDS, business development, environment, agriculture and youth, and must often be creative and flexible when living and working in new cultures and learning new languages. The resulting experience is rewarding for all involved, and it highlights the importance of cooperation and involvement between cultures around the globe.

When volunteers return home and share their overseas experiences with their communities, the Peace Corps helps Americans as much as the people in developing countries. From recent college graduates to doctors with decades of experience, volunteers choose to use their valuable skills and education to help people all over the world, but their work affects their lives long after returning home.

This week we remember the dedication and passion of Peace Corps volunteers, young and old, current and returned. We thank them for their service, and encourage more Americans to volunteer with the Peace Corps.

SWORN-IN VOLUNTEERS IN THE DISTRICT OF VA–08

Volunteer Name, Country of Service, Start of SVC Date, Projected COS Date

Adriance, Joel E, ECUADOR, 31–Aug–2005, 30–Sep–2008.

Armitage, Emily M, BULGARIA, 19–Oct–2006, 10–Oct–2008.

Arnaoudova, Ina M, AZERBAIJAN, 13–Sep–2006, 12–Sep–2008.

Ballenger, Charles J, EL SALVADOR, 30–Nov–2006, 28–Nov–2008.

Banks, Cecilia M, ECUADOR, 31–Aug–2005, 30–Sep–2008.

Bergin, Sarah M, SURINAME, 03–Aug–2006, 03–Aug–2008.

Braslavsky, Gelena, BULGARIA, 29–Jun–2007, 30–Jun–2009.

Cabrera, Luis J, NICARAGUA, 20–Jul–2007, 17–Jul–2009.

Calnan, Shannon M, ROMANIA, 27–Jul–2007, 26–Jul–2009.

Chadbourn Iv, Charles C, COSTA RICA, 14–Sep–2006, 19–Sep–2008.

Cohen, Matthew B, GHANA, 21–Aug–2007, 20–Aug–2009.

Davies, Meghan E, HONDURAS, 20–Apr–2006, 14–Mar–2008.

Doherty, Jennifer J, JAMAICA, 25–Aug–2006, 25–Aug–2008.

Ferrara, Erin J, FIJI, 03–Aug–2006, 03–Aug–2008.

Ficke, Melanie K, HONDURAS, 07–Sep–2006, 06–Sep–2008.

GarciaLahiguera, Andres J, ROMANIA, 27–Jul–2007, 26–Jul–2009.

Geurtsen, Christopher P, VANUATU, 21–Jun–2007, 19–Jun–2009.

Glock, Porter O, FIJI, 03–Aug–2006, 03–Aug–2008.

Guachamin, Marcela A, COSTA RICA, 18–May–2007, 15–May–2009.

Gustafson, Kevin L, GUYANA, 26–Jul–2007, 25–Jul–2009.

Houk, Kathryn G, BOLIVIA, 28–Jul–2006, 01–Aug–2008.

Huckstep, Melanie L, CHINA, 07–Sep–2007, 08–Sep–2009.

Hurley, Emelia M, BOLIVIA, 13–Apr–2006, 11–Apr–2008.

Infantino, Ann Marie C, HONDURAS, 27–Sep–2007, 25–Sep–2009.

Johnston, Elizabeth A, PARAGUAY, 21–Apr–2006, 18–Apr–2008.
Landrigan, Gregory J, PANAMA, 28–Jul–2005, 04–Sep–2008.
Luckett, Christina C, DOMINICAN REPUBLIC, 26–May–2006, 05–May–2008.
Mandt, Kehl R, CHINA, 09–Jun–2005, 16–Aug–2009.
Milanowski, Elissa N, NAMIBIA, 06–Jan–2006, 30–Mar–2008.
Morris, Katherine M, ALBANIA, 13–Jun–2007, 13–Jun–2009.
Morrow, Katherine J, CHINA, 07–Sep–2007, 08–Sep–2009.
Neidorf, Katherine A, MACEDONIA, 15–Dec–2006, 14–Dec–2008.
Norko, Sara M, PHILIPPINES, 03–Aug–2007, 03–Aug–2009.
Papernick, Rachel J, HONDURAS, 27–Sep–2007, 25–Sep–2009.
Pasley, Virginia B, UKRAINE, 21–Dec–2006, 18–Dec–2008.
Rooney, Kieran E, MOLDOVA, 16–Aug–2007, 14–Aug–2009.
Schiller, Malaika L, BENIN, 22–Sep–2006, 22–Sep–2008.
Shah, Rekha, PHILIPPINES, 03–Aug–2007, 03–Aug–2009.
Shanahan, Kara A, EL SALVADOR, 16–Aug–2007, 13–Aug–2009.
Slotnick, Jennifer A, GUATEMALA, 27–Jul–2006, 26–Jul–2008.
Soto, Jocelyn D, UKRAINE, 21–Dec–2006, 18–Dec–2008.
Vance, Jessica H. EL SALVADOR, 19–Apr–2007, 24–Apr–2009.
Wagner, Ariel E, MALI, 25–Nov–2005, 25–May–2008.
Zehner, Amanda L, GAMBIA, 13–Apr–2007, 15–Apr–2009.

Mr. Chairman, I rise today in support of the Generations Invigorating Volunteerism and Education Act, the GIVE Act, H.R. 2857. I congratulate Chairman MILLER and Chairwoman MCCARTHY and Ranking Members MCKEON and PLATTS on their work toward this day and moving us closer to finally reauthorizing the Corportation for National and Community Service.

There are many noteworthy programs in the GIVE Act, including Senior Corps and AmeriCorps, which give countless Americans the opportunity to volunteer. Today, I would like to bring attention to a new and very promising program that I have worked to include in the GIVE Act. This new part of the law will provide grants to non-profit organizations to encourage increased volunteer, community, workforce, and educational participation in older adults.

Recent research shows that Americans in the second half of life—regardless of income, educational level, or race—want to explore options for the next stage of life, including service opportunities, obtaining new training, retooling existing skills, pursuing educational interests, and exploring flexible work.

This initiative is a timely and necessary way to help the large U.S. 'boomer' generation make the transition to a new productive life phase by providing support and community connections for ongoing learning, development, and contribution to society. Similar programs currently function as an initiative of Civic Ventures and are a proven success.

I am hopeful that we will be able to bring a program to my district to assist those that are in a transition period, whether they have lost a job, are looking for a career change, or would like to move into a volunteer role in the community.

Mr. Chairman, again I thank the leadership of the Education and Labor Committee and its excellent staff for assisting in securing this program authorization and in moving the GIVE Act forward.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today in strong support of H.R. 2857, the ''Generations Invigorating Volunteerism and Education Act'' or the ''GIVE Act.'' I would like to thank my colleague Congresswoman MCCARTHY for introducing this important legislation, as well as the Chairman of the Committee on Education and Labor, Congressman GEORGE MILLER, for his leadership in bringing the bill to the floor today.

Mr. Chairman, this legislation will make vital strides toward expanding and improving key community service programs, including AmeriCorps, VISTA, Senior Corps, and Learn and Serve America. The GIVE Act works to ensure that volunteers, and the organizations that support them, will receive the resources that they need to continue their vital work in our communities.

Today's legislation embodies the altruistic spirit that has made our Nation great. Great numbers of Americans donate their time and their unique skills and gifts to our cities and communities, without any expectation of compensation or material reward. According to a 2005 study, 29 percent of the American public, or about 65.4 million people, had volunteered in the past year.

This legislation engages our youth and fosters a sense of civic duty. At many of our Historically Black Colleges and Universities the idea of continual service to community is embedded into the very walls of the institution. Right in this city, Howard University has symbolically and yet openly stated its belief in service. Veritas and Utilitas, Truth and Service is on the very seal of the University. Institutions such as Texas Southern University and Texas A&M University continue to provide our young people with leadership skills that are grounded in service and compassion for their fellow man.

That is why I was so pleased to see Section 1202 of this legislation, giving special consideration to Historically Black Colleges and Universities, Hispanic Serving Institutions, and Tribal Colleges and Universities. I want to thank Chairman MILLER for allowing me to add to this great bill. By adding predominately minority community colleges to the list of those to receive special consideration, we help so many more students who have a commitment to service.

Our community colleges are growing as many of our returning veterans, single parents, and seniors desire to make a change in their life circumstances and simply cannot afford traditional higher education. A sense of civic engagement is not fostered only among students at Harvard and Berkeley; it is also found among students at community colleges like Houston Community College and North Harris College. I thank the Chairman for recognizing this needed addition and incorporating it into the Manager's Amendment.

The GIVE Act would: (1) increase the number of AmeriCorps volunteers from 75,000 to 100,000 by 2012; (2) increase stipends for AmeriCorps volunteers from $4,725 to $5,225 by 2012; (3) initiate a ''Summer of Service'' program for young people from middle school through high school to give them the opportunity to spend a summer in service to their community, for which they would receive a $500 stipend for college or for college preparation; and (4) create an AmeriCorps Alumni Reserves Network aimed at tapping into the skills and experience of alumni volunteers, with a particular focus on assisting during emergencies or natural disasters.

I am proud to cosponsor legislation that will add service before self to our leaders of tomorrow. I urge my colleagues to join me in supporting this legislation.

Mr. SCOTT of Virginia. Mr. Chairman, I rise in support of the Generations Invigorating Volunteerism and Education Act. I would like to thank Chairman GEORGE MILLER, Ranking Member MCKEON, Chairwoman MCCARTHY, and Ranking Member PLATTS for their work on this bill.

H.R. 2857 reauthorizes the national service programs for the first time in over 10 years and contains many positive changes and updates for these programs. During committee consideration of the bill, I added language to make many of these programs more accessible for court-involved youth and adults, including individuals who have previously been incarcerated. I believe that getting these individuals involved in service could be a positive first step to reintegrating these individuals into their communities and giving them an avenue to begin positively participating in society.

Although I support this bill, I remained concerned about one provision, which requires the recompetition of grants under the Retired Senior Volunteer Program, RSVP. During committee consideration of this bill, Congressman HARE and I submitted an amendment that would have given existing RSVP grantees in good standing priority consideration for future grants. Since that time, we have worked with the committee to improve the provision that is in the bill, including giving existing programs technical assistance and additional time to prepare for recompetition. I appreciate this work towards a more fair system.

However, I believe that existing programs in good standing should be given a stronger priority in the recompetition process, whether that is by only recompeting under-performing programs such as in the Head Start program or by utilizing a prior experience point system such as in the TRIO programs. Through serving their communities for many years and in some cases decades, these existing programs have established strong ties in their communities on which many seniors rely and from which many others benefit. I remain concerned that the language in the base bill will create a recompetition process that will essentially become a grant-writing competition without consideration for current RSVP programs' experience and effectiveness.

Although I remain concerned about the recompetition process for RSVP programs, I intend to support the bill and urge my colleagues to support it as well.

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

Mrs. MCCARTHY of New York. Mr. Chairman, I urge my colleagues to support H.R. 2857, and I yield back the balance of my time.

The Acting CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 2857

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 ''Generations Invigorating Volunteerism and Education Act'' or the ''GIVE Act''.

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

Sec. 1. Short title; table of contents.

TITLE I—AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF 1990

Sec. 1001. References.

Subtitle A—Amendments to Subtitle A (General Provisions)

Sec. 1101. Purposes; sense of Congress.
Sec. 1102. Definitions.

Subtitle B—Amendments to Subtitle B (Service-Learning)

Sec. 1201. School-based allotments.
Sec. 1202. Higher education provisions.
Sec. 1203. Innovative programs and research.

Subtitle C—Amendments to Subtitle C (National Service Trust Program)

Sec. 1301. Prohibition on grants to Federal agencies; limits on Corporation costs.
Sec. 1302. E–Corps and technical amendments to types of programs.
Sec. 1303. Types of positions.
Sec. 1304. Conforming repeal relating to training and technical assistance.
Sec. 1305. Assistance to State Commissions; challenge grants.
Sec. 1306. Allocation of assistance to States and other eligible entities.
Sec. 1307. Additional authority.
Sec. 1308. State selection of programs.
Sec. 1309. Consideration of applications.
Sec. 1310. Description of participants.
Sec. 1311. Selection of national service participants.
Sec. 1312. Terms of service.
Sec. 1313. Adjustments to living allowance.

Subtitle D—Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)

Sec. 1401. Availability of funds in the National Service Trust.
Sec. 1402. Individuals eligible to receive a national service educational award from the Trust.
Sec. 1403. Determination of the amount of national service educational awards.
Sec. 1404. Disbursement of educational awards.
Sec. 1405. Process of approval of national service positions.

Subtitle E—Amendments to Subtitle E (National Civilian Community Corps)

Sec. 1501. Purpose.
Sec. 1502. Program components.
Sec. 1503. Eligible participants.
Sec. 1504. Summer national service program.
Sec. 1505. Team leaders.
Sec. 1506. Training.
Sec. 1507. Consultation with State Commissions.
Sec. 1508. Authorized benefits for Corps members.
Sec. 1509. Permanent cadre.
Sec. 1510. Contract and grant authority.
Sec. 1511. Other departments.
Sec. 1512. Advisory Board.
Sec. 1513. Annual evaluation.
Sec. 1514. Repeal of funding limitation.
Sec. 1515. Definitions.
Sec. 1516. Terminology.

Subtitle F—Amendments to Subtitle F (Administrative Provisions)

Sec. 1601. Family and medical leave.
Sec. 1602. Additional prohibitions on use of funds.
Sec. 1603. Notice, hearing, and grievance procedures.
Sec. 1604. Resolution of displacement complaints.
Sec. 1605. State Commissions on National and Community Service.
Sec. 1606. Evaluation and accountability.
Sec. 1607. Technical amendment.
Sec. 1608. Partnerships with schools.
Sec. 1609. Rights of access, examination, and copying.
Sec. 1610. Additional administrative provisions.

Subtitle G—Amendments to Subtitle G (Corporation for National and Community Service)

Sec. 1701. Terms of office.
Sec. 1702. Board of Directors authorities and duties.
Sec. 1703. Authorities and duties of the Chief Executive Officer.
Sec. 1704. Nonvoting members; personal services contracts.
Sec. 1705. Donated services.
Sec. 1706. Office of Outreach and Recruitment.
Sec. 1707. Study to examine and increase service programs for veterans and veterans participation in Service Corps and Community Service and to develop pilot program.

Subtitle H—Amendments to Subtitle H

Sec. 1801. Technical amendments to subtitle H.
Sec. 1802. Repeals.
Sec. 1803. Innovative and model program support.
Sec. 1804. Clearinghouses.

Subtitle I—American Conservation and Youth Service Corps

Sec. 1811. State application.

Subtitle J—Training and Technical Assistance

Sec. 1821. Training and technical assistance.

Subtitle K—Repeal of Title III (Points of Light Foundation)

Sec. 1831. Repeal.

Subtitle L—Amendments to Title V (Authorization of Appropriations)

Sec. 1841. Authorization of appropriations.

TITLE II—AMENDMENTS TO THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973

Sec. 2001. References.

Subtitle A—Amendments to Title I (National Volunteer Antipoverty Programs)

Sec. 2101. Purpose.
Sec. 2102. Purpose of the VISTA program.
Sec. 2103. Applications.
Sec. 2104. VISTA programs of national significance.
Sec. 2105. Terms and periods of service.
Sec. 2106. Support Service.
Sec. 2107. Sections repealed.
Sec. 2108. Conforming amendment.
Sec. 2109. Financial assistance.

Subtitle B—Amendments to Title II (National Senior Volunteer Corps)

Sec. 2201. Change in name.
Sec. 2202. Purpose.
Sec. 2203. Grants and contracts for volunteer service projects.
Sec. 2204. Foster Grandparent Program grants.
Sec. 2205. Senior Companion Program grants.
Sec. 2206. Promotion of National Senior Service Corps.
Sec. 2207. Technical amendments.
Sec. 2208. Programs of national significance.
Sec. 2209. Additional provisions.
Sec. 2210. Authority of Director.

Subtitle C—Amendments to Title IV (Administration and Coordination)

Sec. 2301. Nondisplacement.
Sec. 2302. Notice and hearing procedures.
Sec. 2303. Definitions.
Sec. 2304. Protection against improper use.

Subtitle D—Amendments to Title V (Authorization of Appropriations)

Sec. 2401. Authorization of appropriations for VISTA and other purposes.
Sec. 2402. Authorization of appropriations for National Senior Service Corps.
Sec. 2403. Administration and coordination.

TITLE III—AMENDMENTS TO OTHER LAWS

Sec. 3101. Inspector General Act of 1978.

TITLE IV—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

Sec. 4101. Table of contents for the National and Community Service Act of 1990.
Sec. 4102. Table of contents for the Domestic Volunteer Service Act of 1973.

TITLE V—EFFECTIVE DATE

Sec. 5101. Effective date.
Sec. 5102. Service assignments and agreements.

TITLE I—AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF 1990

SEC. 1001. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the reference shall be considered to be made to a provision of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.).

Subtitle A—Amendments to Subtitle A (General Provisions)

SEC. 1101. PURPOSES; SENSE OF CONGRESS.

(a) PURPOSES.—Section 2(b) (42 U.S.C. 12501(b)) is amended—

(1) in paragraph (2), by striking ''community throughout'' and inserting ''community and service throughout the varied and diverse communities of'';

(2) in paragraph (4), by inserting after ''income,'' the following: ''geographic location,'';

(3) in paragraph (6), by inserting after ''existing'' the following: ''national'';

(4) in paragraph (7)—

(A) by striking ''programs and agencies'' and inserting ''programs, agencies, and communities''; and

(B) by striking ''and'' at the end;

(5) in paragraph (8), by striking the period and inserting a semicolon; and

(6) by adding at the end the following:

''(9) expand and strengthen service-learning programs through year-round opportunities, including during the summer months, to improve the education of children and youth and to maximize the benefits of national and community service, in order to renew the ethic of civic responsibility and the spirit of community to children and youth throughout the United States;

''(10) assist in coordinating and strengthening Federal and other citizen service opportunities, including opportunities for participation in emergency and disaster preparedness, relief, and recovery;

''(11) increase service opportunities for our Nation's retiring professionals, including such opportunities for those retiring from the science, technical, engineering, and mathematics professions to improve the education of our Nation's youth and keep America competitive in the global knowledge economy, and to further utilize the experience, knowledge, and skills of older Americans;

''(12) encourage the continued service of the alumni of the national service programs, including service in times of national need; and

''(13) encourage members of the Baby Boom generation to partake in service opportunities.''.

(b) SENSE OF CONGRESS.—The Act is amended by inserting after section 2 the following:

''SEC. 3. SENSE OF CONGRESS.

''It is the sense of Congress that the number of participants in the AmeriCorps programs, including the Volunteers in Service to America (VISTA) and the National Civilian Community Corps (NCCC), should grow to reach 100,000 participants by 2012.''.

SEC. 1102. DEFINITIONS.

Section 101 (42 U.S.C. 12511) is amended—

(1) by redesignating—

(A) paragraphs (21) through (29) as paragraphs (28) through (36), respectively;

(B) paragraphs (9) through (20) as paragraphs (15) through (26), respectively; and

(C) paragraphs (7) and (8) as paragraphs (10) and (11), respectively; and

(D) paragraphs (3) through (6) as paragraphs (5) through (8), respectively;

(2) by inserting after paragraph (2) the following:

''(3) APPROVED SUMMER OF SERVICE POSITION.—The term 'approved summer of service position' means a position in a program described under section 111(a)(5) for which the Corporation has approved the provision of a summer of service educational award as one of the benefits to be provided for successful service in the position.

''(4) BABY BOOM GENERATION.—The term 'Baby Boom generation' means the generation that consists of individuals born during the period beginning with 1946 and ending with 1964.'';

(3) in paragraph (5) (as so redesignated), by striking ''described in section 122'';

(4) in paragraph (7) (as so redesignated), by striking ''church or other'';

(5) by inserting after paragraph (8) (as so redesignated) the following:

''(9) DISADVANTAGED YOUTH.—The term 'disadvantaged youth' includes those youth who are economically disadvantaged and one or more of the following:

''(A) Who are out-of-school youth, including out-of-school youth who are unemployed.

''(B) Who are in or aging out of foster care.

''(C) Who have limited English proficiency.

''(D) Who are homeless or who have run away from home.

''(E) Who are at-risk to leave school without a diploma.

''(F) Who are former juvenile offenders or at risk of delinquency.'';

(6) by inserting after paragraph (11) (as so redesignated) the following:

''(12) GRANTMAKING ENTITY.—The term 'grantmaking entity' means a public or private nonprofit organization that—

''(A) has experience with service-learning or with meeting unmet human, educational, environmental, or public safety needs;

''(B) was in existence at least one year before the date on which the organization submitted an application under the national service laws; and

''(C) meets other such criteria as the Chief Executive Officer may establish.

''(13) HISPANIC-SERVING INSTITUTION.—The term 'Hispanic-serving institution' has the meaning given the term in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).

''(14) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term 'historically black college or university' means a part B institution, as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).'';

(7) in paragraph (19) (as so redesignated), by striking ''section 101(a) of the Higher Education Act of 1965'' and inserting ''sections 101(a) and 102(a)(1) of the Higher Education Act of 1965'';

(8) in paragraph (23)(B) (as so redesignated), by striking ''program in which the participant is enrolled'' and inserting ''organization receiving assistance under the national service laws through which the participant is enrolled in an approved national service position'';

(9) by inserting after paragraph (26) (as so redesignated) the following:

''(27) QUALIFIED ORGANIZATION.—The term 'qualified organization' means a public or private nonprofit organization with experience working with school-age youth that meets such criteria as the Chief Executive Officer may establish.''; and

(10) by adding at the end the following:

''(37) TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY.—The term 'tribally controlled college or university' has the meaning given in section 2 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801).''.

Subtitle B—Amendments to Subtitle B (Service-Learning)

SEC. 1201. SCHOOL-BASED ALLOTMENTS.

Part I of subtitle B of title I (42 U.S.C. 12521 et seq.) is amended to read as follows:

''PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY STUDENTS

''SEC. 111. ASSISTANCE TO STATES, TERRITORIES, AND INDIAN TRIBES.

''(a) ALLOTMENTS TO STATES, TERRITORIES, AND INDIAN TRIBES.—The Corporation, in consultation with the Secretary of Education, may make allotments to State educational agencies, Territories, and Indian tribes to pay for the Federal share of—

''(1) planning and building the capacity within the State, Territory, or Indian tribe to implement service-learning programs that are based principally in elementary and secondary schools, including—

''(A) providing training for teachers, supervisors, personnel from community-based agencies (particularly with regard to the recruitment, utilization, and management of participants), and trainers, to be conducted by qualified individuals or organizations that have experience with service-learning;

''(B) developing service-learning curricula, consistent with State or local academic content standards, to be integrated into academic programs, including an age-appropriate learning component that provides participants an opportunity to analyze and apply their service experiences;

''(C) forming local partnerships described in paragraph (2) or (4) to develop school-based service-learning programs in accordance with this part;

''(D) devising appropriate methods for research and evaluation of the educational value of service-learning and the effect of service-learning activities on communities;

''(E) establishing effective outreach and dissemination of information to ensure the broadest possible involvement of community-based agencies with demonstrated effectiveness in working with school-age youth in their communities; and

''(F) establishing effective outreach and dissemination of information to ensure the broadest possible participation of schools throughout the State, with particular attention to schools identified for school improvement under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

''(2) implementing, operating, or expanding school-based service-learning programs, which may include paying for the cost of the recruitment, training, supervision, placement, salaries, and benefits of service-learning coordinators, through distribution of Federal funds by State educational agencies, Territories, and Indian tribes made available under this part to projects operated by local partnerships among—

''(A) local educational agencies; and

''(B) 1 or more community partners that—

''(i) shall include a public or private nonprofit organization that—

''(I) has a demonstrated expertise in the provision of services to meet unmet human, education, environmental, or public safety needs;

''(II) will make projects available for participants, who shall be students; and

''(III) was in existence at least 1 year before the date on which the organization submitted an application under section 113; and

''(ii) may include a private for-profit business, private elementary or secondary school, or Indian tribe (except that an Indian tribe distributing funds to a project under this paragraph is not eligible to be part of the partnership operating that project);

''(3) planning of school-based service-learning programs, through distribution by State educational agencies, Territories, and Indian tribes of Federal funds made available under this part to local educational agencies and Indian tribes, which planning may include paying for the cost of—

''(A) the salaries and benefits of service-learning coordinators; or

''(B) the recruitment, training, supervision, and placement of service-learning coordinators who may be participants in a program under subtitle C or receive a national service educational award under subtitle D, who may be participants in a project under section 201 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001), or who may participate in a Youthbuild program under section 173A of the Workforce Investment Act of 1998 (29 U.S.C. 2918a),

who will identify the community partners described in paragraph (2)(B) and assist in the design and implementation of a program described in paragraph (2);

''(4) implementing, operating, or expanding school-based service-learning programs to utilize adult volunteers in service-learning to improve the education of students, through distribution by State educational agencies, Territories, and Indian tribes of Federal funds made available under this part to—

''(A) local educational agencies;

''(B) Indian tribes (except that an Indian tribe distributing funds under this paragraph is not eligible to be a recipient of those funds);

''(C) public or private nonprofit organizations; or

''(D) partnerships or combinations of local educational agencies and entities described in subparagraph (B) or (C); and

''(5) establishing or implementing summer of service programs during the summer months, including the cost of recruitment, training, and placement of service-learning coordinators—

''(A) for youth who will be enrolled in any grade from grade 6 through grade 12 at the end of the summer concerned;

''(B) for community-based service-learning projects that—

''(i) shall—

''(I) meet unmet human, educational, environmental (including energy conservation and stewardship), emergency and disaster preparedness, and public service needs; and

''(II) be intensive, structured, supervised, and designed to produce identifiable improvements to the community; and

''(ii) may include the extension of academic year service-learning programs into the summer months;

''(C) through the distribution of Federal funds made available under this part to projects operated by local partnerships that consist of local educational agencies and—

''(i) public or private elementary schools or secondary schools;

''(ii) institutions of higher education;

''(iii) public or private non-profit organizations that—

''(I) have a demonstrated expertise in providing services to meet unmet human, educational, environmental, or public safety needs; and

''(II) have been in existence for at least 1 year before the date on which the organization submitted an application under section 113;

''(iv) for-profit businesses; or

''(v) a consortia of such entities;

''(D) under which any student who completes 100 hours of service in an approved summer of service position, as certified through a process determined by the Corporation through regulations consistent with section 139(f), shall be eligible for a summer of service educational award of not more than $500 (or, at the discretion of the Chief Executive Officer, not more than $1,000 in the case of a participant who is economically disadvantaged) from funds deposited in the National Service Trust and distributed by the Corporation as described in section 148; and

''(E) subject to the limitation that a student may not receive more than 2 summer of service educational awards from funds deposited in the National Service Trust.

''(b) PROGRAMS TO ENCOURAGE CIVIC ENGAGEMENT IN SERVICE LEARNING.—

''(1) IN GENERAL.—From funds appropriated under section 501(a)(1), and without regard to section 112(b), the Corporation shall reserve up to 3 percent for competitive grants to partnerships described in subsection (a)(2) for the development of service-learning programs that promote greater civic engagement among elementary and secondary school students.

''(2) APPLICATION.—To be eligible to receive a grant under this subsection, a partnership shall submit an application at such time, in such manner, and containing such information as the Corporation may require.

''(3) ACTIVITIES.—Partnerships receiving grants under this subsection shall use funds to develop service-learning curricula that—

''(A) promote a better understanding of the principles of the Constitution of the United States, the heroes of American history (including military heroes), and the meaning of the Oath of Allegiance;

''(B) promote a better understanding of how the Nation's government functions; and

''(C) promote a better understanding of the importance of service in the Nation's character.

''(c) DUTIES OF SERVICE-LEARNING COORDINATOR.—A service-learning coordinator referred to in paragraph (2), (3), or (5) of subsection (a) shall provide services that may include—

''(1) providing technical assistance and information to, and facilitating the training of, teachers and assisting in the planning, development, execution, and evaluation of service-learning in their classrooms;

''(2) assisting local partnerships described in subsection (a) in the planning, development, and execution of service-learning projects, including summer of service programs; and

''(3) carrying out such other duties as the recipient of assistance under this part may determine to be appropriate.

''(d) RELATED EXPENSES.—An entity that receives financial assistance under this part may, in carrying out the activities described in subsection (a), use such assistance to pay for the Federal share of reasonable costs related to the supervision of participants, program administration, transportation, insurance, and evaluations and for other reasonable expenses related to the activities.

''SEC. 112. ALLOTMENTS.

''(a) INDIAN TRIBES AND TERRITORIES.—Of the amounts appropriated to carry out this part for any fiscal year, the Corporation shall reserve an amount of not less than 2 percent and not more than 3 percent for payments to Indian tribes, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs.

''(b) ALLOTMENTS THROUGH STATES.—After reserving the amount under subsection (a), the Corporation shall use the remainder of the funds appropriated to carry out this part for any fiscal year as follows:

''(1) ALLOTMENTS.—

''(A) SCHOOL-AGE YOUTH.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the number of school-age youth in the State bears to the total number of school-age youth of all States.

''(B) ALLOCATION UNDER ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the allocation to the State for the previous fiscal year under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) or its successor authority bears to such allocations to all States.

''(2) DEFINITION.—Notwithstanding section 101, for purposes of this subsection, the term 'State' means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(c) REALLOTMENT.—If the Corporation determines that the allotment of a State, Territory, or Indian tribe under this section will not be required for a fiscal year because the State, Territory, or Indian tribe did not submit and receive approval of an application for the allotment under section 113, the Corporation shall make the allotment for such State, Territory, or Indian tribe available for grants to grantmaking entities to carry out service-learning programs as described in section 111(a) in such State, Territory, or Indian tribe. After grantmaking entities apply for the allotment with an application at such time and in such manner as the Corporation requires and receive approval, the remainder of such allotment shall be available for reallotment to such other States, Territories, or Indian tribes with approved applications submitted under section 113 as the Corporation may determine to be appropriate.

''SEC. 113. APPLICATIONS.

''(a) IN GENERAL.—To be eligible to receive an allotment under section 112 or an allotment of approved summer of service positions under section 111(a)(5)(D), a State, acting through the State educational agency, Territory, or Indian tribe shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.

''(b) CONTENTS.—An application for an allotment under this part shall include—

''(1) a proposal for a 3-year plan promoting service-learning, which shall contain such information as the Chief Executive Officer may reasonably require, including how the applicant will integrate service opportunities into the academic program of the participants;

''(2) information about the applicant's efforts to—

''(A) ensure that students of different ages, races, sexes, ethnic groups, disabilities, and economic backgrounds have opportunities to serve together;

''(B) include any opportunities for students enrolled in schools or other programs of education providing elementary or secondary education to participate in service-learning programs and ensure that such service-learning programs include opportunities for such students to serve together;

''(C) involve participants in the design and operation of the program;

''(D) promote service-learning in areas of greatest need, including low-income or rural areas; and

''(E) otherwise integrate service opportunities into the academic program of the participants; and

''(3) assurances that the applicant will comply with the nonduplication and nondisplacement requirements of section 177 and the grievance procedures required by section 176.

''(c) APPLICATION TO STATE, TERRITORY, OR INDIAN TRIBE TO RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED SERVICE-LEARNING PROGRAMS.—

''(1) IN GENERAL.—Any—

''(A) qualified organization, Indian tribe, Territory, local educational agency, for-profit business, private elementary, middle, or secondary school, or institution of higher education that desires to receive financial assistance under this subpart from a State, Territory, or Indian tribe for an activity described in section 111(a)(1);

''(B) partnership described in section 111(a)(2) that desires to receive such assistance from a State, Territory, or Indian tribe or grantmaking entity described in section 111(a)(2);

''(C) entity described in section 111(a)(3) that desires to receive such assistance from a State, Territory, or Indian tribe for an activity described in such section;

''(D) partnership described in section 111(a)(4) that desires to receive such assistance from a State, Territory, or Indian tribe for an activity described in such section;

''(E) agency or partnership described in section 111(a)(5) that desires to receive such assistance, or approved summer of service positions, from a State, Territory, or Indian tribe for an activity described in such section to be carried out through a service-learning program described in section 111,

shall prepare, submit to the State educational agency, Territory, grantmaking entity, or Indian tribe, and obtain approval of, an application for the program.

''(2) SUBMISSION.—Such application shall be submitted at such time and in such manner, and shall contain such information, as the agency, Territory, Indian tribe, or entity may reasonably require.

''(d) EXCEPTION.—Notwithstanding subsections (a) and (b) of section 112, if less than $20,000,000 is appropriated for any fiscal year to carry out this part, the Corporation shall award grants to States, Territories, and Indian tribes from the amount so appropriated, on a competitive basis to pay for the Federal share of the activities described in section 111.

''SEC. 114. CONSIDERATION OF APPLICATIONS.

''(a) PRIORITY.—In considering competitive applications under this part, the Corporation shall give priority to innovation, sustainability, capacity building, involvement of disadvantaged youth, and quality of programs, as well as other criteria approved by the Chief Executive Officer.

''(b) REJECTION OF APPLICATIONS.—If the Corporation rejects an application submitted by a State under section 113 for an allotment, the Corporation shall promptly notify the State of the reasons for the rejection of the application. The Corporation shall provide the State with a reasonable opportunity to revise and resubmit the application and shall provide technical assistance, if needed, to the State as part of the resubmission process. The Corporation shall promptly reconsider such resubmitted application.

''SEC. 115. PARTICIPATION OF STUDENTS AND TEACHERS FROM PRIVATE SCHOOLS.

''(a) IN GENERAL.—To the extent consistent with the number of students in the State, Territory, or Indian tribe or in the school district of the local educational agency involved who are enrolled in private nonprofit elementary and secondary schools, such State, Territory, Indian tribe, or agency shall (after consultation with appropriate private school representatives) make provision—

''(1) for the inclusion of services and arrangements for the benefit of such students so as to allow for the equitable participation of such students in the programs implemented to carry out the objectives and provide the benefits described in this part; and

''(2) for the training of the teachers of such students so as to allow for the equitable participation of such teachers in the programs implemented to carry out the objectives and provide the benefits described in this part.

''(b) WAIVER.—If a State, Territory, Indian tribe, or local educational agency is prohibited by law from providing for the participation of students or teachers from private nonprofit schools as required by subsection (a), or if the Corporation determines that a State, Territory, Indian tribe, or local educational agency substantially fails or is unwilling to provide for such participation on an equitable basis, the Chief Executive Officer shall waive such requirements and shall arrange for the provision of services to such students and teachers. Such waivers shall be subject to the requirements of sections 9503 and 9504 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7883 and 7884).

''SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

''(a) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost of carrying out a program for which assistance is provided under this part may not exceed 50 percent of the total cost of the program.

''(2) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of assistance under this part—

''(A) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

''(B) may provide for such share through State sources or local sources, including private funds or donated services.

''(b) WAIVER.—The Chief Executive Officer may waive the requirements of subsection (a) in whole or in part with respect to any such program for any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

''SEC. 116A. LIMITATIONS ON USES OF FUNDS.

''Not more than 6 percent of the amount of assistance received by an applicant in a fiscal year may be used to pay, in accordance with such standards as the Corporation may issue, for administrative costs, incurred by—

''(1) the original recipient; or

''(2) the entity carrying out the service-learning program supported with the assistance.''.

SEC. 1202. HIGHER EDUCATION PROVISIONS.

Section 119 (42 U.S.C. 12561) is redesignated as section 117 and amended—

(1) in subsection (a), by inserting after ''community service programs'' the following: ''through service-learning'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''combination'' and inserting ''consortia'';

(B) in paragraph (1)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by adding ''and'' at the end; and

(iii) by adding at the end the following:

''(C) may coordinate with service-learning curricula being offered in the academic curricula at the institution of higher education or at one or more members of the consortia;'';

(3) in subsection (b)(3)—

(A) in the matter preceding subparagraph (A), by striking ''teachers at the elementary, secondary, and postsecondary levels'' and inserting ''institutions of higher education and their faculty'';

(B) in subparagraph (A), by striking ''education of the institution; and'' and inserting ''curricula of the institution to strengthen the instructional capacity of service-learning at the elementary and secondary levels;'';

(C) by redesignating subparagraph (B) as subparagraph (E); and

(D) by inserting after subparagraph (A) the following:

''(B) including service-learning as a key component of the health professionals curricula, including nursing, pre-medicine, medicine, and dentistry curricula of the institution;

''(C) including service-learning as a key component of the criminal justice professionals curricula of the institution;

''(D) including service-learning as a key component of the public policy and public administration curricula of the institution; and'';

(4) by striking subsections (c), (d), (e), and (g);

(5) by redesignating subsection (f) as (i); and

(6) by inserting after subsection (b) the following:

''(c) SPECIAL CONSIDERATION.—To the extent practicable, the Corporation shall give special consideration to applications submitted by predominantly Black institutions, Historically Black Colleges and Universities, Hispanic-serving institutions, and Tribal Colleges and Universities.

''(d) FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.—

''(1) FEDERAL SHARE.—

''(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant is made under this part may not exceed 50 percent of the total cost of the program.

''(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

''(i) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

''(ii) may provide for such share through State sources or local sources, including private funds or donated services.

''(2) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1) in whole or in part with respect to any such program for any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

''(e) APPLICATION FOR GRANT.—

''(1) SUBMISSION.—To receive a grant or enter into a contract under this part, an applicant shall prepare, submit to the Corporation, and obtain approval of, an application at such time, in such manner, and containing such information and assurances as the Corporation may reasonably require. In requesting applications for assistance under this part, the Corporation shall specify such required information and assurances.

''(2) CONTENTS.—An application submitted under paragraph (1) shall contain, at a minimum—

''(A) assurances that—

''(i) prior to the placement of a participant, the applicant will consult with the appropriate local labor organization, if any, representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program, to prevent the displacement and protect the rights of such employees; and

''(ii) the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and the grievance procedures required by section 176; and

''(B) such other assurances as the Chief Executive Officer may reasonably require.

''(f) PRIORITY.—In making grants and entering into contracts under subsection (b), the Corporation shall give priority to applicants or institutions that submit applications containing proposals that—

''(1) demonstrate the commitment of the institution of higher education, other than by demonstrating the commitment of the students, to supporting the community service projects carried out under the program;

''(2) specify the manner in which the institution will promote faculty, administration, and staff participation in the community service projects;

''(3) specify the manner in which the institution will provide service to the community through organized programs, including, where appropriate, clinical programs for students in professional schools and colleges;

''(4) describe any partnership that will participate in the community service projects, such as a partnership comprised of—

''(A) the institution;

''(B)(i) a community-based agency;

''(ii) a local government agency; or

''(iii) a non-profit entity that serves or involves school-age youth, older adults, or low-income communities; and

''(C)(i) a student organization;

''(ii) a department of the institution; or

''(iii) a group of faculty comprised of different departments, schools, or colleges at the institution;

''(5) demonstrate community involvement in the development of the proposal;

''(6) describe research on effective strategies and methods to improve service utilized in the design of the project;

''(7) specify that the institution will use such assistance to strengthen the service infrastructure in institutions of higher education; or

''(8) with respect to projects involving delivery of services, specify projects that involve leadership development of school aged youth.

''(g) DEFINITION.—Notwithstanding section 101, as used in this part, the term 'student' means an individual who is enrolled in an institution of higher education on a full- or part-time basis.

''(h) FEDERAL WORK-STUDY.—To be eligible for assistance under this part, an institution of higher education must demonstrate that it meets the minimum requirements under section 443(b)(2)(B) of the Higher Education Act of 1965 (42 U.S.C. 2753(b)(2)(B)) relating to the participation of Federal Work-Study students in community service activities, or has received a waiver of those requirements from the Secretary of Education.''.

SEC. 1203. INNOVATIVE PROGRAMS AND RESEARCH.

Subtitle B of title I (42 U.S.C. 12521 et seq.) is further amended by adding after part II the following new part:

''PART III—INNOVATIVE SERVICE–LEARNING PROGRAMS AND RESEARCH

''SEC. 118. INNOVATIVE DEMONSTRATION SERVICE-LEARNING PROGRAMS AND RESEARCH.

''(a) IN GENERAL.—From the amounts appropriated to carry out this part for a fiscal year, the Corporation may make grants and fixed amount grants under subsection (f) with eligible entities for activities described in subsection (c).

''(b) ELIGIBLE ENTITIES DEFINED.—For purposes of this part, the term 'eligible entity' means a State education agency, a State commission, a Territory, an Indian tribe, an institution of higher education, a public or private nonprofit organization, or a consortia of such entities, where a consortia of two or more such entities may also include a for-profit organization.

''(c) AUTHORIZED ACTIVITIES.—Funds under this part may be used to—

''(1) integrate service-learning programs into the science, technology, engineering, and mathematics (STEM) curricula at the elementary, secondary, or post-secondary and post-baccalaureate levels in coordination with practicing or retired STEM professionals;

''(2) involve students in service-learning programs focusing on energy conservation in their community, including conducting educational outreach on energy conservation and working to improve energy efficiency in low income housing and in public spaces;

''(3) involve students in service-learning projects in emergency and disaster preparedness;

''(4) involve students in service-learning projects aimed at improving access to and obtaining the benefits from computers and other emerging technologies, including in low income or rural communities, senior centers and communities, schools, libraries, and other public spaces;

''(5) involve high school age youth in the mentoring of middle school youth while involving all participants in service-learning to seek to meet unmet human, educational, environmental, public safety, or emergency disaster preparedness needs in their community;

''(6) conduct research and evaluations on service-learning, including service-learning in middle schools, and disseminate such research and evaluations widely;

''(7) conduct innovative and creative activities as described in section 111(a); and

''(8) carry out any other innovative service-learning programs or research that the Corporation considers appropriate.

''(d) PRIORITY.—Priority shall be given to programs that—

''(1) involve students and community stakeholders in the design and implementation of the service-learning program;

''(2) implement service-learning programs in low-income or rural communities; and

''(3) utilize adult volunteers, including tapping the resource of retired and retiring adults, in the planning and implementation of the service-learning programs.

''(e) REQUIREMENTS.—

''(1) THREE-YEAR TERM.—Each program funded under this part shall be carried out over a period of three years, including one planning year and two additional grant years, with a 1-year extension possible, if the program meets performance measures developed in accordance with section 179(a) and any other criteria determined by the Corporation.

''(2) ENCOURAGEMENT.—Each program funded under this part is encouraged to collaborate with other Learn and Serve programs, AmeriCorps, VISTA, and the National Senior Service Corps.

''(3) EVALUATION.—Upon completion of the program, the Corporation shall conduct an independent evaluation of the program and widely disseminate the results to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies and recommendations for improvement.

''(f) FIXED AMOUNT GRANTS.—

''(1) GENERAL.—For purposes of subsection (a), and subject to the limitations in this subsection, the Corporation may, upon making a determination described in paragraph (2), approve a fixed amount grant that is not subject to the Office of Management and Budget cost principles and related financial recordkeeping requirements.

''(2) DETERMINATION.—Before approving a fixed amount grant, the Corporation must determine that—

''(A) the reasonable and necessary costs of carrying out the terms of the grant significantly exceed the amount of assistance provided by the Corporation; or

''(B) based on the nature or design of the grant, any assistance provided by the Corporation can be reasonably presumed to be expended on reasonable and necessary costs.

''(3) MATCHING FUNDS.—

''(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant is made under this part may not exceed 50 percent of the total cost of the program.

''(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

''(i) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

''(ii) may provide for such share through State sources or local sources, including private funds or donated services.

''(g) APPLICATIONS.—To be eligible to carry out a program under this part, an entity shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.''.

Subtitle C—Amendments to Subtitle C (National Service Trust Program)

SEC. 1301. PROHIBITION ON GRANTS TO FEDERAL AGENCIES; LIMITS ON CORPORATION COSTS.

Section 121 (42 U.S.C. 12571) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting after ''subdivisions of States,'' the following: ''Territories,'';

(2) in subsection (b)—

(A) in the heading, by striking ''AGREEMENTS WITH FEDERAL AGENCIES'' and inserting ''RESTRICTIONS ON AGREEMENTS WITH FEDERAL AGENCIES'';

(B) in paragraph (1)—

(i) in the first sentence by striking ''by the agency.'' and inserting ''by the agency, including programs under the Public Lands Corps and Urban Youth Corps as described in section 122(a)(2).''; and

(ii) by striking the second sentence;

(C) by striking paragraph (2) and inserting the following:

''(2) PROHIBITION ON GRANTS.—The Corporation may not provide a grant under this section to a Federal agency.''; and

(D) in paragraph (3)—

(i) by striking ''receiving assistance under this subsection'' and inserting ''operating a national service program''; and

(ii) by striking ''using such assistance'';

(3) in subsection (c)(2)(B), by striking ''to be provided'' and inserting ''to be provided or otherwise approved'';

(4) in subsection (d)—

(A) in the subsection heading, by striking ''FIVE'' and inserting ''SIX''; and

(B) in paragraph (1), by striking ''5 percent'' and inserting ''6 percent''; and

(5) in subsection (e)—

(A) in paragraph (1)—

(i) by striking ''section 140'' and inserting ''paragraph (2)'';

(ii) by striking ''Federal share'' and inserting ''Corporation share'';

(iii) by inserting after ''cost'' the following: '', including member living allowances, employment-related taxes, health care coverage, and worker's compensation,''

(iv) by striking ''may not exceed 75 percent of such cost.'' and inserting ''may not exceed—''; and

(v) by adding at the end the following:

''(A) for the first three years in which the recipient receives such assistance, 76 percent of such cost;

''(B) for the fourth through ninth years in which the recipient receives such assistance, a decreasing share of such cost between 76 percent and 50 percent, as established by the Corporation in regulation; and

''(C) for the tenth year (and each year thereafter) in which the recipient receives such assistance, 50 percent of such cost.'';

(B) by striking paragraph (3);

(C) by redesignating paragraph (2) as paragraph (3); and

(D) by inserting after paragraph (1) the following:

''(2) ALTERNATIVE CORPORATION SHARE FOR PROGRAMS IN RURAL OR SEVERELY ECONOMICALLY DISTRESSED COMMUNITIES.—Upon approval by the Corporation, the Corporation share of the cost, including member living allowances, employment-related taxes, health care coverage, and worker's compensation, of carrying out a national service program that receives assistance under subsection (a) and that is located in a rural or severely economically distressed community may not exceed—

''(A) for the first six years in which the recipient receives such assistance, 76 percent of such cost;

''(B) for the seventh through ninth years in which the recipient receives such assistance, a decreasing share of such cost between 76 and 65 percent as established by the Corporation in regulation; and

''(C) for the tenth year (and each year thereafter) in which the recipient receives such assistance, 65 percent of such cost.'';

(E) in paragraph (3) (as so redesignated), in subparagraph (B), by inserting after ''other Federal sources'' the following: ''including funds authorized under Youthbuild (section 173A of the Workforce Investment Act of 1998 (29 U.S.C. 2918a))''; and

(F) by adding at the end the following:

''(5) OTHER FEDERAL FUNDS.—

''(A) RECIPIENT REPORT.—A recipient of assistance under section 121 shall report to the Corporation the amount and source of any Federal funds used to carry out the program other than those provided by the Corporation.

''(B) CORPORATION REPORT.—The Corporation shall report to the Congress on an annual basis information regarding each recipient that uses Federal funds other than those provided by the Corporation to carry out the program, including amounts and sources of other Federal funds.''.

SEC. 1302. E–CORPS AND TECHNICAL AMENDMENTS TO TYPES OF PROGRAMS.

Section 122 (42 U.S.C. 12572) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''subsection (b)(1)'' and inserting ''subsection (c)(1)'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''including'' and all that follows through the semicolon at the end and inserting ''including projects involving urban renewal, sustaining natural resources, or improving human services;'';

(ii) in subparagraph (B), by striking ''including'' and inserting ''and at least 50 percent of whom are''; and

(iii) in subparagraph (C)(i), by inserting '', including mentoring'' before the semicolon;

(C) in paragraph (6)—

(i) in subparagraph (B), by striking ''; or'' and inserting a semicolon;

(ii) in subparagraph (C), by striking the period and inserting ''; or''; and

(iii) by adding at the end the following:

''(D) students participating in service-learning programs at an institution of higher education.'';

(D) in paragraph (7)(A), by inserting '', including elementary and secondary education, and other professions such as those in health care, criminal justice, environmental stewardship and conservation, or public safety'' before the semicolon;

(E) in paragraph (8)(C), by striking ''nonprofit'';

(F) in paragraph (9), by striking ''between the ages of 16 and 24'' and inserting ''between the ages of 16 and 25'';

(G) in paragraph (10), by striking ''gifted young adults'' and all that follows through the period at the end and inserting ''school-age youth and young adults of all backgrounds, including gifted youth, along with established successful entrepreneurs of all backgrounds and professions from the community in which the program exists to—

''(A) train the participants in utilizing problem-solving, entrepreneurship, and communication skills to design solutions to community problems; and

''(B) collaborate with stakeholders in the communities to implement the solutions devised by the participants in subparagraph (A).'';

(H) in paragraph (12)(A), by striking ''learning and recreation'' and inserting ''learning, recreation, and mentoring'';

(I) in paragraph (13), by striking ''and to combat rural poverty, including'' and inserting '', including the issues of rural poverty,'';

(J) by redesignating paragraph (15) as paragraph (19); and

(K) by inserting after paragraph (14) the following:

''(15) An E–Corps program that involves participants who provide services in a community by developing and assisting in carrying out technology programs which seek to increase access to technology and the benefits thereof in such community.

''(16) A program that engages citizens in public safety, public health, and emergency and disaster preparedness, and may include the recruitment and placing of qualified participants in positions to be trainees as law enforcement officers, firefighters, search and rescue personnel, and emergency medical service workers, and may engage Federal, State, and local stakeholders in collaboration to organize more effective responses to issues of public safety and public health, emergencies, and disasters.

''(17) A program, initiative, or partnership that seeks to expand the number of mentors for youths (including by recruiting high-school and college-aged individuals to enter into mentoring

relationships), including mentors for disadvantaged youths, either through provision of direct mentoring services through the creative utilization of current and emerging technologies to connect youth with mentors.

''(18) A program that has the primary purpose of re-engaging court-involved youth and adults with the goal of reducing recidivism.'';

(2) by redesignating subsections (b) and (c) as (c) and (d), respectively;

(3) by inserting after subsection (a) the following:

''(b) INNOVATIVE PROGRAMS TO MEET THE NEEDS OF VETERANS.—

''(1) IN GENERAL.—From funds appropriated under section 501(a)(2), the Corporation shall reserve up to 3 percent for competitive grants to eligible recipients under subsection (a) for the development, either directly or through subgrants to other entities, of innovative initiatives to address the unique needs of veterans.

''(2) APPLICATION.—To be eligible to receive a grant under this subsection, an entity described in paragraph (1) shall submit an application at such time, in such manner, and containing such information as the Corporation may require.

''(3) ACTIVITIES.—Entities receiving grants under this subsection shall use funds to develop initiatives that—

''(A) recruit veterans, particularly returning veterans, into service opportunities;

''(B) promote community-based efforts to meet the unique needs of military families while a member of the family is deployed; and

''(C) promote community-based efforts to meet the unique needs of military families when a member of the family returns from a deployment.'';

(4) in subsection (c) (as so redesignated), in paragraph (4), by inserting after ''out-of-school youths,'' the following: ''disadvantaged youths,'';

(5) in subsection (d) (as so redesignated), in paragraph (1)(A), by striking ''subsection (b) or (d) of''; and

(6) by adding at the end the following:

''(e) REQUIREMENTS FOR TUTORS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Corporation shall require that each recipient of assistance under the national service laws that operates a tutoring program involving elementary or secondary school students certifies that individuals serving in approved national service positions as tutors in such program have—

''(A) either—

''(i) obtained their high school diploma; or

''(ii) passed a proficiency test demonstrating that such individuals have the skills necessary to achieve program goals; and

''(B) have successfully completed pre- and in-service training for tutors.

''(2) EXCEPTION.—The requirements in paragraph (1) do not apply to an individual serving in an approved national service position who is enrolled in an elementary or secondary school and is providing tutoring services through a structured, school-managed cross-grade tutoring program.

''(f) REQUIREMENTS FOR TUTORING PROGRAMS.—Each tutoring program that receives assistance under the national service laws shall—

''(1) offer a curriculum that is high quality, research-based, and consistent with the State academic content standards required by section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) and the instructional program of the local educational agency; and

''(2) offer high quality, research-based pre- and in-service training for tutors.

''(g) CITIZENSHIP TRAINING.—The Corporation shall establish requirements for recipients of assistance under the national service laws relating to the promotion of citizenship and civic engagement, that are consistent with the principles on which citizenship programs administered by U.S. Citizenship and Immigration Services are based, among individuals enrolled in approved national service positions and approved summer of service positions.''.

SEC. 1303. TYPES OF POSITIONS.

Section 123 (42 U.S.C. 12573) is amended—

(1) in paragraph (2)(A) by inserting after ''subdivision of a State,'' the following: ''a Territory,''; and

(2) in paragraph (5) by inserting ''National'' before ''Civilian Community Corps''.

SEC. 1304. CONFORMING REPEAL RELATING TO TRAINING AND TECHNICAL ASSISTANCE.

Section 125 (42 U.S.C. 1257) is repealed.

SEC. 1305. ASSISTANCE TO STATE COMMISSIONS; CHALLENGE GRANTS.

Section 126 (42 U.S.C. 12576) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''$125,000 and $750,000'' and inserting ''$200,000 and $825,000''; and

(B) by striking paragraph (2) and inserting the following:

''(2) MATCHING REQUIREMENT.—In making grants to a State under this subsection, the Corporation shall require the State to provide matching funds in the following amounts:

''(A) FIRST $100,000.—For the first $100,000 of grant amounts provided by the Corporation, a State shall not be required to provide matching funds.

''(B) AMOUNTS GREATER THAN $100,000.—For grant amounts of more than $100,000 and not exceeding $200,000 provided by the Corporation, a State shall provide $1 from non-Federal sources for every $2 provided by the Corporation.

''(C) AMOUNTS GREATER THAN $200,000.—For grant amounts of more than $200,000 provided by the Corporation, a State shall provide $1 from non-Federal sources for every $1 provided by the Corporation.''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ''to national service programs that receive assistance under section 121'' and inserting ''to programs supported under the national service laws''; and

(B) by striking paragraph (3) and inserting the following:

''(3) AMOUNT OF ASSISTANCE.—A challenge grant under this subsection may provide, for an initial 3-year grant period, not more than $1 of assistance under this subsection for each $1 in cash raised from private sources by the program supported under the national service laws in excess of amounts required to be provided by the program to satisfy matching funds requirements. After an initial 3-year grant period, grants under this subsection may provide not more than $1 of assistance for each $2 in cash raised from private sources by the program in excess of amounts required to be provided by the program to satisfy matching funds requirements. The Corporation may permit the use of local or State funds as matching funds if the Corporation determines that such use would be equitable due to a lack of available private funds at the local level. The Corporation shall establish a ceiling on the amount of assistance that may be provided to a national service program under this subsection.''.

SEC. 1306. ALLOCATION OF ASSISTANCE TO STATES AND OTHER ELIGIBLE ENTITIES.

Section 129 (42 U.S.C. 12581) is amended to read as follows:

''SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.

''(a) 1-PERCENT ALLOTMENT FOR CERTAIN TERRITORIES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve 1 percent for grants to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands upon approval by the Corporation of an application submitted under section 130. The amount allotted as a grant to each such Territory under this subsection for a fiscal year shall be equal to the amount that bears the same ratio to 1 percent of the allocated funds for that fiscal year as the population of the Territory bears to the total population of such Territories.

''(b) ALLOTMENT FOR INDIAN TRIBES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve at least 1 percent for grants to Indian tribes, to be allotted by the Corporation on a competitive basis.

''(c) ALLOTMENT FOR NATIONAL GRANTS.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve 23 percent for grants to nonprofit organizations to operate a program in 2 or more States.

''(d) ALLOTMENT FOR STATE COMPETITIVE GRANTS.—Of the funds allocated by the Corporation for provision of assistance under subsection (a) of section 121 for a fiscal year, the Corporation shall reserve 37.5 percent for innovative grants to States on a competitive basis.

''(e) ALLOTMENT TO CERTAIN STATES ON FORMULA BASIS.—

''(1) GRANTS.—Of the funds allocated by the Corporation for provision of assistance under subsection (a) of section 121 for a fiscal year, the Corporation shall make a grant to each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico that submits an application under section 130 that is approved by the Corporation.

''(2) ALLOTMENTS.—The amount allotted as a grant to each such State under this subsection for a fiscal year shall be equal to the amount that bears the same ratio to 37.5 percent of the allocated funds for that fiscal year as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, in compliance with paragraph (3).

''(3) MINIMUM AMOUNT.—Notwithstanding paragraph (2), the minimum grant made available to each State approved by the Corporation under paragraph (1) for each fiscal year must be at least $600,000.

''(f) EFFECT OF FAILURE TO APPLY.—If a State or Territory fails to apply for, or fails to give notice to the Corporation of its intent to apply for an allotment under this section, or the Corporation does not approve the application consistent with section 133, the Corporation may use the amount that would have been allotted under this section to the State or Territory to—

''(1) make grants (and provide approved national service positions in connection with such grants) to other grantmaking entities under section 121 that propose to carry out national service programs in such State or Territory; and

''(2) make a reallotment to other States or Territories with approved applications submitted under section 130, to the extent grant-making entities do not apply as described in paragraph (1).

''(g) APPLICATION REQUIRED.—The allotment of assistance and approved national service positions to a recipient under this section shall be made by the Corporation only pursuant to an application submitted by a State or other applicant under section 130.

''(h) APPROVAL OF POSITIONS SUBJECT TO AVAILABLE FUNDS.—The Corporation may not approve positions as approved national service positions under this subtitle for a fiscal year in excess of the number of such positions for which the Corporation has sufficient available funds in the National Service Trust for that fiscal year, taking into consideration funding needs for national service educational awards under subtitle D based on completed service. If appropriations are insufficient to provide the maximum allowable national service educational awards under subtitle D for all eligible participants, the Corporation is authorized to make necessary and reasonable adjustments to program rules.

''(i) SPONSORSHIP OF APPROVED NATIONAL SERVICE POSITIONS.—

''(1) SPONSORSHIP AUTHORIZED.—The Corporation may enter into agreements with persons or entities who offer to sponsor national service positions for which the person or entity will be responsible for supplying the funds necessary to provide a national service educational award. The distribution of these approved national service positions shall be made pursuant to the agreement, and the creation of these positions shall not be taken into consideration in determining the number of approved national service positions to be available for distribution under this section.

''(2) DEPOSIT OF CONTRIBUTION.—Funds provided pursuant to an agreement under paragraph (1) shall be deposited in the National Service Trust established in section 145 until such time as the funds are needed.

''(j) RESERVATION OF FUNDS FOR SPECIAL ASSISTANCE.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriations in section 501(a)(2) and subject to the limitation in such section, the Corporation may reserve such amount as the Corporation considers to be appropriate for the purpose of making assistance available under section 126.

''(k) RESERVATION OF FUNDS TO INCREASE THE PARTICIPATION OF INDIVIDUALS WITH DISABILITIES.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriations in section 501(a)(2) and subject to the limitation in such section, the Chief Executive Officer shall reserve an amount that is not less than 1 percent of such amount (except that the amount reserved may not exceed $10,000,000), in order to make grants to public or private nonprofit organizations to increase the participation of individuals with disabilities in national service and for demonstration activities in furtherance of this purpose.''.

SEC. 1307. ADDITIONAL AUTHORITY.

Part II of subtitle C of title I is amended by inserting after section 129 (42 U.S.C. 12581) the following:

''SEC. 129A. EDUCATION AWARDS ONLY PROGRAM.

''(a) IN GENERAL.—From amounts appropriated for a fiscal year to provide financial assistance under this subtitle and consistent with the restriction in subsection (b), the Corporation may, through fixed amount grants under subsection (d), provide operational assistance to programs that receive approved national service positions but do not receive funds under section 121(a).

''(b) LIMIT ON CORPORATION GRANT FUNDS.—Operational support under this section may not exceed $600 per individual enrolled in an approved national service position and may reach $800 per individual if the program supports at least 50 percent disadvantaged youth.

''(c) INAPPLICABLE PROVISIONS.—The following provisions shall not apply to programs funded under this section:

''(1) The limitation on administrative costs under section 121(d).

''(2) The matching funds requirements under section 121(e).

''(3) The living allowance and other benefits under sections 131(e) and section 140 (other than individualized support services for disabled members under section 140(f)).

''(d) FIXED AMOUNT GRANTS.—

''(1) GENERAL.—For purposes of subsection (a), and subject to the limitations in this subsection, the Corporation may, upon making a determination described in paragraph (2), approve a fixed amount grant that is not subject to the Office of Management and Budget cost principles and related financial recordkeeping requirements.

''(2) DETERMINATION.—Before approving a fixed amount grant, the Corporation must determine that—

''(A) the reasonable and necessary costs of carrying out the terms of the grant significantly exceed the amount of assistance provided by the Corporation; or

''(B) based on the nature or design of the grant, any assistance provided by the Corporation can be reasonably presumed to be expended on reasonable and necessary costs.''.

SEC. 1308. STATE SELECTION OF PROGRAMS.

Section 130 (42 U.S.C. 12582) is amended—

(1) in subsection (a)—

(A) by inserting after ''State,'' the following: ''Territory,''; and

(B) by striking ''institution of higher education, or Federal agency'' and inserting ''or institution of higher education'';

(2) in subsection (b)(9) by striking ''section 122(c)'' and inserting ''section 122(d)'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''jobs or positions'' and inserting ''proposed positions''; and

(ii) by striking '', including'' and all that follows through the period at the end and inserting a period; and

(B) in paragraph (2) by inserting ''proposed'' before ''minimum'';

(4) in subsection (e)(2) by striking ''were selected'' and inserting ''were or will be selected'';

(5) in subsection (f)—

(A) in paragraph (1), by striking ''a program applicant'' and inserting ''an applicant''; and

(B) in paragraph (2)—

(i) in the heading, by striking ''PROGRAM APPLICANT'' and inserting ''APPLICANT'';

(ii) in the matter preceding subparagraph (A), by striking ''program applicant'' and inserting ''applicant'';

(iii) in subparagraph (A)—

(I) by inserting after ''subdivision of a State,'' the following: ''Territory,''; and

(II) by striking ''institution of higher education, or Federal agency'' and inserting ''or institution of higher education''; and

(iv) in subparagraph (B)—

(I) by inserting after ''subdivision of a State,'' the following: ''Territory,''; and

(II) by striking ''institution of higher education, or Federal agency'' and inserting ''or institution of higher education''; and

(6) in subsection (g), by striking the period and inserting ''or is already receiving financial assistance from the Corporation.''.

SEC. 1309. CONSIDERATION OF APPLICATIONS.

Section 133 (42 U.S.C. 12585) is amended—

(1) in subsection (b)(2)(B), by striking ''jobs or'';

(2) in subsection (c), by redesignating paragraph (8) as paragraph (9) and inserting after paragraph (7) the following:

''(8) The extent to which the program generates the involvement of volunteers.''; and

(3) in subsection (d)(2)—

(A) by striking subparagraphs (A) and (G), and redesignating subparagraphs (B) through (F) as subparagraphs (A) through (E), respectively;

(B) in subparagraph (A) (as so redesignated), by striking ''section 122(c)'' and inserting ''section 122(d)'';

(C) in subparagraph (D) (as so redesignated), by adding ''and'' at the end; and

(D) in subparagraph (E) (as so redesignated), by striking ''; and'' and inserting a period.

SEC. 1310. DESCRIPTION OF PARTICIPANTS.

Section 137 (42 U.S.C. 12591) is amended—

(1) in subsection (a)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively;

(2) in subsection (b)—

(A) in paragraph (1), by striking ''paragraph (4)'' and inserting ''paragraph (3)''; and

(B) in paragraph (2), by striking ''between the ages of 16 and 25'' and inserting ''a 16-year-old out of school youth or an individual between the ages of 17 and 25''; and

(3) in subsection (c), by striking ''(a)(5)'' and inserting ''(a)(4)''.

SEC. 1311. SELECTION OF NATIONAL SERVICE PARTICIPANTS.

Section 138 (42 U.S.C. 12592) is amended—

(1) in subsection (a) by striking ''conducted by the State'' and all that follows through ''or other entity'' and inserting ''conducted by the entity''; and

(2) in subsection (e)(2)(C) by inserting before the semicolon at the end the following: '', particularly those who were considered at the time of their service disadvantaged youth''.

SEC. 1312. TERMS OF SERVICE.

Section 139 (42 U.S.C. 12593) is amended—

(1) in subsection (b)(1), by striking ''not less than 9 months and'';

(2) in subsection (b)(2), by striking ''during a period of—'' and all that follows through the period at the end and inserting ''during a period of not more than 2 years.''; and

(3) in subsection (c)—

(A) in paragraph (1)(A), by striking ''as demonstrated by the participant'' and inserting ''as determined by the organization responsible for granting a release, if the participant has otherwise performed satisfactorily and has completed at least 15 percent of the original term of service'';

(B) in paragraph (2)(A), by striking ''provide to the participant that portion of the national service educational award'' and inserting ''certify the participant's eligibility for that portion of the national service educational award''; and

(C) in paragraph (2)(B), by striking ''to allow return to the program with which the individual was serving in order''.

SEC. 1313. ADJUSTMENTS TO LIVING ALLOWANCE.

Section 140 (42 U.S.C. 12594) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''paragraph (3)'' and inserting ''paragraphs (2) and (3)'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as (2);

(D) by inserting after paragraph (2) (as so redesignated) the following:

''(3) FEDERAL WORK-STUDY STUDENTS.—The living allowance that may be provided to an individual whose term of service includes hours for which the individual receives Federal work study wages shall be reduced by the amount of the individual's Federal work study award.'';

(E) in paragraph (4), by striking ''a reduced term of service under section 139(b)(3)'' and inserting ''a term of service that is less than 12 months'';

(2) in subsection (b), by striking ''shall include an amount sufficient to cover 85 percent of such taxes'' and all that follows through the period at the end and inserting ''may be used to pay such taxes.'';

(3) in subsection (c)—

(A) in paragraph (1) by adding ''and'' at the end;

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as (2);

(4) in subsection (d)(1), by striking the second sentence; and

(5) by striking subsections (g) and (h).

Subtitle D—Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)

SEC. 1401. AVAILABILITY OF FUNDS IN THE NATIONAL SERVICE TRUST.

Section 145 (42 U.S.C. 12601) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(B), by striking ''section 148(e)'' and inserting ''section 148(f)''; and

(B) in paragraph (2), by striking ''pursuant to section 196(a)(2)'' and inserting ''pursuant to section 196(a)(2), if the terms of such donations direct that they be deposited in the National Service Trust''; and

(2) in subsection (c), by striking ''for payments of national service educational awards in accordance with section 148.'' and inserting ''for—

''(1) payments of summer of service educational awards and national service educational awards in accordance with section 148; and

''(2) payments of interest in accordance with section 148(f).''.

SEC. 1402. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL SERVICE EDUCATIONAL AWARD FROM THE TRUST.

Section 146 (42 U.S.C. 12602) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''if the individual'' and inserting ''if the organization responsible for an individual's supervision certifies that the individual'';

(B) by striking paragraphs (1), (2), and (3) and inserting the following:

''(1) met the applicable eligibility requirements for the position; and

''(2)(A) successfully completed the required term of service described in subsection (b) in an approved national service position; or

''(B)(i) satisfactorily performed prior to being granted a release for compelling personal circumstances under section 139(c); and

''(ii) served at least 15 percent of the required term of service described in subsection (b); and''; and

(C) by redesignating paragraph (4) as paragraph (3);

(2) by striking subsection (c) and inserting the following:

''(c) LIMITATION ON RECEIPT OF NATIONAL SERVICE EDUCATIONAL AWARDS.—An individual may not receive, in national service educational awards, more than an amount equal to the aggregate value of 2 such awards for full-time service. The aggregate value of summer of service educational awards that an individual receives shall have no effect on the aggregate value of national service educational awards the individual may receive.'';

(3) in subsection (d)—

(A) in paragraph (1) by inserting after ''national service educational award'' the following: ''or a summer of service educational award''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), and in subparagraph (A), by inserting after ''national service educational award'' the following: ''or a summer of service educational award'';

(ii) in subparagraph (A) by striking ''or'' at the end;

(iii) in subparagraph (B) by striking the period at the end and inserting ''; or'';

(iv) by adding at the end the following:

''(C) in the case of a summer of service educational award, is enrolled at an eligible institution of higher education under section 148(c) or an educational institution described under section 148(a)(4) and failed to expend the full amount of that award during the original 7-year period.''; and

(4) in subsection (e)(1)—

(A) by inserting after ''qualifying under this section'' the following: ''or under section 111(a)(5)''; and

(B) by inserting after ''to receive a national service educational award'' the following: ''or a summer of service educational award''.

SEC. 1403. DETERMINATION OF THE AMOUNT OF NATIONAL SERVICE EDUCATIONAL AWARDS.

Section 147(a) (42 U.S.C. 12603(a)) is amended—

(1) by striking ''a value, for each of not more than 2 of such terms of service, equal to 90 percent of—'' and inserting ''a value of—''; and

(2) by striking paragraphs (1) and (2) and inserting the following:

''(1) $4,825, for fiscal year 2008;

''(2) $4,925, for fiscal year 2009;

''(3) $5,025, for fiscal year 2010;

''(4) $5,125, for fiscal year 2011; and

''(5) $5,225, for fiscal year 2012 and each fiscal year thereafter.''.

SEC. 1404. DISBURSEMENT OF EDUCATIONAL AWARDS.

Section 148 (42 U.S.C. 12604) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''cost of attendance'' and inserting ''cost of attendance or other educational expenses'';

(B) in paragraph (3), by striking ''and'';

(C) by redesignating paragraph (4) as paragraph (6);

(D) by inserting after paragraph (3) the following:

''(4) to pay expenses incurred in enrolling in an educational institution or training establishment that meets the requirements of chapter 36 of title 38, United States Code (38 U.S.C. 3451 et seq.);

''(5) for a recipient of a summer of service educational award under section 111(a)(5)(D), to pay expenses incurred in enrolling in a college preparatory program in accordance with subsection (e); and''; and

(E) in paragraph (6) (as so redesignated) by striking ''subsection (e)'' and inserting ''subsection (f)'';

(2) in subsection (b)(1) by inserting after ''the national service educational award of the individual'' the following: '', or an eligible individual under section 111(a)(5) who received a summer of service educational award for a project that began after the individual completed grade 10 and desires to apply that summer of service educational award,'';

(3) in subsection (b)(2) by inserting after ''the national service educational award'' the following: ''or the summer of service educational award, as applicable,'';

(4) in subsection (b)(5) by inserting after ''the national service educational award'' the following: ''or the summer of service educational award, as applicable'';

(5) in subsection (b)(7)—

(A) in subparagraph (A), by striking '', other than a loan to a parent of a student pursuant to section 428B of such Act (20 U.S.C. 1078–2); and'' and inserting a semicolon;

(B) in subparagraph (B), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(C) any loan (other than a loan described in subparagraph (A) or (B)) determined by an institution of higher education to be necessary to cover a student's educational expenses and made, insured, or guaranteed by—

''(i) an eligible lender, as defined in section 435 of the Higher Education Act of 1965 (20 U.S.C. 1085);

''(ii) the direct student loan program under part D of title IV of such Act;

''(iii) a State agency; or

''(iv) a lender otherwise determined by the Corporation to be eligible to receive disbursements from the National Service Trust.'';

(6) in subsection (c)(1), by inserting after ''national service educational award'' the following: '', or an eligible individual under section 111(a)(5) who desires to apply the individual's summer of service educational award,'';

(7) in subsection (c)(2)(A), by inserting after ''national service educational award'' the following: ''or summer of service educational award, as applicable,'';

(8) in subsection (c)(2)(C)(iii), by inserting after ''national service educational awards received under this subtitle'' the following: ''or summer of service educational awards received under section 111(a)(5)'';

(9) in subsection (c)(3), by inserting after ''national service educational awards'' the following: ''and summer of service educational awards'';

(10) in subsection (c)(5)—

(A) by inserting after ''national service educational award'' the following: '', or summer of service educational award, as applicable,''; and

(B) by inserting after ''additional'' the following: ''summer of service educational awards and additional'';

(11) in subsection (c)(6), by inserting after ''national service educational award'' the following: ''and summer of service educational award'';

(12) in subsection (d), by inserting after ''national service educational awards'' the following: ''and summer of service educational awards'';

(13) by redesignating subsections (e), (f), and (g) as (f), (g), and (h), respectively;

(14) by inserting after subsection (d) the following:

''(e) USE OF SUMMER OF SERVICE EDUCATIONAL AWARD TO PAY COLLEGE PREPARATORY EXPENSES.—

''(1) APPLICATION OF ELIGIBLE INDIVIDUALS.—An eligible individual under section 111(a)(5), or the parents or legal guardian of such an individual, who desires to apply the summer of service educational award of the individual to the payment of expenses incurred in enrolling in a college preparatory program shall, on a form prescribed by the Corporation, submit an application to the college preparatory program in which the individual will be enrolled that contains such information as the Corporation may require to verify the individual's eligibility.

''(2) SUBMISSION OF REQUESTS FOR PAYMENT BY PROGRAM.—A college preparatory program that receives one or more applications under paragraph (1) shall submit to the Corporation a statement, in a manner prescribed by the Corporation, that—

''(A) identifies each eligible individual filing an application under paragraph (1) for a disbursement of the individual's summer of service educational award under this subsection;

''(B) specifies the amounts for which such eligible individuals are qualified for disbursement; and

''(C) certifies that—

''(i) the college preparatory program is operated by a for-profit or non-profit organization with a track record of success in implementing college preparatory programs that collaborate with local educational agencies and adequately prepare secondary school students for admission to an institution of higher education without need for remediation;

''(ii) the college preparatory program has been in existence for at least one year prior to an eligible individual's submission of the application under paragraph (1); and

''(iii) individuals using summer of service educational awards received under section 111(a)(5) to pay the cost of enrolling in the college preparatory program do not comprise more than 15 percent of the total number of individuals enrolled in the program; and

''(D) contains such provisions concerning financial compliance and program quality as the Corporation may require.

''(3) DISBURSEMENT OF PAYMENTS.—Upon receipt of a statement from a college preparatory program that complies with paragraph (2), the Corporation shall, subject to paragraph (4), disburse the total amount of the summer of service educational awards for which eligible individuals who have submitted applications to that program under paragraph (1) are scheduled to receive. Such disbursement shall be made by check or other means that is payable to the program and requires the endorsement or other certification by the eligible individual.

''(4) MULTIPLE DISBURSEMENTS.—The total amount required to be disbursed to a college preparatory program under paragraph (3) for any period of enrollment may be disbursed by the Corporation in two or more installments consistent with appropriate divisions of such period of enrollment.

''(5) REFUND RULES.—The Corporation shall, by regulation, provide for the refund to the Corporation (and the crediting to the summer of service educational award of an eligible individual) of amounts disbursed to programs for the benefit of eligible individuals who withdraw or otherwise fail to complete the period of enrollment for which the assistance was provided. Amounts refunded to the Trust pursuant to this paragraph may be used by the Corporation to fund additional approved summer of service positions under section 111(a)(5).

''(6) MAXIMUM AWARD.—The portion of an eligible individual's total available summer of service educational award that may be disbursed under this subsection for any period of enrollment shall not exceed the cost of attendance.'';

(15) in subsection (f) (as so redesignated), by striking ''subsection (b)(6)'' and inserting ''subsection (b)(7)''; and

(16) in subsection (g) (as so redesignated), by striking ''Director'' and inserting ''Chief Executive Officer''.

SEC. 1405. PROCESS OF APPROVAL OF NATIONAL SERVICE POSITIONS.

(a) IN GENERAL.—Subtitle D of title I (42 U.S.C. 12601 et seq.) is further amended by adding at the end the following new section:

''SEC. 149. PROCESS OF APPROVAL OF NATIONAL SERVICE POSITIONS.

''(a) TIMING AND RECORDING REQUIREMENTS.—

''(1) IN GENERAL.—Notwithstanding subtitles C and D, and any other provision of law, in approving a position as an approved national service position, the Corporation—

''(A) shall approve the position at the time the Corporation—

''(i) enters into an enforceable agreement with an individual participant to serve in a program carried out under subtitle E of title I of this Act or under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), or a summer of service educational award; or

''(ii) except as provided in clause (i), awards a grant to (or enters into a contract or cooperative agreement with) an entity to carry out a program for which such a position is approved under section 123; and

''(B) shall record as an obligation an estimate of the net present value of the national service educational award associated with the position, based on a formula that takes into consideration historical rates of enrollment in such a program, and of earning and using national service educational awards for such a program and remain available.

''(2) FORMULA.—In determining the formula described in paragraph (1)(B), the Corporation shall consult with the Director of the Congressional Budget Office.

''(3) CERTIFICATION REPORT.—The Chief Executive Officer of the Corporation shall annually prepare and submit to Congress a report that contains a certification that the Corporation is in compliance with the requirements of paragraph (1).

''(4) APPROVAL.—The requirements of this subsection shall apply to each approved national service position that the Corporation approves—

''(A) during fiscal year 2008; and

''(B) during any subsequent fiscal year.

''(b) RESERVE ACCOUNT.—

''(1) ESTABLISHMENT AND CONTENTS.—

''(A) ESTABLISHMENT.—Notwithstanding subtitles C and D, and any other provision of law, within the National Service Trust established under section 145, the Corporation shall establish a reserve account.

''(B) CONTENTS.—To ensure the availability of adequate funds to support the awards of approved national service positions for each fiscal year, the Corporation shall place in the account—

''(i) during fiscal year 2008, a portion of the funds that were appropriated for fiscal year 2008 or a previous fiscal year under section 501(a)(2), were made available to carry out subtitle C, D, or E of this title, subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service under section 111(a)(5), and remain available; and

''(ii) during fiscal year 2009 or a subsequent fiscal year, a portion of the funds that were appropriated for that fiscal year under section 501(a)(2) and were made available to carry out subtitle C, D, or E of this title, subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service under section 111(a)(5), and remain available.

''(2) OBLIGATION.—The Corporation shall not obligate the funds in the reserve account until the Corporation—

''(A) determines that the funds will not be needed for the payment of national service educational awards associated with previously approved national service positions and summer of service educational awards; or

''(B) obligates the funds for the payment of national service educational awards for such previously approved national service positions or summer of service educational awards, as applicable.

''(c) AUDITS.—The accounts of the Corporation relating to the appropriated funds for approved national service positions, and the records demonstrating the manner in which the Corporation has recorded estimates described in subsection (a)(1)(B) as obligations, shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. A report containing the results of each such independent audit shall be included in the annual report required by subsection (a)(3).

''(d) AVAILABILITY OF AMOUNTS.—Except as provided in subsection (b), all amounts included in the National Service Trust under paragraphs (1), (2), and (3) of section 145(a) shall be available for payments of national service educational awards or summer of service educational awards under section 148.''.

(b) CONFORMING REPEAL.—Section 2 of the Strengthen AmeriCorps Program Act (Public Law 108–145; 117 Stat. 844; 42 U.S.C. 12605) is repealed.

Subtitle E—Amendments to Subtitle E (National Civilian Community Corps)

SEC. 1501. PURPOSE.

Section 151 (42 U.S.C. 12611) is amended to read as follows:

''SEC. 151. PURPOSE.

''It is the purpose of this subtitle to authorize the operation of, and support for, residential and other service programs that combine the best practices of civilian service with the best aspects of military service, including leadership and team building, to meet national and community needs. Such needs to be met under such programs include those related to—

''(1) natural and other disasters;

''(2) infrastructure improvement;

''(3) environmental stewardship and conservation;

''(4) energy conservation; and

''(5) urban and rural development.''.

SEC. 1502. PROGRAM COMPONENTS.

Section 152 (42 U.S.C. 12612) is amended—

(1) by amending the section heading to read as follows:

''SEC. 152. ESTABLISHMENT OF NATIONAL CIVILIAN COMMUNITY CORPS PROGRAM.''.

(2) in subsection (a), by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program'';

(3) in subsection (b)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''a Civilian Community Corps'' and inserting ''a National Civilian Community Corps'';

(4) in the heading of subsection (c), by striking ''PROGRAMS'' and inserting ''COMPONENTS''; and

(5) in subsection (c), by striking ''program components are residential programs'' and all that follows and inserting ''programs referred to in subsection (b) may include a residential component.''.

SEC. 1503. ELIGIBLE PARTICIPANTS.

Section 153 (42 U.S.C. 12613) is amended—

(1) in subsection (a)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''on Civilian Community Corps'' and inserting ''on National Civilian Community Corps'';

(2) in subsection (b), by striking ''if the person'' and all that follows through the period at the end and inserting ''if the person will be at least 18 years of age on or before December 31 in the calendar year in which the individual enrolls in the program.'';

(3) in subsection (c)—

(A) by striking ''BACKROUNDS'' and inserting ''BACKGROUNDS''; and

(B) by adding at the end the following: ''The Director shall ensure that at least 50 percent of the participants in the program are disadvantaged youth by year 2010. The Director shall report to the Committee on Education and Labor in the United States House of Representatives and the Committee on Health, Education, Labor, and Pensions in the United States Senate annually on progress towards this goal.''; and

(4) by striking subsection (e).

SEC. 1504. SUMMER NATIONAL SERVICE PROGRAM.

Section 154 (42 U.S.C. 12614) is amended—

(1) in subsection (a)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Demonstration Program''; and

(B) by striking ''on Civilian Community Corps'' and inserting ''on National Civilian Community Corps'';

(2) in subsection (b), by striking ''shall be'' and all that follows through the period at the end and inserting ''shall be from economically and ethnically diverse backgrounds, including youth who are in foster care.''.

SEC. 1505. TEAM LEADERS.

Section 155 (42 U.S.C. 12615) is amended—

(1) by amending the section heading to read as follows:

''SEC. 155. NATIONAL CIVILIAN COMMUNITY CORPS.'';

(2) in subsection (a)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Demonstration Program''; and

(B) by striking ''the Civilian Community Corps shall'' and inserting ''the National Civilian Community Corps shall'';

(3) in subsection (b)—

(A) by amending the subsection heading to read as follows:

''(b) MEMBERSHIP IN NATIONAL CIVILIAN COMMUNITY CORPS.—'';

(B) in paragraph (1), by inserting ''National'' before ''Civilian Community Corps'';

(C) in paragraph (3)—

(i) by striking ''superintendent'' and inserting ''campus director''; and

(ii) by striking ''camp'' and inserting ''campus''; and

(D) by adding at the end the following:

''(4) TEAM LEADERS.—The Director may select from Corps members individuals with prior supervisory or service experience to be team leaders within units in the National Civilian Community Corps to perform service that includes leading and supervising teams of Corps members. Team leaders shall—

''(A) be selected without regard to the age limitation under section 153(b);

''(B) be members of the National Civilian Community Corps; and

''(C) be provided the rights and benefits applicable to Corps members, except that the limitation on the amount of living allowance shall not exceed 10 percent more than the amount established under section 158(b).'';

(4) in subsection (d)—

(A) by amending the subsection heading to read as follows:

''(d) CAMPUSES.—'';

(B) in paragraph (1)—

(i) by amending the paragraph heading to read as follows:

''(1) UNITS TO BE ASSIGNED TO CAMPUSES.—'';

(ii) by striking ''in camps'' and inserting ''in campuses'';

(iii) by striking ''camp'' and inserting ''campus''; and

(iv) by striking ''in the camps'' and inserting ''in the campuses'';

(C) by amending paragraph (2) to read as follows:

''(2) CAMPUS DIRECTOR.—There shall be a campus director for each campus. The campus director is the head of the campus.'';

(D) in paragraph (3)—

(i) by amending the paragraph heading to read as follows:

''(3) ELIGIBLE SITE FOR CAMPUS.—'';

(ii) by striking ''A camp may be located'' and inserting ''A campus must be cost-effective and may, upon the completion of a feasibility study, be located'';

(5) in subsection (e)—

(A) by amending the paragraph heading to read as follows:

''(e) DISTRIBUTION OF UNITS AND CAMPUSES.—'';

(B) by striking ''camps are distributed'' and inserting ''campuses are cost-effective and are distributed''; and

(C) by striking ''rural areas'' and all that follows through the period at the end and inserting ''rural areas such that each Corps unit in a region can be easily deployed for disaster and emergency response to such region.''; and

(6) in subsection (f)—

(A) in paragraph (1)—

(i) by striking by striking ''superintendent'' and inserting ''campus director''; and

(ii) by striking ''camp'' both places such term appears and inserting ''campus'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''superintendent of a camp'' and inserting ''campus director of a campus'';

(ii) in subparagraph (A)—

(I) by striking ''superintendent'' and inserting ''campus director'';

(II) by striking ''superintendent's'' and inserting ''campus director's''; and

(III) by striking ''camp'' each place such term appears and inserting ''campus''; and

(iii) in subparagraph (B), by striking ''superintendent'' and inserting ''campus director''; and

(C) in paragraph (3), by striking ''camp superintendent'' and inserting ''campus director''.

SEC. 1506. TRAINING.

Section 156 (42 U.S.C. 12616) is amended—

(1) in subsection (a)—

(A) by inserting ''National'' before ''Civilian Community Corps''; and

(B) by adding at the end the following: ''The Director shall ensure that to the extent practicable, each member of the Corps is trained in CPR, first aid, and other skills related to disaster preparedness and response.'';

(2) in subsection (b)(1), by inserting before the period at the end the following: '', including a focus on energy conservation, environmental stewardship or conservation, infrastructure improvement, urban and rural development, or disaster preparedness needs''; and

(3) in subsection (c)(2), by adding at the end the following: ''The Corporation may provide such training through grants, contracts, or cooperative agreements with organizations who have established expertise in working with disadvantaged youth in similar programs.''.

SEC. 1507. CONSULTATION WITH STATE COMMISSIONS.

Section 157 (42 U.S.C. 12617) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''National'' before ''Civilian Community Corps'';

(B) in paragraph (1), by inserting before the semicolon the following: ''with specific emphasis on projects in support of infrastructure improvement, disaster relief and recovery, the environment, energy conservation and urban and rural development''; and

(C) in paragraph (2) by striking ''service learning'' and inserting ''service-learning'';

(2) in subsection (b)—

(A) in paragraph (1)(A), by striking ''and the Secretary of Housing and Urban Development'' and inserting ''the Secretary of Housing and Urban Development, the Administrator of the Environmental Protection Agency, the Administrator of the Federal Emergency Management Agency, the Secretary of Energy, the Secretary of Transportation, and the Chief of the United States Forest Service'';

(B) in paragraph (1)(B)—

(i) by inserting ''community-based organizations and'' before ''representatives of local communities''; and

(ii) by striking ''camp'' both places such term appears and inserting ''campus'';

(C) in paragraph (2), by inserting ''State Commissions,'' before ''and persons involved in other youth service programs.''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''superintendent'' both places such term appears and inserting ''campus director''; and

(ii) by striking ''camp'' both places such term appears and inserting ''campus'';

(B) in paragraph (2), by striking ''camp superintendents'' and inserting ''campus directors''.

SEC. 1508. AUTHORIZED BENEFITS FOR CORPS MEMBERS.

Section 158 (42 U.S.C. 12618) is amended—

(1) in subsection (a) by inserting ''National'' before ''Civilian Community Corps''; and

(2) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by inserting ''National'' before ''Civilian Community Corps''; and

(ii) by inserting before the colon the following: '', as the Director determines appropriate'';

(B) in paragraph (6), by striking ''Clothing'' and inserting ''Uniforms'';

(C) in paragraph (7), by striking ''Recreational services and supplies'' and inserting ''Supplies''.

SEC. 1509. PERMANENT CADRE.

Section 159 (42 U.S.C. 12619) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) in paragraph (1)—

(i) by inserting ''including those'' before ''recommended''; and

(ii) by inserting ''National'' before ''Civilian Community Corps'';

(2) in subsection (b)(1), by inserting ''National'' before ''Civilian Community Corps'';

(3) in subsection (c)—

(A) in paragraph (1)(B)(i), by inserting ''National'' before ''Civilian Community Corps''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''The Director shall establish a permanent cadre of'' and inserting ''The Chief Executive Officer shall establish a permanent cadre that includes the Director and other appointed''; and

(II) by inserting ''National'' before ''Civilian Community Corps'';

(ii) in subparagraph (B), by striking ''The Director shall appoint the members'' and inserting ''The Chief Executive Officer shall consider the recommendations of the Director in appointing the other members'';

(iii) in subparagraph (C), by striking ''the Director'' and inserting ''the Chief Executive Officer''; and

(iv) in subparagraph (E)—

(I) by inserting after ''techniques'' the following: '', including techniques for working with and enhancing the development of disadvantaged youth,''; and

(II) by striking ''service learning'' and inserting ''service-learning''; and

(C) in the first sentence of paragraph (3), by striking ''the members'' and inserting ''other members''.

SEC. 1510. CONTRACT AND GRANT AUTHORITY.

Section 161 (42 U.S.C. 12621) is amended—

(1) in subsection (a), by striking ''perform any program function under this subtitle'' and inserting ''carry out the National Civilian Community Corps program''; and

(2) in subsection (b)(2), by inserting ''National'' before ''Civilian Community Corps''.

SEC. 1511. OTHER DEPARTMENTS.

Section 162 (42 U.S.C. 12622) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''National'' before ''Civilian Community Corps'';

(ii) in subparagraph (B)(i), by striking ''the registry established by'' and all that follows through the semicolon and inserting ''the registry established by section 1143a of title 10, United States Code;'';

(B) in paragraph (2)(A), by striking ''to be recommended for appointment'' and inserting ''from which individuals may be selected for appointment by the Director''; and

(C) in paragraph (3), by inserting ''National'' before ''Civilian Community Corps''; and

(2) by striking subsection (b).

SEC. 1512. ADVISORY BOARD.

Section 163 (42 U.S.C. 12623) is amended—

(1) in subsection (a)—

(A) by striking ''Upon the establishment of the Program, there shall also be'' and inserting ''There shall be'';

(B) by inserting ''National'' before ''Civilian Community Corps Advisory Board''; and

(C) by striking ''to assist'' and all that follows through the period at the end and inserting ''to assist the Corps in responding rapidly and efficiently in times of natural and other disasters. Consistent with the needs outlined in section 151, the Advisory Board members shall help coordinate activities with the Corps as appropriate, including the mobilization of volunteers and coordination of volunteer centers to help local communities recover from the effects of natural and other disasters.'';

(2) in subsection (b)—

(A) by redesignating paragraphs (8) and (9) as paragraphs (13) and (14), respectively;

(B) by inserting after paragraph (7) the following:

''(8) The Administrator of the Federal Emergency Management Agency.

''(9) The Secretary of Transportation.

''(10) The Chief of the United States Forest Service.

''(11) The Administrator of the Environmental Protection Agency.

''(12) The Secretary of Energy.''; and

(C) in paragraph (13), as so redesignated, by striking ''industry,'' and inserting ''public and private organizations,''.

SEC. 1513. ANNUAL EVALUATION.

Section 164 (42 U.S.C. 12624) is amended—

(1) by inserting ''National'' before ''Civilian Community Corps''; and

(2) by adding at the end the following: ''Upon completing each such evaluation, the Corporation shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives a report on the evaluation.''.

SEC. 1514. REPEAL OF FUNDING LIMITATION.

Section 165 (42 U.S.C. 12625) is repealed.

SEC. 1515. DEFINITIONS.

Section 166 (42 U.S.C. 12626) is amended—

(1) by striking paragraphs (2), (3), and (9);

(2) by redesignating paragraphs (4) through (8) as paragraphs (5) through (9), respectively;

(3) by inserting after paragraph (1) the following:

''(2) CAMPUS DIRECTOR.—The term 'campus director', with respect to a Corps campus, means the head of the campus under section 155(d).

''(3) CORPS.—The term 'Corps' means the National Civilian Community Corps required under section 155 as part of the Civilian Community Corps Program.

''(4) CORPS CAMPUS.—The term 'Corps campus' means the facility or central location established as the operational headquarters and boarding place for particular Corps units.'';

(4) in paragraph (5) (as so redesignated), by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program'';

(5) in paragraph (6) (as so redesignated), by inserting ''National'' before ''Civilian Community Corps'';

(6) in paragraph (8) (as so redesignated), by striking ''The terms'' and all that follows through ''Demonstration Program'' and inserting ''The term 'Program' means the National Civilian Community Corps Program''; and

(7) in paragraph (9) (as so redesignated)—

(A) in the heading by striking ''SERVICE LEARNING'' and inserting ''SERVICE-LEARNING''; and

(B) in the matter preceding subparagraph (A) by striking ''service learning'' and inserting ''service-learning''.

SEC. 1516. TERMINOLOGY.

Subtitle E of title I (42 U.S.C. 12611 et seq.) is amended—

(1) by striking the subtitle heading and inserting the following:

''Subtitle E—National Civilian Community Corps''; and

(2) in section 160(a) (42 U.S.C. 12620(a)) by inserting ''National'' before ''Civilian Community Corps''.

Subtitle F—Amendments to Subtitle F (Administrative Provisions)

SEC. 1601. FAMILY AND MEDICAL LEAVE.

Section 171(a)(1) (42 U.S.C. 12631(a)(1)) is amended by striking ''with respect to a project'' and inserting ''with respect to a project authorized under the national service laws''.

SEC. 1602. ADDITIONAL PROHIBITIONS ON USE OF FUNDS.

Section 174 (42 U.S.C. 12634) is amended by adding at the end the following:

''(d) REFERRALS FOR FEDERAL ASSISTANCE.—A program may not receive assistance under the national service laws for the sole purpose of referring individuals to Federal assistance programs or State assistance programs funded in part by the Federal government.''.

SEC. 1603. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

Section 176 (42 U.S.C. 12636) is amended—

(1) by striking ''this title'' each place it appears and inserting ''the national service laws'';

(2) in subsection (a)(2)(A), by striking ''30 days'' and inserting ''1 or more periods of 30 days not to exceed 90 days in total''; and

(3) in subsection (f)—

(A) in paragraph (1), by striking ''A State or local applicant'' and inserting ''An entity''; and

(B) in paragraph (6)—

(i) in subparagraph (C), by striking ''and'';

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

''(D) in a grievance filed by an individual applicant or participant—

''(i) the applicant's selection or the participant's reinstatement, as the case may be; and

''(ii) other changes in the terms and conditions of service; and''.

SEC. 1604. RESOLUTION OF DISPLACEMENT COMPLAINTS.

Section 177 (42 U.S.C. 12637) is amended—

(1) in subsections (a) and (b), by striking ''under this title'' each place it appears and inserting ''under the national service laws'';

(2) in subsection (b)(1), by striking ''employee or position'' and inserting ''employee, position, or volunteer (other than a participant under the national service laws)''; and

(3) by adding at the end the following:

''(f) PARENTAL INVOLVEMENT.—

''(1) IN GENERAL.—Programs that receive assistance under the national service laws shall consult with the parents or legal guardians of children in developing and operating programs that include and serve children.

''(2) PARENTAL PERMISSION.—Programs that receive assistance under the national service laws shall, consistent with State law, before transporting minor children, provide the reason for and obtain written permission of the children's parents.''.

SEC. 1605. STATE COMMISSIONS ON NATIONAL AND COMMUNITY SERVICE.

Section 178 (42 U.S.C. 12638) is amended—

(1) in subsection (c)(1), by adding at the end the following:

''(J) A representative of the volunteer sector.'';

(2) in subsection (c)(3), by striking '', unless the State permits the representative to serve as a voting member of the State Commission or alternative administrative entity'';

(3) by striking subsection (e)(1) and inserting the following:

''(1) Preparation of a national service plan for the State that—

''(A) is developed through an open and public process (such as through regional forums, hearings, and other means) that provides for maximum participation and input from companies, organizations, and public agencies using service and volunteerism as a strategy to meet critical community needs, including programs funded under the national service laws;

''(B) covers a 3-year period, the beginning of which may be set by the State;

''(C) is subject to approval by the chief executive officer of the State;

''(D) includes measurable goals and outcomes for the State consistent with those for national service programs as described in section 179(a)(1)(A);

''(E) ensures outreach to diverse community-based agencies that serve underrepresented populations, by—

''(i) using established networks and registries at the State level, or establishing such networks and registries; and

''(ii) coordinating with the Corporation's Office of Outreach and Recruitment;

''(F) provides for effective coordination of funding applications submitted by the State and others within the State under the national service laws;

''(G) is updated annually, reflecting changes in practices and policies that will improve the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within the State; and

''(H) contains such information as the State Commission considers to be appropriate or as the Corporation may require.'';

(4) by redesignating subsections (f) through (j) as subsections (g) through (k), respectively;

(5) by inserting after subsection (e) the following:

''(f) RELIEF FROM ADMINISTRATIVE REQUIREMENTS.—Upon approval of a State plan submitted under subsection (e)(1), the Chief Executive Officer may waive, or specify alternatives to, administrative requirements (other than statutory provisions) otherwise applicable to grants made to States under the national service laws, including those requirements identified by a State as impeding the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within a State.'';

(6) in subsection (j)(1) (as redesignated by this section), by striking the period at the end and inserting '', consistent with section 174(d).''; and

(7) by adding at the end the following:

''(l) STATE PLAN FOR BABY BOOMER AND OLDER ADULT VOLUNTEER AND PAID SERVICE.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, to be eligible to receive a grant or allotment under subtitle B or C or to receive a distribution of approved national service positions under subtitle C, a State must work with appropriate State agencies and private entities to develop a comprehensive State plan for volunteer and paid service by members of the Baby Boom generation and older adults.

''(2) MATTERS INCLUDED.—The State plan shall include—

''(A) recommendations for public policy initiatives, including how to best tap the population of members the Baby Boom generation and older adults as sources of social capital and as ways to address community needs;

''(B) recommendations to the State unit on aging on—

''(i) a marketing outreach plan to businesses;

''(ii) outreach to non-profit-organizations;

''(iii) the State's Department of Education; and

''(iv) other State agencies; and

''(C) recommendations for civic engagement and multigenerational activities, such as—

''(i) early childhood education, family literacy, and after school programs;

''(ii) respite services for older adults and caregivers; and

''(iii) transitions for members of the Baby Boom generation and older adults to purposeful work in their post career lives.

''(3) KNOWLEDGE INCORPORATED.—The State plan shall incorporate the current knowledge base regarding—

''(A) the economic impact of older workers' roles in the economy;

''(B) the social impact of older workers' roles in the community; and

''(C) the health and social benefits of active engagement for members of the Baby Boom generation and older adults.

''(4) PUBLICATION.—The State plan must be made public and be transmitted to the Chief Executive Officer.''.

SEC. 1606. EVALUATION AND ACCOUNTABILITY.

Section 179 (42 U.S.C. 12639) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—The Corporation shall provide, directly or through grants or contracts, for the continuing evaluation of programs that receive assistance under the national service laws, including evaluations that measure the impact of such programs, to determine—

''(1) the effectiveness of various programs receiving assistance under the national service laws in achieving stated goals and the costs associated with such, including—

''(A) an evaluation of performance measures, as established by the Corporation in consultation with grantees receiving assistance under the national service laws, which may include—

''(i) number of participants enrolled and completing terms of service compared to the stated goals of the program;

''(ii) number of volunteers recruited from the community in which the program was implemented;

''(iii) if applicable based on the program design, the number of individuals receiving or benefitting from the service conducted;

''(iv) number of disadvantaged and underrepresented youth participants;

''(v) sustainability of project or program, including measures to ascertain the level of community support for the project or program;

''(vi) measures to ascertain the change in attitude toward civic engagement among the participants and the beneficiaries of the service; and

''(vii) other quantitative and qualitative measures as determined to be appropriate by the recipient of assistance; and

''(B) review of the implementation plan for reaching such measures described in subparagraph (A); and

''(2) the effectiveness of the structure and mechanisms for delivery of services, such as the effective utilization of the participants' time, the management of the participants, and the ease to which recipients were able to receive services to maximize the cost-effectiveness of the program and its impact, for such programs.'';

(2) in subsection (g)—

(A) in paragraph (3), by striking ''National Senior Volunteer Corps'' and inserting ''National Senior Service Corps''; and

(B) in paragraph (9), by striking ''to public service'' and all that follows through the period at the end and inserting ''to engage in service that benefits the community.''; and

(3) by adding at the end the following:

''(j) RESERVED PROGRAM FUNDS FOR ACCOUNTABILITY.—In addition to amounts appropriated to carry out this section, the Corporation may reserve up to 1 percent of total program funds appropriated for a fiscal year under the national service laws to support program accountability activities.

''(k) CORRECTIVE PLANS.—

''(1) IN GENERAL.—A grantee that fails to reach the performance measures in subsection (a)(1)(A) as determined by the Corporation, shall reach an agreement with the Corporation on a corrective action plan to achieve the agreed upon performance measures.

''(2) ASSISTANCE.—

''(A) NEW PROGRAM.—For a program that has received assistance for less than 3 years and is failing to achieve the performance measures agreed upon under subsection (a)(1)(A), the Corporation shall—

''(i) provide technical assistance to the grantee to address targeted performance problems relating to the performance measures in subsection (a)(1)(A); and

''(ii) require quarterly reports from the grantee on the program's progress toward achieving the performance measures in subsection (a)(1)(A) to the appropriate State, Territory, or Indian tribe and the Corporation.

''(B) ESTABLISHED PROGRAMS.—For a program that has received assistance for 3 years or more and is failing to achieve the performance measures agreed upon under subsection (a)(1)(A), the Corporation shall require quarterly reports from the grantee on the program's progress towards achieving performance measures in subsection (a)(1)(A) to the appropriate State, Territory, or Indian tribe and the Corporation.

''(l) FAILURE TO MEET PERFORMANCE LEVELS.—If, after a period for correction as approved by the Corporation, a grantee or subgrantee fails to achieve the established levels of performance, the Corporation shall—

''(1) reduce the annual amount of the grant award attributable to the underperforming grantee or subgrantee by at least 25 percent; or

''(2) terminate assistance to the underperforming grantee or subgrantee, consistent with section 176(a).

''(m) REPORTS.—The Corporation shall submit to Congress not later than two years after the date of the enactment of this subsection, and annually thereafter, a report containing information on the number of—

''(1) grantees implementing corrective action plans;

''(2) grantees for which the Corporation offers technical assistance under subsection (k);

''(3) grantees for which the Corporation terminates assistance for a program under subsection (l); and

''(4) grantees meeting or exceeding their performance measures in subsection (a).''.

SEC. 1607. TECHNICAL AMENDMENT.

Section 181 (42 U.S.C. 12641) is amended by striking ''Section 414'' and inserting ''Section 422''.

SEC. 1608. PARTNERSHIPS WITH SCHOOLS.

Section 182(b) (42 U.S.C. 12642(b)) is amended to read as follows:

''(b) ANNUAL REPORT.—On an annual basis, the head of each Federal agency and department shall prepare and submit, to Congress and the committees of jurisdiction, a report concerning the implementation of this section, including an evaluation of the performance goals and benchmarks of the partnership programs.''.

SEC. 1609. RIGHTS OF ACCESS, EXAMINATION, AND COPYING.

Section 183 (42 U.S.C. 12643) is amended—

(1) in each of subsections (a)(1) and (b)(1) by inserting after ''local government,'' the following: ''Territory,''; and

(2) by adding at the end the following:

''(c) INSPECTOR GENERAL.—The Inspector General of the Corporation shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

''(1) within the possession or control of the Corporation or any State or local government, Territory, Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under this Act; and

''(2) that relates to the duties of the Inspector General under the Inspector General Act of 1978.''.

SEC. 1610. ADDITIONAL ADMINISTRATIVE PROVISIONS.

Subtitle F of title I (42 U.S.C. 12631 et seq.) is amended by adding at the end the following:

''SEC. 185. CONSOLIDATED APPLICATION AND REPORTING REQUIREMENTS.

''(a) IN GENERAL.—To promote efficiency and eliminate duplicative requirements, the Corporation shall consolidate or modify application procedures and reporting requirements for programs and activities funded under the national service laws.

''(b) REPORTS TO CONGRESS.—Not later than 1 year after the date of the enactment of this section, and annually thereafter, the Corporation shall submit to Congress a report containing information on the actions taken to modify the application procedures and reporting requirements for programs and activities funded under the national service laws, including a description of the consultation procedures with grantees, entities that expressed interest in applying for assistance under a national service law but did not apply, those entities whose application was rejected, and applications whose assistance was terminated due to failure to meet performance measures for the year covered by the report.

''SEC. 186. SUSTAINABILITY.

''(a) GOALS.—To ensure that recipients of assistance under the national service laws are carrying out sustainable projects or programs, the Corporation, after collaboration with State Commissions and consultation with recipients of assistance under the national service laws, may set sustainability goals supported by policies and procedures to—

''(1) build the capacity of the projects that receive assistance under the national service laws to meet community needs and to work to lessen the dependence on Federal dollars to do so;

''(2) provide technical assistance to assist the recipients of assistance under the national service laws in acquiring non-Federal funds for the projects that could replace assistance received under the national service laws; and

''(3) implement measures to ascertain whether the projects are generating sufficient community support.

''(b) ENFORCEMENT.—If a recipient does not meet the sustainability goals in subsection (a) for a project, the Corporation may take action as described in sections 176 and 179.

''SEC. 187. USE OF RECOVERED FUNDS.

''(a) FACTORS CONSIDERED IN APPROVING REPAYMENT.—After the date of enactment of this section, whenever the Corporation recovers funds paid to a recipient under a grant or cooperative agreement made under the national service laws because the recipient made an expenditure of funds that was not allowable, or otherwise failed to discharge its responsibility to account properly for funds, the Corporation may consider those funds to be additional funds available and may arrange to repay to the recipient affected by that action an amount not to exceed 75 percent of the recovered funds if the Corporation determines that—

''(1) the practices or procedures of the recipient that resulted in the recovery of funds have been corrected, and that the recipient is in all other respects in compliance with the requirements of the grant or cooperative agreement, if the recipient was notified of any noncompliance with such requirements and given a reasonable period of time to remedy such noncompliance;

''(2) the recipient has submitted to the Corporation a plan for the use of those funds consistent with the national service laws and, to the extent possible, for the benefit of the community affected by the recovery of funds; and

''(3) the use of those funds in accordance with that plan would serve to achieve the objectives of the grant or cooperative agreement under which the funds were originally paid.

''(b) TERMS AND CONDITIONS OF REPAYMENT.—Any payments by the Corporation under this section shall be subject to other terms and conditions as the Corporation considers necessary to accomplish the purposes of the grant or cooperative agreement, including—

''(1) the submission of periodic reports on the use of funds provided under this section; and

''(2) consultation by the recipient with members of the community that will benefit from the payments.

''(c) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, the funds made available under this section shall remain available for expenditure for a period of time considered reasonable by the Corporation, but in no case to exceed more than 3 fiscal years following the later of—

''(1) the fiscal year in which final agency action regarding the disallowance of funds is taken; or

''(2) if such recipient files a petition for judicial review regarding the disallowance of funds, the fiscal year in which final judicial action is taken on such a petition.

''(d) PUBLICATION IN FEDERAL REGISTER.—At least 60 days prior to entering into an arrangement under this section, the Corporation shall publish in the Federal Register a notice of intent to enter into such an arrangement and the terms and conditions under which payments will be made. Interested persons shall have an opportunity for at least 30 days to submit comments to the Corporation regarding the proposed arrangement.

''SEC. 188. EXPENSES OF ATTENDING MEETINGS.

''Notwithstanding section 1345 of title 31, United States Code, funds authorized under the national service laws shall be available for expenses of attendance of meetings that are concerned with the functions or activities for which the funds are appropriated or which will contribute to improved conduct, supervision, or management of those functions or activities.

''SEC. 189. GRANT PERIODS.

''Unless otherwise specifically provided, the Corporation has authority to make a grant under the national service laws for a period of 3 years.

''SEC. 189A. GENERATION OF VOLUNTEERS.

''In making decisions on applications for assistance or approved national service positions under the national service laws, the Corporation shall take into consideration the extent to which the applicant's proposal will increase the involvement of volunteers in meeting community needs.

''SEC. 189B. LIMITATION ON PROGRAM GRANT COSTS.

''(a) LIMITATION ON GRANT AMOUNTS.—Except as otherwise provided by this section, the amount of funds approved by the Corporation in

a grant to operate a program authorized under the national service laws supporting individuals serving in approved national service positions may not exceed $16,000 per full-time equivalent position.

''(b) COSTS SUBJECT TO LIMITATION.—The limitation in subsection (a) applies to the Corporation's share of member support costs, staff costs, and other costs borne by the grantee or subgrantee to operate a program.

''(c) COSTS NOT SUBJECT TO LIMITATION.—The limitation in subsection (a) and (e)(1) shall not apply to expenses that are not included in the program operating grant award.

''(d) ADJUSTMENTS FOR INFLATION.—The amount specified in subsections (a) and (e)(1) shall be adjusted each year after 2008 for inflation as measured by the Consumer Price Index for All Urban Consumers published by the Secretary of Labor.

''(e) WAIVER AUTHORITY AND REPORTING REQUIREMENT.—

''(1) WAIVER.—The Chief Executive Officer may waive the requirements of this section, up to a maximum of $18,000, if necessary to meet the compelling needs of a particular program, such as exceptional training needs for a program serving disadvantaged youth, increased costs relating to the participation of individuals with disabilities, and start-up costs associated with a first-time grantee.

''(2) REPORTS.—The Chief Executive Officer shall report to Congress annually on all waivers granted under this section, with an explanation of the compelling needs justifying such waivers.

''SEC. 189C. AUDITS AND REPORTS.

''The Corporation shall comply with applicable audit and reporting requirements as provided in the Chief Financial Officers Act of 1990 (31 U.S.C. 501 et seq.) and the Government Corporation Control Act of 1945 (31 U.S.C. 9101 et seq.). The Corporation shall report to the Congress any failure to comply with the requirements of such audits.''.

Subtitle G—Amendments to Subtitle G (Corporation for National and Community Service)

SEC. 1701. TERMS OF OFFICE.

Section 192 (42 U.S.C. 12651a) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) TERMS.—Subject to subsection (e), each appointed member shall serve for a term of 5 years.'';

(2) by adding at the end the following:

''(e) SERVICE UNTIL APPOINTMENT OF SUCCESSOR.—A voting member of the Board whose term has expired may continue to serve for one year beyond expiration of the term if no successor is appointed or until the date on which a successor has taken office.''.

SEC. 1702. BOARD OF DIRECTORS AUTHORITIES AND DUTIES.

Section 192A(g) (42 U.S.C. 12651b(g)) is amended—

(1) in the matter preceding paragraph (1) by striking ''shall—'' and inserting ''shall have responsibility for setting overall policy for the Corporation and shall—'';

(2) in paragraph (1), by inserting before the semicolon at the end the following: '', and review the budget proposal in advance of submission to the Office of Management and Budget and to Congress'';

(3) in paragraph (5)—

(A) in subparagraph (A) by striking ''and'' at the end;

(B) in subparagraph (B) by inserting ''and'' at the end; and

(C) by adding at the end the following:

''(C) review the performance of the Chief Executive Officer annually and forward a report on that review to the President;'';

(4) in paragraph (9), by inserting ''and'' after ''Corporation;'';

(5) in paragraph (10), by striking ''program; and'' and inserting ''program under a cost share agreement, as determined by the Corporation, in which the funds advanced or received as reimbursement shall be credited directly to a current appropriation; and''; and

(6) in paragraph (11), by striking ''September 30, 1995'' and inserting ''January 1, 2011''.

SEC. 1703. AUTHORITIES AND DUTIES OF THE CHIEF EXECUTIVE OFFICER.

Section 193A (42 U.S.C. 12651d) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting after ''a strategic plan'' the following: '', including a plan for achieving 50 percent full-time approved national service positions by 2010,'';

(B) by redesignating paragraphs (7) through (11) as paragraphs (8) through (12), respectively;

(C) by inserting after paragraph (6) the following:

''(7) prepare and submit to the Committee on Education and Labor in the United States House of Representatives and the Committee on Health, Education, Labor, and Pensions in the United States Senate, and the Board an annual report on actions taken to achieve the goal of 50 percent full-time approved national service positions as described in paragraph (1), including an assessment of the progress made toward achieving that goal and the actions to be taken in the coming year toward achieving that goal;''; and

(D) in paragraph (11) (as so redesignated)—

(i) in the matter preceding subparagraph (A), by striking ''June 30, 1995,'' and inserting ''June 30 of each even-numbered year,''; and

(ii) in subparagraph (A)(i), by striking ''section 122(c)(1)'' and inserting ''section 122(d)(1)''; and

(2) in subsection (c)—

(A) in paragraph (9), by striking ''and'' at the end;

(B) by redesignating paragraph (10) as paragraph (11); and

(C) by inserting after paragraph (9) the following:

''(10) obtain the opinions of peer reviewers in evaluating applications to the Corporation for assistance under this title; and''.

SEC. 1704. NONVOTING MEMBERS; PERSONAL SERVICES CONTRACTS.

Section 195 (42 U.S.C. 12651f) is amended—

(1) in subsection (c)—

(A) in paragraph (2)(B), by inserting after ''subdivision of a State,'' the following: ''Territory,''; and

(B) in paragraph (3)—

(i) in the heading, by striking ''MEMBER'' and inserting ''NON-VOTING MEMBER''; and

(ii) by inserting ''non-voting'' before ''member''; and

(2) by adding at the end the following new subsection:

''(g) PERSONAL SERVICES CONTRACTS.—The Corporation may enter into personal services contracts to carry out research, evaluation, and public awareness related to the national service laws.''.

SEC. 1705. DONATED SERVICES.

Section 196(a) (42 U.S.C. 12651g(a)) is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (A) and inserting the following:

''(A) ORGANIZATIONS AND INDIVIDUALS.—Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the services of organizations and individuals (other than participants) to assist the Corporation in carrying out the duties of the Corporation under the national service laws, and may provide to such individuals the travel expenses described in section 192A(d).'';

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking ''Such a volunteer'' and inserting ''A person who is a member of an organization or is an individual covered by subparagraph (A)'';

(ii) in clause (i), by striking ''a volunteer'' and inserting ''such a person'';

(iii) in clause (ii), by striking ''volunteers'' and inserting ''such a person''; and

(iv) in clause (iii), by striking ''such a volunteer'' and inserting ''such a person''; and

(C) in subparagraph (C)(i), by striking ''Such a volunteer'' and inserting ''Such a person''; and

(2) by striking paragraph (3).

SEC. 1706. OFFICE OF OUTREACH AND RECRUITMENT.

Subtitle G of title I is further amended by adding at the end the following:

''SEC. 196B. OFFICE OF OUTREACH AND RECRUITMENT.

''(a) ESTABLISHMENT.—There is established in the Corporation an office to be known as the Office of Outreach and Recruitment (in this section referred to as the 'Office'), headed by a Director.

''(b) DUTIES.—The duties of the Office, carried out directly or through grants, contracts, or cooperative agreements, shall be—

''(1) to increase the public awareness of the wide range of service opportunities for citizens of all ages, regardless of socioeconomic status or geographic location, through a variety of methods, including—

''(A) print media;

''(B) the Internet and related emerging technologies;

''(C) television;

''(D) radio;

''(E) presentations at public or private forums;

''(F) other innovative methods of communication; and

''(G) outreach to offices of economic development, State employment security agencies, labor unions and trade associations, local education agencies, agencies and organizations serving veterans and people with disabilities, and other institutions or organizations from which participants for programs receiving assistance from the national service laws can be recruited;

''(2) to identify and implement methods of recruitment to increase the diversity of participants in the programs receiving assistance under the national service laws;

''(3) to identify and implement recruitment strategies and training programs for bilingual volunteers in the National Senior Service Corps under title II of the Domestic Volunteer Service Act of 1973;

''(4) to identify and implement methods of recruitment to increase the diversity of service sponsors of programs desiring to receive assistance under the national service laws;

''(5) to collaborate with organizations which have established volunteer recruitment programs, including those on the Internet, to increase the recruitment capacity of the Corporation;

''(6) where practicable, to provide application materials in languages other than English for those with limited English proficiency who wish to participate in a national service program;

''(7) to coordinate with organizations of former participants of national service programs for service opportunities that may include capacity building, outreach, and recruitment for programs receiving assistance under the national service laws;

''(8) to collaborate with the training and technical assistance programs described in subtitle J and in appropriate paragraphs of section 198E(b);

''(9) to coordinate the clearinghouses described in section 198E; and

''(10) to coordinate with entities receiving funds under section 198E(b)(11) in establishing the Reserve Corps for alumni of the national service programs to serve in emergencies, disasters, and other times of national need.

''(c) COLLABORATION.—The duties described in subsection (b) shall be carried out in collaboration with the State Commissions.

''(d) AUTHORITY TO CONTRACT WITH A BUSINESS.—The Corporation may, through contracts

or cooperative agreements, carry out the marketing duties described in subsection (b)(1), with priority given to those entities who have established expertise in the recruitment of disadvantaged youth, members of Indian tribes, and members of the Baby Boom generation.

''(e) CAMPAIGN TO SOLICIT FUNDS.—The Corporation, through the Director of the Office, may conduct a campaign to solicit funds for itself to conduct outreach and recruitment campaigns to recruit a diverse population of service sponsors of and participants in programs and projects receiving assistance under the national service laws.

''(f) REPORTING.—The Director of the Office shall complete a report annually to the Chief Executive Officer and the Board of Directors on its activities and results.''.

SEC. 1707. STUDY TO EXAMINE AND INCREASE SERVICE PROGRAMS FOR VETERANS AND VETERANS PARTICIPATION IN SERVICE CORPS AND COMMUNITY SERVICE AND TO DEVELOP PILOT PROGRAM.

(a) PLANNING STUDY.—The Corporation for National and Community Service shall conduct a study to identify—

(1) specific areas of need for veterans;

(2) how existing programs and activities carried out under the national service laws could better serve veterans and veterans service organizations;

(3) gaps in service to veterans;

(4) prospects for better coordination of services;

(5) prospects for better utilization of veterans as resources and volunteers; and

(6) methods for ensuring the efficient financial organization of services directed towards veterans.

(b) CONSULTATION.—The study shall be carried out in consultation with veterans' service organizations, the Department of Veterans Affairs, State veterans agencies, the Department of Defense, and other individuals and entities the Corporation considers appropriate.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Corporation shall submit to Congress a report on the results of the planning study required by subsection (a), together with a plan for implementation of a pilot program using promising strategies and approaches for better targeting and serving veterans.

(d) PILOT PROGRAM.—From amounts made available to carry out this subsection, the Corporation shall develop and carry out a pilot program based on the findings in the report submitted under subsection (c).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2008 through 2012.

Subtitle H—Amendments to Subtitle H

SEC. 1801. TECHNICAL AMENDMENTS TO SUBTITLE H.

(a) ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE.—Subtitle H is amended by inserting after the subtitle heading and before section 198 the following:

''PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE''.

(b) TECHNICAL AMENDMENTS.—Section 198 (42 U.S.C. 12653) is amended—

(1) in subsection (a), by striking ''subsection (r)'' and inserting ''subsection (g)'';

(2) in subsection (b), by striking ''national service programs, including service-learning programs, and to support innovative and model programs, including'' and inserting ''service-learning programs and national service programs, including'';

(3) by striking subsections (c), (d), (e), and (f);

(4) by redesignating subsection (g) as subsection (c);

(5) by striking subsections (h), (i), and (j);

(6) by redesignating subsection (k) as subsection (d);

(7) by striking subsections (l) and (m);

(8) by redesignating subsections (n) and (o) as subsections (e) and (f), respectively;

(9) by striking subsections (p) and (q);

(10) by redesignating subsection (r) as subsection (g); and

(11) by redesignating subsection (s) as subsection (h).

SEC. 1802. REPEALS.

The following provisions are repealed:

(1) CLEARINGHOUSES.—Section 198A (42 U.S.C. 12653a).

(2) MILITARY INSTALLATION CONVERSION DEMONSTRATION PROGRAMS.—Section 198C (42 U.S.C. 12653c).

(3) SPECIAL DEMONSTRATION PROJECT.—Section 198D (42 U.S.C. 12653d).

SEC. 1803. INNOVATIVE AND MODEL PROGRAM SUPPORT.

Subtitle H is further amended by adding at the end the following:

''PART II—INNOVATIVE AND MODEL PROGRAM SUPPORT

''SEC. 198D. INNOVATIVE AND MODEL PROGRAM SUPPORT.

''(a) METHODS OF CONDUCTING ACTIVITIES.—The Corporation may, through grants and fixed amount grants under subsection (c), carry out the following programs:

''(1) PROGRAMS FOR DISADVANTAGED YOUTH.—A program selected from among those listed in 122(a) where no less than 75 percent of the participants are disadvantaged youth.

''(A) COMPONENTS OF PROGRAMS.—Such programs may include life skills training, employment training, educational counseling, program to complete a high-school diploma or GED, counseling, or a mentoring relationship with an adult volunteer.

''(B) PRIORITY.—Priority shall be given to programs that engage retirees to serve as mentors.

''(2) PROGRAMS FOCUSED ON LEARNING AND THINKING SKILLS.—Service programs to solve community problems while engaging or developing 21st century learning and thinking skills (critical-thinking and problem solving, communication skills, creativity and innovation skills, collaboration skills, contextual learning skills, information and media literacy skills, and information and communications literacy) and life skills (leadership, ethics, accountability, adaptability, personal productivity, personal responsibility, people skills, self-direction, and social responsibility) for school-age youth and low income adults. This may be a summer of service program or a year-round service program. Priority shall be given to programs that collaborate with the RSVP program, the AmeriCorps programs, or the Learn and Serve programs.

''(3) PROGRAMS THAT ENGAGE YOUTH UNDER THE AGE OF 17.—Programs that engage youth under the age of 17 in service to the community to meet unmet human, educational, environmental, emergency and disaster preparedness, or public safety needs and may be a summer program or a year-round program. Priority shall be given to programs that collaborate with the RSVP Program and the AmeriCorps programs.

''(4) PROGRAMS THAT FOCUS ON HEALTH AND WELLNESS.—Service programs that focus on the health and wellness of the members of a low-income or rural community. Priority shall be given to service programs that work to—

''(A) involve the community in service to those who are at-risk to not receive or pursue health care through such activities as health and wellness education, prevention, and care;

''(B) include in the service program employment training, where applicable, for participants in the program and may extend this opportunity to members of the community; and

''(C) collaborate with local institutions of higher education to include, as a portion of the pre-professional training of health care professionals including nurses, doctors, physician assistants, dentists, and emergency medical technicians, a service component to meet unmet healthcare and wellness needs in the community in which the service program is being carried out.

''(5) PROGRAMS THAT REDUCE RECIDIVISM.—Programs that re-engage court-involved youth and adults with the goal of reducing recidivism. Priority shall be given to such programs that create support systems beginning in corrections facilities, and programs that have life skills training, employment training, an education program, including a program to complete a high-school diploma or GED, educational and career counseling, post program placement, and support services, which could begin in corrections facilities. The program may include health and wellness programs, including but not limited to drug and alcohol treatment, mental health counseling, and smoking cessation.

''(6) PROGRAMS THAT RECRUIT CERTAIN INDIVIDUALS.—Demonstration projects for programs that have as one of their primary purposes the recruitment and acceptance of court-involved youth and adults as participants, volunteers, or members. Such a program may serve any purpose otherwise permitted under this Act.

''(7) OTHER INNOVATIVE AND MODEL PROGRAMS.—Any other innovative and model programs that the Corporation considers appropriate.

''(b) REQUIREMENTS.—

''(1) THREE-YEAR TERM.—Each program funded under this part shall be carried out over a period of three years, including one planning year and two additional grant years, with a 1-year extension possible, if the program meets performance measures developed in accordance with section 179(a) and any other criteria determined by the Corporation.

''(2) ENCOURAGEMENT.—Each program funded under this part is encouraged to collaborate with Learn and Serve, AmeriCorps, VISTA, and the National Senior Service Corps.

''(3) EVALUATION.—Upon completion of the program, the Corporation shall conduct an independent evaluation of the program and widely disseminate the results to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies and recommendations for improvement.

''(c) FIXED AMOUNT GRANTS.—

''(1) GENERAL.—For purposes of subsection (a), and subject to the limitations in this subsection, the Corporation may, upon making a determination described in paragraph (2), approve a fixed amount grant that is not subject to the Office of Management and Budget cost principles and related financial recordkeeping requirements.

''(2) DETERMINATION.—Before approving a fixed amount grant, the Corporation must determine that—

''(A) the reasonable and necessary costs of carrying out the terms of the grant significantly exceed the amount of assistance provided by the Corporation; or

''(B) based on the nature or design of the grant, any assistance provided by the Corporation can be reasonably presumed to be expended on reasonable and necessary costs.

''(3) MATCHING FUNDS.—

''(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant is made under this part may not exceed 50 percent of the total cost of the program.

''(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

''(i) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

''(ii) may provide for such share through State sources or local sources, including private funds or donated services.

''(d) APPLICATIONS.—To be eligible to carry out a program under this part, an entity shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Corporation requires, and in such manner as the Chief Executive Officer may reasonably require.''.

SEC. 1804. CLEARINGHOUSES.

Subtitle H is further amended by adding at the end the following:

''PART III—NATIONAL SERVICE PROGRAMS CLEARINGHOUSE

''SEC. 198E. NATIONAL SERVICE PROGRAMS CLEARINGHOUSE.

''(a) IN GENERAL.—The Corporation shall provide assistance, either by grant, contract, or cooperative agreement, to entities with expertise in the dissemination of information through clearinghouses to establish one or more clearinghouses for the national service laws.

''(b) FUNCTION OF CLEARINGHOUSE.—Such a clearinghouse may—

''(1) assist entities carrying out State or local service-learning and national service programs with needs assessments and planning;

''(2) conduct research and evaluations concerning service-learning or programs receiving assistance under the national service laws unless the recipient is receiving funds for such purpose under part III of subtitle B and under subtitle H;

''(3)(A) provide leadership development and training to State and local service-learning program administrators, supervisors, service sponsors, and participants; and

''(B) provide training to persons who can provide the leadership development and training described in subparagraph (A);

''(4) facilitate communication among entities carrying out service-learning programs and programs offered under the national service laws and participants in such programs;

''(5) provide and disseminate information and curriculum materials relating to planning and operating service-learning programs and programs offered under the national service laws, to States, Territories, Indian tribes, and local entities eligible to receive financial assistance under the national service laws;

''(6) provide and disseminate information regarding methods to make service-learning programs and programs offered under the national service laws accessible to individuals with disabilities;

''(7) disseminate applications in languages other than English;

''(8)(A) gather and disseminate information on successful service-learning programs and programs offered under the national service laws, components of such successful programs, innovative curricula related to service-learning, and service-learning projects; and

''(B) coordinate the activities of the Clearinghouse with appropriate entities to avoid duplication of effort;

''(9) make recommendations to State and local entities on quality controls to improve the quality of service-learning programs and programs offered under the national service laws;

''(10) assist organizations in recruiting, screening, and placing a diverse population of service-learning coordinators and program sponsors;

''(11) collaborate with the Office of Outreach and Recruitment on an alumni network for those former participants in an approved national service position, to facilitate communication and collaboration between alumni and to leverage their skills, knowledge, and experiences to improve service across our Nation and also serve in a Reserve Corps, who are ready to serve in times of national need;

''(12) disseminate effective strategies for working with disadvantaged youth in national service programs as determined by organizations with an established expertise working with such youth; and

''(13) carry out such other activities as the Chief Executive Officer determines to be appropriate.''.

Subtitle I—American Conservation and Youth Service Corps

SEC. 1811. STATE APPLICATION.

Section 199C(a) (42 U.S.C. 12655b(a)) is amended by inserting after ''a State'' the following: '', Territory,''.

Subtitle J—Training and Technical Assistance

SEC. 1821. TRAINING AND TECHNICAL ASSISTANCE.

Title I is further amended by adding at the end the following new subtitle:

''Subtitle J—Training and Technical Assistance

''SEC. 199N. TRAINING AND TECHNICAL ASSISTANCE.

''(a) IN GENERAL.—The Corporation shall conduct, either directly or through grants, contracts, or cooperative agreements, including through State Commissions on National and Community Service, appropriate training and technical assistance to—

''(1) programs receiving assistance under the national service laws; and

''(2) entities (particularly those in rural areas and underserved communities)—

''(A) that desire to carry out or establish national service programs;

''(B) that desire to apply for assistance under the national service laws; or

''(C) that desire to apply for a subgrant under the national service laws.

''(b) ACTIVITIES INCLUDED.—Such training and technical assistance activities may include—

''(1) providing technical assistance to those applying to carry out national service programs or those carrying out national service programs;

''(2) promoting leadership development in national service programs;

''(3) improving the instructional and programmatic quality of national service programs;

''(4) developing the management and budgetary skills of those operating or overseeing national service programs, including to increase the cost effectiveness of the programs under the national service laws;

''(5) providing for or improving the training provided to the participants in programs under the national service laws;

''(6) facilitating the education of national service programs in risk management procedures, including the training of participants in appropriate risk management practices;

''(7) training of those operating or overseeing national service programs in volunteer recruitment, management, and retention to improve the abilities of such individuals to use participants and other volunteers in an effective manner which results in high quality service and the desire of participants or volunteers to continue to serve in other capacities after the program is completed;

''(8) training of those operating or overseeing national service programs in program evaluation and performance measures to inform practices to augment the capacity and sustainability of the program;

''(9) training of those operating or overseeing national service programs to effectively accommodate people with disabilities to increase the participation of people with disabilities in national service programs;

''(10) establishing networks and collaboration among employers, educators, and other key stakeholders in the community to further leverage resources to increase local participation and to coordinate community-wide planning and service;

''(11) providing training and technical assistance for the National Senior Service Corps; and

''(12) carrying out such other activities as the Chief Executive Officer determines to be appropriate.

''(c) PRIORITY.—The Corporation shall give priority to programs under the national service laws and those entities wishing to establish programs under the national service laws seeking training or technical assistance that—

''(1) seek to carry out (as defined in section 101) high quality programs where the services are needed most;

''(2) seek to carry out (as defined in section 101) high quality programs where national service programs do not currently exist or where the programs are too limited to meet community needs;

''(3) seek to carry out (as defined in section 101) high quality programs that focus on and provide service opportunities for underserved rural and urban areas and populations; and

''(4) assist programs in developing a service component that combines students, out-of-school youths, and older adults as participants to provide needed community services.''.

Subtitle K—Repeal of Title III (Points of Light Foundation)

SEC. 1831. REPEAL.

Title III (42 U.S.C. 12661 et seq.) is repealed.

Subtitle L—Amendments to Title V (Authorization of Appropriations)

SEC. 1841. AUTHORIZATION OF APPROPRIATIONS.

Section 501 (42 U.S.C. 12681) is amended to read as follows:

''SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

''(a) TITLE I.—

''(1) SUBTITLE B.—

''(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitle B of title I—

''(i) $65,000,000 for fiscal year 2008, of which $10,000,000 shall be for summer of service grants and $10,000,000 shall be deposited in the National Service Trust to support summer of service educational awards; and

''(ii) such sums as may be necessary for each of fiscal years 2009 through 2012.

''(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year—

''(i) not more than 63.75 percent shall be available to provide financial assistance under part I of subtitle B of title I;

''(ii) not more than 25 percent shall be available to provide financial assistance under part II of such subtitle; and

''(iii) not less than 11.25 percent shall be available to provide financial assistance under part III of such subtitle.

''(2) SUBTITLES C, D, AND H.—

''(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitles C and H of title I, to administer the National Service Trust and disburse national service educational awards and scholarships under subtitle D of title I, and to carry out such audits and evaluations as the Chief Executive Officer or the Inspector General of the Corporation may determine to be necessary, $485,000,000 for fiscal year 2008, and such sums as may be necessary for each of fiscal years 2009 through 2012.

''(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year, up to 15 percent shall be made available to provide financial assistance under subsections (b) and (c) of section 126, and under subtitle H of title I.

''(C) SUBTITLE C.—Of the amount appropriated under subparagraph (A), the following amounts shall be made available to provide financial assistance under section 121 of subtitle C of title I:

''(i) For fiscal year 2008, not more than $324,000,000.

''(ii) For fiscal year 2009, not more than $357,000,000.

''(iii) For fiscal year 2010, not more than $397,000,000.

''(iv) For each of fiscal years 2011 through 2012, such sums as may be necessary.

''(3) SUBTITLE E.—There are authorized to be appropriated to operate the National Civilian

Community Corps and provide financial assistance under subtitle E of title I, $25,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

''(4) ADMINISTRATION.—

''(A) IN GENERAL.—There are authorized to be appropriated for the administration of this Act, including financial assistance under sections 126(a) and 196B, $51,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

''(B) CORPORATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year—

''(i) up to 69 percent shall be made available to the Corporation for the administration of this Act, including to provide financial assistance under section 196B; and

''(ii) the remainder shall be available to provide financial assistance under section 126(a).

''(5) TRAINING AND TECHNICAL ASSISTANCE.—Of the amounts appropriated for a fiscal year under subtitles B, C, and H of title I of this Act and under titles I and II of the Domestic Volunteer Service Act of 1973, the Corporation shall reserve up to 2.5 percent to carry out subtitle J of this Act. Notwithstanding subsection (b), amounts so reserved shall be available only for the fiscal year for which they are reserved.

''(b) AVAILABILITY OF APPROPRIATIONS.—Funds appropriated under this section shall remain available until expended.''.

TITLE II—AMENDMENTS TO THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973

SEC. 2001. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of a provision, the reference shall be considered to be made to a provision of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).

Subtitle A—Amendments to Title I (National Volunteer Antipoverty Programs)

SEC. 2101. PURPOSE.

Section 2 (42 U.S.C. 4950) is amended—

(1) in subsection (a), by striking ''both young and older citizens'' and inserting ''citizens of all ages and backgrounds''; and

(2) in subsection (b), by striking ''local agencies'' and all that follows through the period at the end and inserting ''local agencies, expand relationships with, and support for, the efforts of civic, community, and educational organizations, and utilize the energy, innovative spirit, experience, and skills of all Americans.''.

SEC. 2102. PURPOSE OF THE VISTA PROGRAM.

Section 101 (42 U.S.C. 4951) is amended—

(1) in the second sentence, by striking ''afflicted with'' and inserting ''affected by''; and

(2) in the third sentence, by striking ''local level'' and all that follows through the period at the end and inserting ''local level, to support efforts by local agencies and organizations to achieve long-term sustainability of projects, consistent with section 186 of the National and Community Service Act of 1990, initiated or expanded under the VISTA program activities, and to strengthen local agencies and community organizations to carry out the purpose of this part.''.

SEC. 2103. APPLICATIONS.

Section 103 (42 U.S.C. 4953) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''the Commonwealth of the Northern Mariana Islands,'' after ''American Samoa,''; and

(B) in paragraph (2)—

(i) by striking ''handicapped'' and inserting ''disabled''; and

(ii) by striking ''handicaps'' and inserting ''disabilities'';

(C) in paragraph (3), by striking ''jobless, the hungry, and low-income'' and inserting ''unemployed, the hungry, and low-income'';

(D) in paragraph (4), by striking ''prevention, education,'' and inserting ''through prevention, education, rehabilitation, and treatment,'';

(E) in paragraph (5), by inserting '', mental illness,'' after ''including'';

(F) in paragraph (6), by striking ''; and'' and inserting a semicolon;

(G) in paragraph (7), by striking the period and inserting a semicolon; and

(H) by adding at the end the following new paragraphs:

''(8) in the re-entry and re-integration of formerly incarcerated youth and adults into society, including life skills training, employment training, counseling, educational training, and educational counseling;

''(9) in developing and carrying out financial literacy, financial planning, budgeting, savings, and reputable credit accessibility programs in low-income communities, including those programs which educate on financing home ownership and higher education;

''(10) in initiating and supporting before-school and after-school programs servicing children in low-income communities that may engage participants in mentoring relationships, tutoring, life skills, or study skills programs, service-learning, physical, nutrition, and health education programs, including programs aimed at fighting childhood obesity, and other activities addressing the needs of the community's children;

''(11) in establishing and supporting community economic development initiatives, including micro-enterprises, with a priority on such programs in rural areas and other areas where such programs are needed most;

''(12) in assisting veterans and their families through establishing or augmenting programs which assist such persons with access to legal assistance, health care (including mental health), employment counseling or training, education counseling or training, affordable housing, and other support services; and

''(13) in addressing the health and wellness of low-income and underserved communities, including programs to increase access to preventive services, insurance, and health care.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''recruitment and placement procedures'' and inserting ''recruitment and placement procedures that involve sponsoring organizations and'';

(B) in paragraph (2)—

(i) in subparagraph (B), by striking ''central information system that shall, on request, promptly provide'' and inserting ''database that provides''; and

(ii) in subparagraph (C)—

(I) by striking ''timely and effective'' and inserting ''timely and cost-effective''; and

(II) by striking ''the recruitment of volunteers'' and inserting ''recruitment and management of volunteers''; and

(C) in paragraph (3), by adding at the end the following: ''The Director shall give priority to—

''(A) disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) and low-income adults; and

''(B) retired adults of any profession, but with an emphasis on those professions whose services and training are most needed in a community, such as the health care professions, teaching, counseling, and engineering and other professions requiring a high level of technical and project management skills, to utilize their experience, including professional skills, in the VISTA program.'';

(D) in paragraph (5)(B), by striking ''information system'' and inserting ''database'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''personnel described in subsection (b)(2)(C)'' and inserting ''personnel described in subsection (b)(2)(C), sponsoring organizations, and the Office of Outreach and Recruitment'';

(ii) in subparagraph (A), by inserting ''the Internet and related technologies,'' after ''television,'';

(iii) in subparagraph (B), by inserting ''Internet and related technologies,'' after ''through the'';

(iv) in subparagraph (C), by inserting after ''senior citizens organizations,'' the following: ''offices of economic development, State employment security agencies, employment offices,'';

(v) in subparagraph (F), by striking ''National and Community Service Trust Act of 1993'' and inserting ''National and Community Service Act of 1990''; and

(vi) in subparagraph (G), by striking '', on request,'';

(B) in paragraph (3), by striking ''this subsection'' and inserting ''this subsection and related public awareness and recruitment activities under the national service laws and through the Office of Outreach and Recruitment''; and

(C) in paragraph (4)—

(i) by striking ''Beginning'' and all that follows through ''for the purpose'' and inserting ''For the purpose''; and

(ii) by striking ''1.5 percent'' and inserting ''2 percent'';

(4) by amending the second sentence of subsection (d) to read as follows: ''Whenever feasible, such efforts shall be coordinated with an appropriate local workforce investment board established under section 117 of the Workforce Investment Act of 1998.'';

(5) in subsection (g) by striking ''and has been submitted to the Governor'' and all that follows and inserting a period; and

(6) by adding at the end the following:

''(i) The Director may enter into agreements under which public and private nonprofit organizations, with sufficient financial capacity and size, pay for all or a portion of the costs of supporting the service of volunteers under this title, consistent with the provisions of section 186 of the National and Community Service Act of 1990.''.

SEC. 2104. VISTA PROGRAMS OF NATIONAL SIGNIFICANCE.

Part A of title I is amended by inserting after section 103 (42 U.S.C. 4953) the following:

''SEC. 103A. VISTA PROGRAMS OF NATIONAL SIGNIFICANCE.

''(a) IN GENERAL.—With not less than one-third of the funds made available under subsection (d) in each fiscal year, the Director shall make grants for VISTA positions to support programs of national significance. Each program for which a grant is received under this subsection shall be carried out in accordance with the requirements applicable to that program.

''(b) ACTIVITIES SUPPORTED.—The Director shall make grants under subsection (a) to support one or more of the following programs to address problems that concern low-income and rural communities in the Nation:

''(1) In developing and carrying-out financial literacy, financial planning, budgeting, savings, and reputable credit accessibility programs in low-income communities, including those programs which educate on financing home ownership and higher education.

''(2) In initiating and supporting before-school and after-school programs in low-income communities that may include such activities as establishing mentoring relationships, physical education, tutoring, instruction in 21st century thinking skills, life skills, and study skills, community service, service-learning, nutrition and health education, and other activities aimed at keeping children, safe, educated, and healthy, which serve the children in such community.

''(3) In establishing and supporting community economic development initiatives, including micro-enterprises, with a priority on such programs in rural areas and areas where such programs are needed most.

''(4) In assisting veterans and their families through establishing or augmenting programs which assist such persons with access to legal assistance, health care (including mental health), employment counseling or training, education counseling or training, affordable housing, and other support services.

''(5) In addressing the health and wellness of low-income and underserved communities across our Nation, including programs to fight childhood obesity through nutrition, physical fitness, and other associated life skills education programs and programs to increase access to preventive services, insurance, and health care.

''(c) REQUIREMENTS.—

''(1) ELIGIBILITY.—In order to receive a grant under subsection (a), an applicant shall submit an application to the Director at such time and in such manner as the Director requires and receive approval of the application. Such application shall, at a minimum, demonstrate to the Director a level of expertise in carrying out such a program.

''(2) SUPPLEMENT NOT SUPPLANT.—Funds made available under subsection (d) shall be used to supplement and not supplant the number of VISTA volunteers engaged in programs addressing the problem for which such funds are awarded unless such sums are an extension of funds previously provided under this title.

''(d) FUNDING.—

''(1) IN GENERAL.—From the amounts appropriate under section 501 for each fiscal year there shall be available to the Director such sums as may be necessary to make grants under subsection (a).

''(2) LIMITATION.—No funds shall be made available to the Director to make grants under subsection (a) unless the amounts appropriated under section 501 available for such fiscal year to carry out part A are sufficient to maintain the number of projects and volunteers funded under part A in the preceding fiscal year.

''(e) INFORMATION.—The Director shall widely disseminate information on grants that may be made under this section, including through the Office of Outreach and Recruitment and other volunteer recruitment programs being carried out by public or private non-profit organizations.''.

SEC. 2105. TERMS AND PERIODS OF SERVICE.

Section 104(d) (42 U.S.C. 4954(d)) is amended—

(1) in the first sentence, by striking ''with the terms and conditions of their service.'' and inserting ''with the terms and conditions of their service or any adverse action, such as termination, proposed by the sponsoring organization. The procedure shall provide for an appeal to the Director of any proposed termination.''; and

(2) in the third sentence (as amended by this section), by striking ''and the terms and conditions of their service''.

SEC. 2106. SUPPORT SERVICE.

Section 105(a)(1)(B) (42 U.S.C. 4955(a)(1)(B)) is amended by striking ''Such stipend'' and all that follows through ''in the case of persons'' and inserting ''Such stipend shall be set at a minimum of $125 per month and a maximum of $150 per month, subject to the availability of funds to accomplish such a maximum. The Director may provide a stipend of $250 per month in the case of persons''.

SEC. 2107. SECTIONS REPEALED.

The following provisions are repealed:

(1) VISTA LITERACY CORPS.—Section 109 (42 U.S.C. 4959).

(2) UNIVERSITY YEAR FOR VISTA.—Part B of title I (42 U.S.C. 4971 et seq.).

(3) LITERACY CHALLENGE GRANTS.—Section 124 (42 U.S.C. 4995).

SEC. 2108. CONFORMING AMENDMENT.

Section 121 (42 U.S.C. 4991) is amended in the second sentence by striking ''situations'' and inserting ''organizations''.

SEC. 2109. FINANCIAL ASSISTANCE.

Section 123 (42 U.S.C. 4993) is amended—

(1) in the section heading by striking ''**TECHNICAL AND**''; and

(2) by striking ''technical and''.

Subtitle B—Amendments to Title II (National Senior Volunteer Corps)

SEC. 2201. CHANGE IN NAME.

Title II (42 U.S.C. 5000 et seq.) is amended in the title heading by striking ''**NATIONAL SENIOR VOLUNTEER CORPS**'' and inserting ''**NATIONAL SENIOR SERVICE CORPS**''.

SEC. 2202. PURPOSE.

Section 200 (42 U.S.C. 5000) is amended to read as follows:

''SEC. 200. STATEMENT OF PURPOSE.

''It is the purpose of this title to provide—

''(1) opportunities for senior service to meet unmet local, State, and national needs in the areas of education, public safety, emergency and disaster preparedness, relief, and recovery, health and human needs, and the environment;

''(2) for the National Senior Service Corps, comprised of the Retired and Senior Volunteer Program, the Foster Grandparent Program, and the Senior Companion Program, and demonstration and other programs to empower people 55 years of age or older to contribute to their communities through service, enhance the lives of those who serve and those whom they serve, and provide communities with valuable services;

''(3) opportunities for people 55 years of age or older, through the Retired and Senior Volunteer Program, to share their knowledge, experiences, abilities, and skills for the betterment of their communities and themselves;

''(4) opportunities for low-income people 55 years of age or older, through the Foster Grandparents Program, to have a positive impact on the lives of children in need;

''(5) opportunities for low-income people 55 years of age or older, through the Senior Companion Program, to provide critical support services and companionship to adults at risk of institutionalization and who are struggling to maintain a dignified independent life; and

''(6) for research, training, demonstration, and other program activities to increase and improve opportunities for people 55 years of age or older to meet unmet needs, including those related to public safety, public health, and emergency and disaster preparedness, relief, and recovery, in their communities.''.

SEC. 2203. GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS.

Section 201 (42 U.S.C. 5001) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''avail themselves of opportunities for volunteer service in their community'' and inserting ''share their experiences, abilities, and skills for the betterment of their communities and themselves through service'';

(B) in paragraph (2), by striking '', and individuals 60 years of age or older will be given priority for enrollment,'';

(C) in paragraph (3) by inserting ''either prior to or during the volunteer service'' after ''may be necessary''; and—

(D) by striking paragraph (4) and inserting the following:

''(4) the project is being designed and implemented with the advice of experts in the field of service to be delivered as well as with those who have expertise in the recruitment and management of volunteers, particularly those of the Baby Boom generation.'';

(2) by amending subsection (c) to read as follows:

''(c) The Director shall give priority to projects—

''(1) utilizing retired scientists, technicians, engineers, and mathematicians (the STEM professionals) to improve Science, Technology, Engineering, and Mathematics (STEM) education through activities such as assisting teachers in classroom demonstrations or laboratory experiences, running after-school, weekend, or summer programs designed to engage disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) or low-income, minority youth in the STEM fields and to improve mastery of the STEM content, providing field trips to businesses, institutions of higher education, museums, and other locations where the STEM professions are practiced or illuminated;

''(2) utilizing retired health care professionals to improve the health and wellness of low income or rural communities;

''(3) utilizing retired criminal justice professionals for programs designed to prevent disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) from joining gangs or committing crimes;

''(4) utilizing retired military and emergency professionals for programs to improve public safety, emergency and disaster preparedness, relief, and recovery, search and rescue, and homeland security efforts; and

''(5) utilizing retired computer science professionals, technicians of related technologies, business professionals, and others with relevant knowledge to increase, for low income individuals and families, access to and obtaining the benefits from computers and other existing and emerging technologies.''; and

(3) by adding at the end the following:

''(e) COMPETITIVE RE-EVALUATION.—

''(1) IN GENERAL.—Notwithstanding section 412, a grant or contract shall not, after fiscal year 2009, be awarded or renewed under this section unless—

''(A) the program for which the award or renewal is to be made is competitively re-evaluated in comparison to other programs; or

''(B) the program for which the award or renewal is to be made—

''(i) received an award or renewal in a fiscal year that was both—

''(I) within the preceding three fiscal years; and

''(II) after fiscal year 2009; and

''(ii) was competitively re-evaluated in connection with that award or renewal in that fiscal year.

''(2) REQUIREMENTS.—Each competitive re-evaluation required by paragraph (1) shall be carried out through a process that ensures that—

''(A) the resulting grants (or contracts) support no less than the volunteer service years of the previous grant (or contract) cycle in a given service area;

''(B) the resulting grants (or contracts) maintain a similar program distribution; and

''(C) every effort is made to minimalize the disruption of volunteers.

''(3) PRIORITY CONSIDERATION.—The competitive re-evaluation shall include some form of priority consideration for existing grantees in good standing.''.

SEC. 2204. FOSTER GRANDPARENT PROGRAM GRANTS.

Section 211 (42 U.S.C. 5011) is amended—

(1) in subsection (a), by striking ''low-income persons aged sixty or over'' and inserting ''low-income and other persons aged 55 or over'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''shall have the exclusive authority to determine, pursuant to the provisions of paragraph (2) of this subsection—'' and inserting ''may determine—'';

(ii) in subparagraph (A), by striking ''and'';

(iii) in subparagraph (B), by striking the period and inserting ''; and''; and

(iv) by adding after subparagraph (B) the following:

''(C) whether it is in the best interests of a child receiving, and of a particular foster grandparent providing, services in such a project, to continue such relationship after the child reaches the age of 21, if such child was receiving such services prior to attaining the age of 21.'';

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(3) in paragraph (2) (as redesignated by this section), by striking ''paragraphs (1) and (2)'' and inserting ''paragraph (1)'';

(4) by adding after paragraph (2) (as redesignated by this section) the following:

''(3) If an assignment of a foster grandparent is suspended or discontinued, the replacement of

that foster grandparent shall be determined through the mutual agreement of all parties involved in the provision of services to the child.'';

(5) in subsection (d), in the second sentence, by striking ''Any stipend'' and all that follows through ''inflation,'' and inserting ''Any stipend or allowance provided under this part shall not exceed 75 percent of the minimum wage under section 6 the Fair Labor Standards Act of 1938 (29 U.S.C. 206), and the Federal share shall not be less than $2.65 per hour, provided that the Director shall adjust the Federal share once prior to December 31, 2012, to account for inflation,'';

(6) in subsection (e)—

(A) in paragraph (1), by striking ''125'' and inserting ''200''; and

(B) in paragraph (2), by striking '', as so adjusted'' and all that follows through ''local situations'';

(7) by striking subsection (f) and inserting:

''(f)(1) Subject to the restrictions in paragraph (3), individuals who are not low-income persons may serve as volunteers under this part. The regulations issued by the Director to carry out this part (other than regulations relating to stipends or allowances to individuals authorized by subsection (d)) shall apply to all volunteers under this part, without regard to whether such volunteers are eligible to receive a stipend or allowance under subsection (d).

''(2) Except as provided under paragraph (1), each recipient of a grant or contract to carry out a project under this part shall give equal treatment to all volunteers who participate in such project, without regard to whether such volunteers are eligible to receive a stipend or allowance under subsection (d).

''(3) An individual who is not a low-income person may not become a volunteer under this part if allowing that individual to become a volunteer under this part would prevent a low-income person from becoming a volunteer under this part or would displace a low-income person from being a volunteer under this part.

''(4) The Office of Outreach and Recruitment shall conduct outreach to ensure the inclusion of low-income persons in programs and activities authorized under this title.''; and

(8) by adding at the end the following new subsections:

''(g) The Director may also provide a stipend or allowance in an amount not to exceed 10 percent more than the amount established under subsection (d) to leaders who, on the basis of past experience as volunteers, special skills, and demonstrated leadership abilities, may coordinate activities, including training, and otherwise support the service of volunteers under this part.

''(h) The program may accept up to 15 percent of volunteers serving in a project under this part for a fiscal year who do not meet the definition of 'low-income' under subsection (e), upon certification by the recipient of a grant or contract that it is unable to effectively recruit and place low-income volunteers in the number of placements approved for the project.''.

SEC. 2205. SENIOR COMPANION PROGRAM GRANTS.

Section 213 (42 U.S.C. 5013) is amended—

(1) in subsection (a), by striking ''low-income persons aged 60 or over'' and inserting ''low-income and other persons aged 55 or over'';

(2) in subsection (b), by striking ''Subsections (d), (e), and (f)'' and inserting ''Subsections (d) through (h)''; and

(3) by striking subsection (c)(2)(B) and inserting the following:

''(B) Senior companion volunteer trainers and leaders may receive a stipend or allowance consistent with subsection (g) authorized under subsection (d) of section 211, as approved by the Director.''.

SEC. 2206. PROMOTION OF NATIONAL SENIOR SERVICE CORPS.

Section 221 (42 U.S.C. 5021) is amended—

(1) in the section heading, by striking ''VOLUNTEER'' and inserting ''SERVICE''; and

(2) in subsection (b)(2), by inserting ''of all ages and backgrounds living in rural, suburban, and urban localities'' after ''greater participation of volunteers''.

SEC. 2207. TECHNICAL AMENDMENTS.

(a) CHANGE IN AGE ELIGIBILITY.—Section 223 (42 U.S.C. 5023) is amended by striking ''sixty years and older from minority groups'' and inserting ''55 years and older from minority and underserved populations''.

(b) NAME CHANGE.—Section 224 (42 U.S.C. 5024) is amended in the heading by striking ''VOLUNTEER'' and inserting ''SERVICE''.

SEC. 2208. PROGRAMS OF NATIONAL SIGNIFICANCE.

Section 225 (42 U.S.C. 5025) is amended—

(1) in subsection (a)—

(A) by amending paragraph (2) to read as follows:

''(2) Applicants for grants under paragraph (1) shall determine which program under part A, B, or C the program shall be carried out and submit an application as required for programs under part A, B, or C.''; and

(B) by adding at the end the following:

''(4) The Director shall ensure that at least 50 percent of the grants made under this section are from applicants currently not receiving assistance from the Corporation and when possible in locations where there are no current programs under part A, B, C in existence.'';

(2) in subsection (b)—

(A) in paragraph (1), by inserting before the period at the end the following: ''or Alzheimer's disease, with an intent of allowing those served to age in place'';

(B) in paragraph (2), by inserting before the period at the end the following: ''through education, prevention, treatment, and rehabilitation'';

(C) in paragraph (3), by inserting before the period at the end the following: '', including programs that teach parenting skills, life skills, family management skills, assists in obtaining affordable childcare, offers or assists in locating employment training or placement, and other skills and services needed by teenage parents and their families to establish a healthy environment for their children'';

(D) by amending paragraph (4) to read as follows:

''(4) Programs that establish and support mentoring programs for disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990), including those mentoring programs that match youth with volunteer mentors leading to apprenticeship programs and employment training.'';

(E) in paragraph (5), by inserting before the period at the end the following: '', including those programs that serve youth and adults with limited English proficiency'';

(F) in paragraph (6), by striking ''and'' and all that follows through the period and insert ''and for individuals and children with disabilities or chronic illnesses living at home.'';

(G) in paragraph (7), by striking ''after-school activities'' and all that follows through the period at the end and inserting ''after-school programs serving children in low-income communities that may engage participants in mentoring relationships, tutoring, life skills or study skills programs, service-learning, physical, nutrition, and health education programs, including programs aimed at fighting childhood obesity, and other activities addressing the needs of the community's children, including those of working parents.'';

(H) by striking paragraphs (8), (9), (12), (13), (14), (15), (16), and (18);

(I) by redesignating paragraphs (10) and (11) as paragraphs (8) and (9), respectively;

(J) by inserting after paragraph (9) (as so redesignated) the following:

''(10) Programs that engage older adults with children and youth to complete service in energy conservation, environmental stewardship, or other environmental needs of a community.

''(11) Programs that collaborate with criminal justice professionals and organizations in prevention programs aimed at disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) or youth re-entering society after incarceration and their families, which may include mentoring and counseling, which many include employment counseling.'';

(K) by redesignating paragraph (17) as paragraph (12); and

(L) by adding at the end the following:

''(13) Programs that strengthen community efforts in support of homeland security.'';

(3) in subsection (c)(1), by striking ''shall demonstrate to the Director'' and all that follows through the period at the end and inserting ''shall demonstrate to the Director a level of expertise in carrying out such a program.''; and

(4) in subsection (e)—

(A) by inserting ''widely'' before ''disseminate''; and

(B) by striking ''to field personnel'' and all that follows through the period at the end and inserting '', including through the Office of Outreach and Recruitment and other volunteer recruitment programs being carried out by public or private non-profit organizations.''.

SEC. 2209. ADDITIONAL PROVISIONS.

Part D of title II (42 U.S.C. 5000 et seq.) is amended by adding after section 227 the following:

''SEC. 228. CONTINUITY OF SERVICE.

''To ensure the continued service of individuals in communities served by the Retired and Senior Volunteer Program prior to enactment of this section, in making grants under this title the Corporation shall take actions it considers necessary to maintain service assignments for such seniors and to ensure continuity of service for communities.

''SEC. 229. ACCEPTANCE OF DONATIONS.

''(a) IN GENERAL.—Except as provided in subsection (b), a program receiving assistance under this title may accept donations, including donations in cash or in kind.

''(b) EXCEPTION.—Notwithstanding subsection (a), a program receiving assistance under this title shall not accept donations from the beneficiaries of the program.''.

SEC. 2210. AUTHORITY OF DIRECTOR.

Section 231 (42 U.S.C. 5028) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''activities;'' and inserting ''activities described in section 225(b) and carried out through programs described in parts A, B, and C; and''; and

(B) by striking paragraphs (2) and (3) and inserting the following:

''(2) programs that support older Americans in aging in place while augmenting the capacity of members of a community to serve each other through reciprocal service centers, service credit banking, community economic scripts, barter services, timebanking, and other similar programs.''; and

(2) by adding at the end the following:

''(c) PRIORITY.—For purposes of subsection (b), priority shall be given to—

''(1) programs with established experience in carrying out such a program and engaging the entire community in service exchange;

''(2) programs with the capacity to connect to similar programs throughout a city or region to augment the available services to older Americans and for members of the community to serve each other;

''(3) programs seeking to establish in an area where needs of older Americans are left unmet and older Americans are unable to consider aging in place without such service exchange in place; and

''(4) programs that integrate participants in or collaborate with service-learning programs, AmeriCorps State and National programs, the

VISTA program, the Retired and Senior Volunteer Program, Foster Grandparents program, and the Senior Companion programs, and programs described in section 411 of the Older Americans Act of 1965 (42 U.S.C. 3032).''.

Subtitle C—Amendments to Title IV (Administration and Coordination)

SEC. 2301. NONDISPLACEMENT.

Section 404(a) (42 U.S.C. 5044(a)) is amended by striking ''displacement of employed workers'' and inserting ''displacement of employed workers or volunteers (other than participants under the national service laws)''.

SEC. 2302. NOTICE AND HEARING PROCEDURES.

Section 412(a) (42 U.S.C. 5052(a)) is amended—

(1) in paragraph (2)—

(A) by striking ''75'' and inserting ''60''; and

(B) by adding ''and'' at the end;

(2) by striking paragraph (3); and

(3) by redesignating paragraph (4) as (3).

SEC. 2303. DEFINITIONS.

Section 421 (42 U.S.C. 5061) is amended—

(1) in paragraph (2), by inserting '', the Commonwealth of the Northern Mariana Islands,'' after ''American Samoa,'';

(2) in paragraph (13), by striking ''National Senior Volunteer Corps'' and inserting ''National Senior Service Corps''; and

(3) in paragraph (14)—

(A) by striking ''National Senior Volunteer Corps'' and inserting ''National Senior Service Corps''; and

(B) by striking ''parts A, B, C, and E of'';

SEC. 2304. PROTECTION AGAINST IMPROPER USE.

Section 425 (42 U.S.C. 5065) is amended by striking ''National Senior Volunteer Corps'' and inserting ''National Senior Service Corps''.

Subtitle D—Amendments to Title V (Authorization of Appropriations)

SEC. 2401. AUTHORIZATION OF APPROPRIATIONS FOR VISTA AND OTHER PURPOSES.

Section 501 (42 U.S.C. 5081) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking '', excluding section 109'' and all that follows and inserting ''$100,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.'';

(B) by striking paragraphs (2) and (4) and redesignating paragraphs (3) and (5) as paragraphs (2) and (3); and

(C) in paragraph (2) (as redesignated by this section), by striking '', excluding section 125'' and all that follows and inserting ''such sums as may be necessary for each of fiscal years 2008 through 2012.''; and

(2) by striking subsection (e).

SEC. 2402. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SENIOR SERVICE CORPS.

Section 502 (42 U.S.C. 5082) is amended to read as follows:

''SEC. 502. NATIONAL SENIOR SERVICE CORPS.

''(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appropriated to carry out part A of title II, $67,500,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

''(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II, $115,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

''(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, $52,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

''(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II, $500,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.''.

SEC. 2403. ADMINISTRATION AND COORDINATION.

Section 504 (42 U.S.C. 5084) is amended to read as follows:

''SEC. 504. ADMINISTRATION AND COORDINATION.

''There are authorized to be appropriated for the administration of this Act $35,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.''.

TITLE III—AMENDMENTS TO OTHER LAWS

SEC. 3101. INSPECTOR GENERAL ACT OF 1978.

Section 8F(a)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking ''National and Community Service Trust Act of 1993'' and inserting ''National and Community Service Act of 1990''.

TITLE IV—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

SEC. 4101. TABLE OF CONTENTS FOR THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990.

Section 1(b) of the National and Community Service Act of 1990 (42 U.S.C. 12501 note) is amended to read as follows:

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

''Sec. 1. Short title and table of contents.
''Sec. 2. Findings and purpose.
''Sec. 3. Sense of Congress.

''TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

''Subtitle A—General Provisions

''Sec. 101. Definitions.

''Subtitle B—School-Based and Community-Based Service-Learning Programs

''PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY STUDENTS

''Sec. 111. Assistance to States, Territories, and Indian tribes.
''Sec. 112. Allotments.
''Sec. 113. Applications.
''Sec. 114. Consideration of applications.
''Sec. 115. Participation of students and teachers from private schools.
''Sec. 116. Federal, State, and local contributions.
''Sec. 116A. Limitations on uses of funds.

''PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

''Sec. 117. Higher education innovative programs for community service.

''PART III—INNOVATIVE SERVICE-LEARNING PROGRAMS AND RESEARCH

''Sec. 118. Innovative demonstration service-learning programs and research.

''Subtitle C—National Service Trust Program

''PART I—INVESTMENT IN NATIONAL SERVICE

''Sec. 121. Authority to provide assistance and approved national service positions.
''Sec. 122. Types of national service programs eligible for program assistance.
''Sec. 123. Types of national service positions eligible for approval for national service educational awards.
''Sec. 124. Types of program assistance.
''Sec. 126. Other special assistance.

''PART II—APPLICATION AND APPROVAL PROCESS

''Sec. 129. Provision of assistance and approved national service positions.
''Sec. 129A. Education awards only research.
''Sec. 130. Application for assistance and approved national service positions.
''Sec. 131. National service program assistance requirements.
''Sec. 132. Ineligible service categories.
''Sec. 133. Consideration of applications.

''PART III—NATIONAL SERVICE PARTICIPANTS

''Sec. 137. Description of participants.
''Sec. 138. Selection of national service participants.
''Sec. 139. Terms of service.
''Sec. 140. Living allowances for national service participants.
''Sec. 141. National service educational awards.

''Subtitle D—National Service Trust and Provision of National Service Educational Awards

''Sec. 145. Establishment of the National Service Trust.
''Sec. 146. Individuals eligible to receive a national service educational award from the Trust.
''Sec. 147. Determination of the amount of the national service educational award.
''Sec. 148. Disbursement of national service educational awards.
''Sec. 149. Process of approval of national service positions.

''Subtitle E—National Civilian Community Corps

''Sec. 151. Purpose.
''Sec. 152. Establishment of National Civilian Community Corps Program.
''Sec. 153. National service program.
''Sec. 154. Summer national service program.
''Sec. 155. National Civilian Community Corps.
''Sec. 156. Training.
''Sec. 157. Service projects.
''Sec. 158. Authorized benefits for Corps members.
''Sec. 159. Administrative provisions.
''Sec. 160. Status of Corps members and Corps personnel under Federal law.
''Sec. 161. Contract and grant authority.
''Sec. 162. Responsibilities of other departments.
''Sec. 163. Advisory board.
''Sec. 164. Annual evaluation.
''Sec. 166. Definitions.

''Subtitle F—Administrative Provisions

''Sec. 171. Family and medical leave.
''Sec. 172. Reports.
''Sec. 173. Supplementation.
''Sec. 174. Prohibition on use of funds.
''Sec. 175. Nondiscrimination.
''Sec. 176. Notice, hearing, and grievance procedures.
''Sec. 177. Nonduplication and nondisplacement.
''Sec. 178. State Commissions on National and Community Service.
''Sec. 179. Evaluation.
''Sec. 180. Engagement of participants.
''Sec. 181. Contingent extension.
''Sec. 182. Partnerships with schools.
''Sec. 183. Rights of access, examination, and copying.
''Sec. 184. Drug-free workplace requirements.
''Sec. 185. Consolidated application and reporting requirements.
''Sec. 186. Sustainability.
''Sec. 187. Use of recovered funds.
''Sec. 188. Expenses of attending meetings.
''Sec. 189. Grant periods.
''Sec. 189A. Generation of volunteers.
''Sec. 189B. Limitation on program grant costs.
''Sec. 189C. Audits and reports.

''Subtitle G—Corporation for National and Community Service

''Sec. 191. Corporation for National and Community Service.
''Sec. 192. Board of Directors.
''Sec. 192A. Authorities and duties of the Board of Directors.
''Sec. 193. Chief Executive Officer.
''Sec. 193A. Authorities and duties of the Chief Executive Officer.
''Sec. 194. Officers.
''Sec. 195. Employees, consultants, and other personnel.
''Sec. 196. Administration.
''Sec. 196A. Corporation State offices.
''Sec. 196B. Office of Outreach and Recruitment.

''Subtitle H—Investment for Quality and Innovation

''PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE

''Sec. 198. Additional corporation activities to support national service.
''Sec. 198B. Presidential awards for service.

''PART II—INNOVATIVE AND MODEL PROGRAM SUPPORT
''Sec. 198D. Innovative and model program support.
''PART III—NATIONAL SERVICE PROGRAMS CLEARINGHOUSE
''Sec. 198E. National service programs clearinghouse.
''Subtitle I—American Conservation and Youth Corps
''Sec. 199. Short title.
''Sec. 199A. General authority.
''Sec. 199B. Limitation on purchase of capital equipment.
''Sec. 199C. State application.
''Sec. 199D. Focus of programs.
''Sec. 199E. Related programs.
''Sec. 199F. Public lands or Indian lands.
''Sec. 199G. Training and education services.
''Sec. 199H. Preference for certain projects.
''Sec. 199I. Age and citizenship criteria for enrollment.
''Sec. 199J. Use of volunteers.
''Sec. 199K. Living allowance.
''Sec. 199L. Joint programs.
''Sec. 199M. Federal and State employee status.
''Subtitle J—Training and Technical Assistance
''Sec. 199N. Training and technical assistance.
''TITLE II—MODIFICATIONS OF EXISTING PROGRAMS
''Subtitle A—Publication
''Sec. 201. Information for students.
''Sec. 202. Exit counseling for borrowers.
''Sec. 203. Department information on deferments and cancellations.
''Sec. 204. Data on deferments and cancellations.
''Subtitle B—Youthbuild Projects
''Sec. 211. Youthbuild projects.
''Subtitle C—Amendments to Student Literacy Corps
''Sec. 221. Amendments to Student Literacy Corps.
''TITLE IV—PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS
''Sec. 401. Projects.
''TITLE V—AUTHORIZATION OF APPROPRIATIONS
''Sec. 501. Authorization of appropriations.
''TITLE VI—MISCELLANEOUS PROVISIONS
''Sec. 601. Amtrak waste disposal.
''Sec. 602. Exchange program with countries in transition from totalitarianism to Democracy.''.

SEC. 4102. TABLE OF CONTENTS FOR THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973.

Section 1(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 note) is amended to read as follows:

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

''Sec. 1. Short title; table of contents.
''Sec. 2. Volunteerism policy.
''TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS
''PART A—VOLUNTEERS IN SERVICE TO AMERICA
''Sec. 101. Statement of purpose.
''Sec. 102. Authority to operate VISTA program.
''Sec. 103. Selection and assignment of volunteers.
''Sec. 103A. VISTA programs of national significance.
''Sec. 104. Terms and periods of service.
''Sec. 105. Support service.
''Sec. 106. Participation of beneficiaries.
''Sec. 107. Participation of younger and older persons.
''Sec. 108. Limitation.
''Sec. 110. Applications for assistance.
''PART C—SPECIAL VOLUNTEER PROGRAMS
''Sec. 121. Statement of purpose.
''Sec. 122. Authority to establish and operate special volunteer and demonstration programs.
''Sec. 123. Financial assistance.
''TITLE II—NATIONAL SENIOR SERVICE CORPS
''Sec. 200. Statement of purpose.
''PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM
''Sec. 201. Grants and contracts for volunteer service projects.
''PART B—FOSTER GRANDPARENT PROGRAM
''Sec. 211. Grants and contracts for volunteer service projects.
''PART C—SENIOR COMPANION PROGRAM
''Sec. 213. Grants and contracts for volunteer service projects.
''PART D—GENERAL PROVISIONS
''Sec. 221. Promotion of National Senior Service Corps.
''Sec. 222. Payments.
''Sec. 223. Minority group participation.
''Sec. 224. Use of locally generated contributions in National Senior Service Corps.
''Sec. 225. Programs of national significance.
''Sec. 226. Adjustments to Federal financial assistance.
''Sec. 227. Multiyear grants or contracts.
''Sec. 228. Continuity of service.
''Sec. 229. Acceptance of donations.
''PART E—DEMONSTRATION PROGRAMS
''Sec. 231. Authority of Director.
''TITLE IV—ADMINISTRATION AND COORDINATION
''Sec. 403. Political activities.
''Sec. 404. Special limitations.
''Sec. 406. Labor standards.
''Sec. 408. Joint funding.
''Sec. 409. Prohibition of Federal control.
''Sec. 410. Coordination with other programs.
''Sec. 411. Prohibition.
''Sec. 414. Distribution of benefits between rural and urban areas.
''Sec. 415. Application of Federal law.
''Sec. 416. Evaluation.
''Sec. 417. Nondiscrimination provisions.
''Sec. 418. Eligibility for other benefits.
''Sec. 419. Legal expenses.
''Sec. 421. Definitions.
''Sec. 422. Audit.
''Sec. 423. Reduction of paperwork.
''Sec. 424. Review of project renewals.
''Sec. 425. Protection against improper use.
''Sec. 426. Center for Research and Training.
''TITLE V—AUTHORIZATION OF APPROPRIATIONS
''Sec. 501. National volunteer antipoverty programs.
''Sec. 502. National Senior Service Corps.
''Sec. 504. Administration and coordination.
''Sec. 505. Availability of appropriations.
''TITLE VI—AMENDMENTS TO OTHER LAWS AND REPEALERS
''Sec. 601. Supersedence of Reorganization Plan No. 1 of July 1, 1971.
''Sec. 602. Creditable service for civil service retirement.
''Sec. 603. Repeal of title VIII of the Economic Opportunity Act.
''Sec. 604. Repeal of title VI of the Older Americans Act.''.

TITLE V—EFFECTIVE DATE

SEC. 5101. EFFECTIVE DATE.

Unless specifically provided otherwise, the amendments made by this Act shall take effect on the date of the enactment of this Act.

SEC. 5102. SERVICE ASSIGNMENTS AND AGREEMENTS.

(a) SERVICE ASSIGNMENTS.—Changes pursuant to this Act in the terms and conditions of terms of service and other service assignments under the national service laws (including the amount of the education award) shall apply only to individuals who enroll or otherwise begin service assignments after 90 days after the date of enactment of this Act, except when agreed upon by all interested parties.

(b) AGREEMENTS.—Changes pursuant to this Act in the terms and conditions of grants, contracts, or other agreements under the national service laws shall apply only to such agreements entered into after 90 days after the date of enactment of this Act, except when agreed upon by the parties to such agreements.

The Acting CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110–539. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MRS. MCCARTHY OF NEW YORK

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110–539.

Mrs. MCCARTHY of New York. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mrs. MCCARTHY of New York:

Page 8, line 14, strike ''111(a)(5)'' and insert ''118(c)(8)''.

Page 11, line 7, strike ''and''.

Page 11, after line 7, insert the following:

(10) in paragraph (28)(B) (as so redesignated)—

(A) by striking ''602'' and inserting ''602(3)''; and

(B) by striking ''1401'' and inserting ''1401(3)''; and

Page 11, line 8, redesignate (10) as (11).

Page 15, line 20, add ''and'' at the end.

Page 16, line 11, strike ''; and'' and insert a period.

Page 16, strike line 12 and all that follows through page 18, line 21.

Page 22, after line 22, insert the following:

''(d) MINIMUM AMOUNT.—For any fiscal year for which amounts appropriated for this part exceed $43,000,000, the minimum allotment to each State (as defined in section 101) under this section shall be $65,000.''.

Page 22, line 25, through page 23, line 1, strike ''or an allotment of approved summer of service positions under section 111(a)(5)(D)''.

Page 23, after line 14, insert the following:

''(2) information about the criteria the State educational agency, Territory, or Indian tribe will use to evaluate and grant approval to applications submitted under subsection (c), including an assurance that the State educational agency, Territory, or Indian tribe will comply with the requirement in section 114(a);''.

Page 23, line 15, redesignate (2) as (3).

Page 24, line 11, redesignate (3) as (4).

Page 25, line 15, add ''and'' at the end.

Page 25, line 17, strike ''111(a)(5)'' and insert ''118(c)(8)''.

Page 26, strike lines 5 through 11.

Page 26, on each of lines 20, 22, and 23, strike ''State'' and insert ''State, Territory, or Indian tribe''.

Page 27, line 1, strike ''State'' and insert ''State, Territory, or Indian tribe''.

Page 28, strike lines 12 through 15 and insert the following:

''(1) IN GENERAL.—The Federal share of the cost of carrying out a program for which assistance is provided under this part—

''(A) for new grants, may not exceed 80 percent of the total cost for the first year of the grant, 65 percent for the second year, and 50 percent for each remaining year; and

''(B) for continuing grants, may not exceed 50 percent of the total cost of the program.''.

Page 31, line 19, strike ''and'' the first place such term appears.

Page 31, line 20, insert before the period at the end the following: '', and community colleges serving predominantly minority populations''.

Page 31, line 24, through page 32, line 1, strike ''a grant is made'' and insert ''assistance is provided''.

Page 36, lines 18 through 19, strike ''a public or private nonprofit organization,'' and insert ''or a public or private nonprofit organization (including grant-making entities), a public or private elementary or secondary school, a local educational agency,''.

Page 37, line 2, insert a comma after ''post-secondary''.

Page 37, lines 16 through 17, strike ''senior centers and communities, schools, libraries, and other'' and insert ''in senior centers and communities, in schools, in libraries, and in other''.

Page 38, line 6, strike ''and''.

Page 38, after line 6, insert the following:

''(8) establish or implement summer of service programs during the summer months, including the cost of recruitment, training, and placement of service-learning coordinators—

''(A) for youth who will be enrolled in any grade from grade 6 through grade 12 at the end of the summer concerned;

''(B) for community-based service-learning projects that—

''(i) shall—

''(I) meet unmet human, educational, environmental (including energy conservation and stewardship), emergency and disaster preparedness, and public service needs; and

''(II) be intensive, structured, supervised, and designed to produce identifiable improvements to the community; and

''(ii) may include the extension of academic year service-learning programs into the summer months;

''(C) under which any student who completes 100 hours of service in an approved summer of service position, as certified through a process determined by the Corporation through regulations consistent with section 138(f), shall be eligible for a summer of service educational award of not more than $500 (or, at the discretion of the Chief Executive Officer, not more than $1,000 in the case of a participant who is economically disadvantaged) from funds deposited in the National Service Trust and distributed by the Corporation as described in section 148; and

''(D) subject to the limitation that a student may not receive more than 2 summer of service educational awards from funds deposited in the National Service Trust; and''.

Page 38, line 7, redesignate (8) as (9).

Page 40, lines 12 through 13, strike ''50 percent of the total cost of the program'' and insert ''75 percent of the total cost of the program in the first year of the grant and 50 percent of the total cost of the program in the remaining years of the grant, including if the grant is extended for a fourth year''.

Page 42, strike lines 24 through 25 and insert the following:

(ii) by striking ''Federal share of the cost'' and inserting ''Corporation share of the cost, including member living allowances, employment-related taxes, health care coverage, and worker's compensation and other necessary operation costs,'';

Page 43, strike lines 1 through 4.

Page 43, lines 5 and 8, redesignate (iv) and (v) as (iii) and (iv), respectively.

Page 45, line 11, strike ''to the Congress'' and insert ''to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate''.

Page 49, line 6, insert after ''services'' the following: '', provision of supportive services to direct mentoring service organizations (in the case of a partnership), or''.

Page 53, strike lines 13 through 16 and insert the following:

''(2) MATCHING REQUIREMENT.—In making grants to a State under this subsection, the Corporation shall require the State to provide matching funds of $1 from non-Federal sources for every $1 provided by the Corporation.

''(3) ALTERNATIVE.—Notwithstanding paragraph (2), the Chief Executive Officer may permit a State that demonstrates hardship or a new State Commission to use an alternative match as follows:''.

Page 57, line 14, before the period at the end insert '', or 0.5 percent of the amount allocated for the State formula under this section, whichever is greater''.

Page 62, after line 11, insert the following:

''SEC. 129B. PILOT AUTHORITY FOR MEMBER-SELECTED NATIONAL SERVICE POSITIONS.

''(a) AUTHORITY.—

''(1) IN GENERAL.—From the amounts appropriated for a fiscal year under this subtitle and consistent with the restriction in subsection (b), the Corporation may provide fixed amount grants on a competitive basis to up to 10 State Commissions to support member-selected approved national service positions.

''(2) LIMITATION.—The Corporation shall award grants under paragraph (1) to support not more than 500 approved national service positions among the participating States.

''(b) LIMITS ON CORPORATION GRANT FUNDS.—

''(1) IN GENERAL.—Grants awarded under subsection (a)(1) shall not exceed $600 per individual enrolled in an approved national service position under this section.

''(2) USE OF GRANT FUNDS.—Grants received by State Commissions under subsection (a)(1)—

''(A) shall not be distributed to organizations receiving participants with approved national service positions under this section; and

''(B) may—

''(i) be used for oversight activities and mechanisms for the service sites as determined by the State Commission or the Corporation, which may include site visits;

''(ii) be used for activities to augment the experience of AmeriCorps participants in approved national service positions under this section, including activities to engage such participants in networking opportunities with other AmeriCorps participants; and

''(iii) be used for recruitment or training activities for participants in approved national service positions under this section.

''(c) STATE COMMISSION APPLICATION.—

''(1) IN GENERAL.—A State Commission desiring to receive a grant under subsection (a)(1) shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation shall determine appropriate.

''(2) APPROVAL.—The Corporation shall approve each application under paragraph (1) in accordance with section 130(d).

''(d) SELECTION OF PARTICIPANTS.—

''(1) APPLICANTS.—Participants desiring to receive an approved national service position under this section shall submit an application to the State Commission at such time and in such manner as the State Commission determines appropriate. The application shall contain—

''(A) a position description that includes—

''(i) the unmet human, educational, public safety, or environmental need or needs that will be met by the participant; and

''(ii) a description of the activities and responsibilities that will be carried out by the participant;

''(B) a description of the organization operating the service site where the applicant intends to complete the service described in subparagraph (A);

''(C) a description of the support that will be provided by the organization to the participant to complete the activities described in subparagraph (A);

''(D) the evidence of community support for the activities described in subparagraph (A);

''(E) a certification from the organization operating the service site that the organization is accepting the participant to perform the service outlined in subparagraph (A);

''(F) a certification from the organization operating the service site that the organization satisfies qualification criteria established by the Corporation or the State Commission, including standards relating to organizational capacity, financial management, and programmatic oversight; and

''(G) any other information that the Corporation and the State Commission deems necessary.

''(2) RESIDENCY.—A participant may apply for approved national service positions under this section in States other than the State in which the participant resides.

''(e) ORGANIZATION REQUIREMENTS.—The Corporation and the State Commissions shall ensure that the organizations receiving participants with approved national service positions under this section—

''(1) maintain not more than 5 full-time staff and not more than 5 part-time staff; and

''(2) are not duplicating service provided by an existing AmeriCorps grantee in the same community; and

''(3) are located in a community where no Intermediary AmeriCorps grants recipient is operating; and

''(4) have not applied to receive assistance under this subtitle.

''(f) FAILURE TO COMPLY.—If an organization receiving a participant with an approved national service position under this section fails to comply with terms and conditions established by the State Commission and the Corporation—

''(1) the organization shall not be eligible to receive such a participant, or receive an AmeriCorps grant under section 121, for not less than 5 years; and

''(2) the State Commission shall have the right to remove such a participant from the organization and relocate that individual to another site.

''(g) RECEIPT OF FINANCIAL ASSISTANCE.—An organization that receives participants with approved national service positions under this section shall not be considered a recipient of Federal financial assistance based on receiving such participants.

''(h) DEFINITION.—For the purpose of this section, the term 'Intermediary AmeriCorps grants recipient' means any organization that serves as a conduit between the Corporation and other unaffiliated organizations operating service sites.

Page 72, line 11, strike ''111(a)(5)'' and insert ''118(c)(8)''.

Page 72, strike line 15 and all that follows through page 73, line 3 and insert the following:

SEC. 1403. DETERMINATION OF THE AMOUNT OF NATIONAL SERVICE EDUCATIONAL AWARDS.

Section 147 (42 U.S.C. 12603) is amended—

(1) in subsection (a)—

(A) by striking ''a value, for each of not more than 2 of such terms of service, equal to 90 percent of—'' and inserting ''a value of—'' ; and

(B) by striking paragraphs (1) and (2) and inserting the following:

''(1) $4,825, for fiscal year 2008;

''(2) $4,925, for fiscal year 2009;

''(3) $5,025, for fiscal year 2010;

''(4) $5,125, for fiscal year 2011; and

''(5) $5,225, for fiscal year 2012 and each fiscal year thereafter.''; and

(2) in subsection (b), by inserting after ''for each of not more than 2 of such terms of service'' the following: ''in the period of one year''.

Page 73, line 20, strike ''111(a)(5)(D)'' and insert ''118(c)(8)(C)''.

Page 74, line 4, strike ''111(a)(5)'' and insert ''118(c)(8)''.

Page 75, line 16, strike ''111(a)(5)'' and insert ''118(c)(8)''.

Page 76, line 2, strike ''111(a)(5)'' and insert ''118(c)(8)''.

Page 77, line 2, strike ''111(a)(5)'' and insert ''118(c)(8)''.

Page 78, line 16, strike ''111(a)(5)'' and insert ''118(c)(8)''.

Page 80, line 2, strike ''111(a)(5)'' and insert ''118(c)(8)''.

Page 82, line 5, strike ''to Congress'' and insert ''to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate''.

Page 83, line 8, strike ''111(a)(5)'' and insert ''118(c)(8)''.

Page 87, line 17, strike ''The Director'' and all that follows through ''goal.'' on line 24 and insert ''The Director shall take appropriate steps, including through collaboration with the Office of Outreach and Recruitment, to increase the percentage of participants in the program who are disadvantaged youth toward 50 percent of all participants by year 2010. The Director shall report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate annually on such efforts, any challenges faced, and the annual participation rates of disadvantaged youth in the program.''.

Page 88, lines 6 through 7, strike ''Demonstration''.

Page 88, lines 24 through 25, strike ''Demonstration''.

Page 92, line 1, strike ''striking by''.

Page 93, strike lines 17 through 22 and insert the following:

(3) by amending subsection (c)(2) to read as follows:

''(2) COORDINATION WITH OTHER ENTITIES.—Members of the cadre may provide, either directly or through grants, contracts, or cooperative agreements, the advanced service training referred to in subsection (b)(1) in coordination with vocational or technical schools, other employment and training providers, existing youth service programs, other qualified individuals, or organizations with expertise in training youth, including disadvantaged youth, in the skill areas described in such subsection.''.

Page 94, line 8, after ''conservation'' insert a comma.

Page 97, strike lines 19 through 21 and insert the following:

(iii) in subparagraph (C)—

(I) in the matter preceding clause (i), by striking ''the Director'' and inserting ''the Chief Executive Officer'';

(II) in clause (iii) by striking ''and'' at the end;

(III) by redesignating clause (iv) as (v); and

(IV) by inserting after clause (iii) the following:

''(iv) give consideration to retired and other former law enforcement, fire, rescue, and emergency personnel, and other individuals with backgrounds in disaster preparedness, relief, and recovery; and''; and

Page 98, line 22, add ''and'' at the end.

Page 103, strike lines 24 through 25.

Page 104, lines 1 and 4, redesignate (2) and (3) as (1) and (2), respectively.

Page 107, line 24, strike ''(g) through (k)'' and insert ''(h) through (l)''.

Page 108, after line 10, insert the following:

''(g) STATE PLAN FOR BABY BOOMER AND OLDER ADULT VOLUNTEER AND PAID SERVICE.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, to be eligible to receive a grant or allotment under subtitle B or C or to receive a distribution of approved national service positions under subtitle C, a State must work with appropriate State agencies and private entities to develop a comprehensive State plan for volunteer and paid service by members of the Baby Boom generation and older adults.

''(2) MATTERS INCLUDED.—The State plan shall include—

''(A) recommendations for public policy initiatives, including how to best tap the population of members of the Baby Boom generation and older adults as sources of social capital and as ways to address community needs;

''(B) recommendations to the State unit on aging on—

''(i) a marketing outreach plan to businesses;

''(ii) outreach to non-profit organizations;

''(iii) the State's Department of Education; and

''(iv) other State agencies; and

''(C) recommendations for civic engagement and multigenerational activities, such as—

''(i) early childhood education, family literacy, and after school programs;

''(ii) respite services for older adults and caregivers; and

''(iii) transitions for members of the Baby Boom generation and older adults to purposeful work in their post career lives.

''(3) KNOWLEDGE INCORPORATED.—The State plan shall incorporate the current knowledge base regarding—

''(A) the economic impact of older workers' roles in the economy;

''(B) the social impact of older workers' roles in the community; and

''(C) the health and social benefits of active engagement for members of the Baby Boom generation and older adults.

''(4) PUBLICATION.—The State plan must be made public and be transmitted to the Chief Executive Officer.''; and

Page 108, line 11, strike ''(j)(1)'' and insert ''(k)(1)''.

Page 108, line 13, strike ''; and'' and insert a period.

Page 108, strike line 14 and all that follows through page 110, line 13.

Page 110, line 23, strike ''various''.

Page 111, line 5, strike ''grantees'' and insert ''each grantee''.

Page 112, line 12, strike ''to which'' and insert ''with which''.

Page 112, line 13, insert a comma after ''services''.

Page 112, line 14, strike ''of the program and its impact, for such programs'' and insert ''and the impact of such programs''.

Page 113, line 6, insert ''under this section'' before the period at the end.

Page 114, line 25, strike ''Congress'' and insert ''the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate''.

Page 115, line 20, strike ''Congress and the committees of jurisdiction'' and insert ''the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate''.

Page 117, line 5, strike ''Congress'' and insert ''the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate''.

Page 118, line 1, strike ''to work to''.

Page 118, line 2, insert '', taking into consideration challenges that programs in underserved rural or urban areas may face'' before the semicolon.

Page 118, line 3, strike ''assist'' and insert ''aid''.

Page 118, line 5, after ''acquiring'' insert ''and leveraging''.

Page 118, lines 5 through 7, strike ''that could replace assistance received under the national service laws''.

Page 122, line 25, strike ''to Congress'' and insert ''to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate''.

Page 124, line 11, strike ''to Congress'' and insert ''to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate''.

Page 126, line 22, strike the period at the end and insert ''; and''.

Page 126, after line 22, insert the following:

(3) by amending subsection (g) to read as follows:

''(g) RECRUITMENT AND PUBLIC AWARENESS FUNCTIONS.—The Chief Executive Officer shall assign or hire, as necessary, such additional national, regional, and State personnel to carry out such recruiting and public awareness functions of the Office of Outreach and Recruitment to ensure that such functions are carried out in a timely and effective manner. The Chief Executive Officer shall give priority in the hiring of such additional personnel to individuals who have formerly served as volunteers in the programs carried out under the national service laws or similar programs, and to individuals who have specialized experience in the recruitment of volunteers.''.

Page 129, line 25, after ''local education agencies,'' insert ''institutions of higher education,''.

Page 130, after line 7, insert the following:

''(3) to collaborate with organizations with demonstrated expertise in supporting and accommodating individuals with disabilities, including institutions of higher education, to identify and implement methods of recruitment to increase the number of participants with disabilities in the programs receiving assistance under the national service laws;''.

Page 130, lines 8, 12, 16, 20, and 24, redesignate (3) through (7) as (4) through (8), respectively.

Page 131, lines 4, 7, and 9, redesignate (8) through (10) as (9) through (11), respectively.

Page 132, strike line 9 and all that follows through page 133, line 19, and insert the following:

SEC. 1707. STUDY TO EXAMINE AND INCREASE SERVICE PROGRAMS FOR VETERANS AND VETERANS PARTICIPATION IN PROGRAMS UNDER THE NATIONAL SERVICE LAWS AND TO DEVELOP PILOT PROGRAM.

Subtitle G of title I is further amended by adding at the end the following:

"SEC. 196C. STUDY TO EXAMINE AND INCREASE SERVICE PROGRAMS FOR VETERANS AND VETERANS PARTICIPATION IN PROGRAMS UNDER THE NATIONAL SERVICE LAWS AND TO DEVELOP PILOT PROGRAM.

''(a) PLANNING STUDY.—The Corporation for National and Community Service shall conduct a study to identify—

''(1) specific areas of need for veterans;

''(2) how existing programs and activities carried out under the national service laws could better serve veterans and veterans service organizations;

''(3) gaps in service to veterans;

''(4) prospects for better coordination of services;

''(5) prospects for better utilization of veterans as resources and volunteers; and

''(6) methods for ensuring the efficient financial organization of services directed towards veterans.

''(b) CONSULTATION.—The study shall be carried out in consultation with veterans' service organizations, the Department of Veterans Affairs, State veterans agencies, the Department of Defense, and other individuals and entities the Corporation considers appropriate.

''(c) REPORT.—Not later than 1 year after the date of the enactment of this section, the Corporation shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the results of the planning study required by subsection (a), together with a plan for implementation of a pilot program using promising strategies and approaches for better targeting and serving veterans.

''(d) PILOT PROGRAM.—From amounts made available to carry out this section, the Corporation shall develop and carry out a pilot program based on the findings in the report submitted under subsection (c).

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2008 through 2012.''.

Page 134, line 23, strike ''subsections (p) and (q);'' and insert ''subsection (p); and''.

Page 134, strike line 24 and all that follows through page 135, line 2, and insert the following:

(10) by redesignating subsections (q), (r), and (s) as (g), (h), and (i), respectively.

Page 138, after line 6, insert the following:

''(5) SILVER SCHOLARSHIP PROGRAMS.—A Silver Scholarship program for citizens age 55 and older to complete no less than 600 hours of service in a year meeting unmet human, educational, public safety, or environmental needs and receive a $1000 education award, provided that—

''(A) the Corporation establishes criteria for the types of the service required to be performed to receive such award; and

''(B) the citizen uses such award in accordance with sections 146(c), 146(d), and 148(c).''.

Page 138, lines 7 and 21, redesignate (5) and (6) as (6) and (7), respectively.

Page 139, line 3, redesignate (7) as (8).

Page 139, after line 13, insert the following:

''(2) MATCHING FUNDS.—

''(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant is made under this part may not exceed 76 percent of the total cost of the program in the first year and may not exceed 50 percent of the total cost of the program for the remaining years of the grant, including if the grant is extended for 1 year.

''(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

''(i) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

''(ii) may provide for such share through State sources or local sources, including private funds or donated services.''.

Page 139, line 14, redesignate (2) as (3).

Page 139, line 14, strike ''ENCOURAGEMENT'' and insert ''COLLABORATION ENCOURAGED''.

Page 139, line 18, redesignate (3) as (4).

Page 139, line 23, after ''strategies'' insert a comma.

Page 140, strike line 19 and all that follows through page 141, line 9.

Page 141, lines 13 through 14, strike ''the Corporation requires, and in such manner as''.

Page 147, line 5, strike the semicolon and insert the following: ''. Such activities may utilize funding from the reservation of funds to increase the participation of individuals with disabilities as described in section 129(k);''.

Page 147, line 12, insert before the semicolon the following: '', including providing such training and technical assistance to programs receiving assistance under section 201 of the Domestic Volunteer Service Act of 1973''.

Page 148, line 24, strike ''2008,'' and all that follows through the semicolon on page 149, line 4, and insert ''2008;''.

Page 149, line 10, strike ''63.75'' and insert ''60''.

Page 149, line 16, strike ''11.25'' and insert ''15''.

Page 149, after line 18, insert the following:

''(C) SUMMER OF SERVICE.—Of the amount appropriated under subparagraph (A) for a fiscal year, up to $10,000,000 shall be for summer of service grants and up to $10,000,000 shall be deposited in the National Service Trust to support summer of service educational awards, consistent with section 118(c)(8).''.

Page 151, after line 3, insert the following:

''(D) PRIORITY.—Notwithstanding any other provision of this Act, in obligating the amounts made available pursuant to the authorization of appropriations in subparagraph (C), priority shall be given to programs carried out in areas for which the President has declared the existence of a major disaster, in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), as a consequence of Hurricanes Katrina and Rita.''.

Page 156, line 17, strike ''recruitment and''.

Page 156, after line 19, insert the following:

(i) in subparagraph (A)—

(I) strike ''related to the recruitment and'' and insert ''related to the'';

(II) strike ''in conjunction with the recruitment and'' and insert ''in conjunction with the''; and

(III) strike ''1993. Upon'' and all that follows through the period at the end and insert ''1993.'';

Page 156, lines 20 and 24, redesignate (i) and (ii) as (ii) and (iii), respectively.

Page 160, after line 17, insert the following:

''(1) In the re-entry and re-integration of formerly incarcerated youth and adults into society, including life skills training, employment training, counseling, educational training, and educational counseling.''.

Page 160, lines 18 and 23, redesignate (1) and (2) as (2) and (3), respectively.

Page 161, lines 7, 12, and 18, redesignate (3), (4), and (5) as (4), (5), and (6), respectively.

Page 169, strike line 5 and all that follows through page 170, line 11, and insert the following:

''(e) COMPETITIVE GRANT AWARDS REQUIRED.—

''(1) IN GENERAL.—Effective for fiscal year 2013 and each fiscal year thereafter, each grant or contract awarded under this section in such a year shall be—

''(A) awarded for a period of 3 years; and

''(B) awarded through a competitive process.

''(2) ELEMENTS OF COMPETITIVE PROCESS.—The competitive process required by paragraph (1)(B)—

''(A) shall include the use of a peer review panel, including members with expertise in senior service and aging;

''(B) shall ensure that—

''(i) the resulting grants (or contracts) support no less than the volunteer service years of the previous grant (or contract) cycle in a given geographic service area;

''(ii) the resulting grants (or contracts) maintain a similar program distribution; and

''(iii) every effort is made to minimize the disruption to volunteers; and

''(C) shall include the performance measures, outcomes, and other criteria established under subsection (f).

''(3) ESTABLISHMENT OF COMPETITIVE PROCESS.—The Corporation shall establish and make available the competitive process required by paragraph (1)(B) no later than 18 months after the date of the enactment of this subsection. The Corporation shall consult with the program directors of the Retired Senior Volunteer Program during development and implementation of the competitive process.

''(f) EVALUATION PROCESS REQUIRED.—

''(1) IN GENERAL.—Notwithstanding section 412, and effective beginning 180 days after the date of the enactment of this subsection, each grant or contract under this section that expires in fiscal year 2010, 2011, and 2012 shall be subject to an evaluation process. The evaluation process shall be carried out, to the maximum extent practicable, in fiscal year 2009, 2010, and 2011, respectively.

''(2) ELEMENTS OF EVALUATION PROCESS.—The evaluation process required by paragraph (1)—

''(A) shall include performance measures, outcomes, and other criteria; and

''(B) shall evaluate the extent to which the recipient of the grant or contract meets or exceeds such performance measures, outcomes, and other criteria.

''(3) ESTABLISHMENT OF EVALUATION PROCESS.—The Corporation shall, in collaboration and consultation with program directors of the Retired Senior Volunteer Program, establish and make available the evaluation process required by paragraph (1), including the performance measures, outcomes, and other criteria required by paragraph (2)(A), with particular attention to the different needs of rural and urban programs. The processes shall be established and made available, including notification of the available training and technical assistance, no later than 180 days after the date of the enactment of this subsection.

''(4) EFFECT OF FAILING TO MEET PERFORMANCE MEASURES.—If the evaluation process determines that the recipient has failed to meet or exceed the performance measures, outcomes, and other criteria established under this subsection, the grant or contract shall not be renewed. Any successor grant or contract shall be awarded through the competitive process described in subsection (e)(1).

''(5) SPECIAL RULE.—The Corporation may continue to fund a program which has failed to meet or exceed the performance measures, outcomes, and other criteria established under this subsection for up to 12 months if competition does not result in a successor grant or contract for such program, in order to minimize the disruption to volunteers and

disruption of services. In such a case, outreach shall be conducted and a new competition shall be established. The previous recipient shall remain eligible for the new competition.

''(6) PERFORMANCE MEASURES.—

''(A) IN GENERAL.—The performance measures, outcomes, and other criteria established under this subsection may be updated or modified as necessary, in consultation with program directors for the Retired Senior Volunteer Program, but no earlier than fiscal year 2013.

''(B) OPERATIONAL PROBLEMS.—Effective for fiscal years before fiscal year 2013, the Corporation may, after consulting with program directors of the Retired Senior Volunteer Program, determine that a performance measure, outcome, or criterion established under this subsection is operationally problematic, and may, in consultation with program directors of the Retired Senior Volunteer Program and after notifying the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate—

''(i) eliminate the use of that performance measure, outcome, or criterion; or

''(ii) modify that performance measure, outcome, or criterion as necessary to render it no longer operationally problematic.

''(g) ONLINE RESOURCE GUIDE.—The Corporation shall develop and disseminate an online resource guide for the Retired Senior Volunteer Program within 180 days after the date of the enactment of this subsection, which shall include, but not be limited to—

''(1) examples of high performing programs;

''(2) corrective actions for underperforming programs; and

''(3) examples of meaningful outcome-based performance measures that capture a program's mission and priorities.

''(h) REPORT TO CONGRESS.—The Corporation shall submit, by 2012, to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on—

''(1) the number of programs that did not meet or exceed the established performance measures, outcomes, and other criteria established under subsection (f);

''(2) the number of new grants awarded;

''(3) the challenges to the implementation of evaluation and competition, including but not limited to geographic distribution and the minimization of disruption to volunteers; and

''(4) how the current program geographic distribution affects recruitment for the Retired Senior Volunteer Program.''.

Page 176, line 18, strike ''family management skills'' and all that follows through ''children'' on line 23 and insert ''and family management skills''.

Page 180, strike line 8 and all that follows through page 181, line 19, and insert the following:

SEC. 2210. AUTHORITY OF DIRECTOR.

Section 231 (42 U.S.C. 5028) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—

''(1) ACTIVITIES AUTHORIZED.—The Director is authorized to—

''(A) make grants to or enter into contracts with public or nonprofit organizations, including organizations funded under part A, B, or C, for the purposes of demonstrating innovative activities involving older Americans as volunteers; and

''(B) make incentive grants under subsection (d).

''(2) SUPPORT OF VOLUNTEERS.—The Director may support under this part both volunteers receiving stipends and volunteers not receiving stipends.'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''subsection (a)'' and inserting ''subsection (a)(1)(A)'';

(B) in paragraph (1), by striking ''activities;'' and inserting ''activities described in section 225(b) and carried out through programs described in parts A, B, and C;''; and

(C) by striking paragraphs (2) and (3) and inserting the following:

''(2) programs that support older Americans in aging in place while augmenting the capacity of members of a community to serve each other through reciprocal service centers, service credit banking, community economic scripts, barter services, timebanking, and other similar programs where services are exchanged and not paid for; or

''(3) grants to non-profit organizations to establish sites or programs to—

''(A) assist retiring or retired individuals in locating opportunities for—

''(i) public service roles, including through paid or volunteer service;

''(ii) participating in life-planning programs, including financial planning and issues revolving around health and wellness; and

''(iii) continuing education, including leadership development, health and wellness, and technological literacy; and

''(B) connect retiring or retired individuals with members of the community to serve as leaders and mentors in life planning, relationships, employment counseling, education counseling, and other areas of expertise as developed by the retiring or retired adults.''; and

(3) by adding at the end the following:

''(c) PRIORITY.—For purposes of subsection (b)(2), priority shall be given to—

''(1) programs with established experience in carrying out such a program and engaging the entire community in service exchange;

''(2) programs with the capacity to connect to similar programs throughout a city or region to augment the available services to older Americans and for members of the community to serve each other;

''(3) programs seeking to establish in an area where needs of older Americans are left unmet and older Americans are unable to consider aging in place without such service exchange in place; and

''(4) programs that integrate participants in or collaborate with service-learning programs, AmeriCorps State and National programs, the VISTA program, the Retired and Senior Volunteer Program, Foster Grandparents program, and the Senior Companion programs, and programs described in section 411 of the Older Americans Act of 1965 (42 U.S.C. 3032).

''(d) INCENTIVE GRANTS.—The incentive grants referred to in subsection (a)(1)(B) are incentive grants to programs receiving assistance under this title, subject to the following:

''(1) Such grants (which may be fixed-amount grants) shall be grants in an amount equal to $300 per volunteer enrolled in the program, except that such amount shall be reduced as necessary to meet the goals of this section.

''(2) Such a grant shall be awarded to a program only if the program—

''(A) exceeds performance measures established under section 179 of the National and Community Service Act of 1990;

''(B) provides non-Federal matching funds in an amount that is not less than 50 percent of the amount received by the program under this title;

''(C) enrolls more than 50 percent of the volunteers in outcome-based service programs with measurable objectives meeting community needs, as determined by the Corporation; and

''(D) enrolls more volunteers from among members of the Baby Boom generation, as defined in section 101 of the National and Community Service Act of 1990, than were enrolled in the program during the previous fiscal year.

''(3) For each such grant, the Corporation shall require the recipient to provide matching funds of 70 cents from non-Federal sources for every $1 provided under the grant.

''(4) Such a grant shall be awarded to a program only if the program submits, at such time and in such manner as the Corporation may reasonably require, an application that contains—

''(A) a demonstration that the program has met the requirements of paragraph (2);

''(B) if applicable, a plan for innovative programs as described in paragraph (6)(B)(ii);

''(C) a sustainability plan that describes how the program will maintain the activities described in paragraph (6) when the grant terminates; and

''(D) other information that the Corporation may require.

''(5) Such grants shall be awarded for a period of 3 years, except that the grant shall be reviewed by the Corporation at the end of the first and second fiscal years and revoked if the Corporation finds that the program has failed to continue to meet the requirements of paragraph (2) for those fiscal years.

''(6) Such grants—

''(A) shall be used to increase the number of volunteers in outcome-based service with measurable objectives meeting community needs as determined by the Corporation; and

''(B) may be used—

''(i) for activities for which the program is authorized to receive assistance under this title; and

''(ii) for innovative programs focused on the Baby Boom generation, as defined in section 101 of the National and Community Service Act of 1990, that have been accepted by the Corporation through the application process in paragraph (4) and are outcome-based programs with measurable objectives meeting community needs as determined by the Corporation.

''(7) The Director shall, in making such grants, give high priority to programs receiving assistance under section 201.''.

Page 191, after line 19, insert the following:

(c) EXCEPTION.—Subsections (a) and (b) do not apply to the amendments made by this Act to section 201 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001). Any changes pursuant to those amendments apply as specified in those amendments.

The Acting CHAIRMAN. Pursuant to House Resolution 1015, the gentlewoman from New York (Mrs. MCCARTHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. MCCARTHY of New York. Mr. Chairman, I rise to speak to the manager's amendment to H.R. 2857, Generations Invigorating Volunteerism and Education Act, the GIVE Act.

As chairwoman of the Healthy Families and Communities Subcommittee, I am pleased to offer a bipartisan manager's amendment to H.R. 2857. I am also pleased to say that the administration and the service community support the GIVE Act.

I would like to again thank Chairman MILLER for his continued support

and work on this reauthorization. I would also like to extend my thanks to the ranking member of our committee, Mr. MCKEON, for his work. Finally, I would like to thank the ranking member of my subcommittee, Mr. PLATTS, for his work on this reauthorization.

I also would like to thank the staff who have worked many hours on the bill. For the majority, Deborah Koolbeck, Denise Forte, and Alexander Ceja, and for the minority, Brad Thomas and Susan Ross.

This amendment increases the ability of the Corporation for National and Community Service to tap into the pool of potential volunteers, which gives us a better opportunity to meet challenges facing our Nation's communities today.

Some of the changes in the manager's amendment include: the amendment improves the reach and capacity of the Summer of Service. This program is aimed to increase civil responsibility and community service among 5th–12th graders through summer service-learning programs. Getting younger kids involved in service is a good investment. Studies show that the earlier we get folks involved in the volunteer service the more likely they will stay in for their lifetime.

We have improved the National Civilian Conservation Corps, or the NCCC. This valuable program has a focus on disaster preparation. NCCC and volunteers have helped during disasters like Katrina. Because of the disaster focus, there is a need for supervisors and training instructors with a background in law enforcement, rescue and emergency and disaster preparedness. The amendment allows retired law enforcement, fire and rescue personnel to be part of the management of the NCCC.

My amendment makes the Retired Senior Volunteer Program a competitive grant program by 2013. I believe competition spurs innovation, and this will strengthen the program.

Also included in this amendment are incentive grants for the Senior Corps program. These grants are designed to bolster the capacity of current exceptional Senior Corps programs.

Given that the RSVP program is becoming a competitive process, it is expected that the RSVP programs which meet the eligibility requirements will be a majority of incentive grant applicants and recipients.

Finally, I have also worked with Mr. ALTMIRE, Mr. SESTAK, and Mr. SOUDER and have included changes that they suggested in the manager's amendment. I want to thank them for their great ideas.

Our national service laws were last authorized 15 years ago. We have worked with our colleagues across the aisle and with the service community to renew the spirit of service in our Nation through the GIVE Act.

I hope you will join me and support my amendment.

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

Mr. PLATTS. Mr. Chairman, I claim time in opposition to the amendment although I am not opposed to the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. PLATTS. I want to commend the ranking member for offering this manager's amendment which makes several very important changes to the GIVE Act.

Most importantly, this amendment includes the language that would allow the Corporation for National and Community Service to support individuals who fill national service positions in small organizations that do not receive AmeriCorps grants.

This language was originally proposed by Mr. SOUDER in committee, and the manager's amendment reflects the bipartisan approach and the bipartisan compromise that was reached to infuse more individual control and local flexibility into the national service programs.

Also, I would like to reference that this amendment injects fair competition into the Retired and Senior Volunteer Program by requiring all programs to be competitively reevaluated by fiscal year 2013. For too long, these programs have continued to receive funding without any effort to determine if those programs are successfully making a difference in their communities, and this amendment will ensure that this is no longer the case.

So, I urge a ''yes'' vote in support of the amendment.

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

Mrs. MCCARTHY of New York. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Mrs. MCCARTHY).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. MCKEON

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110–539.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. MCKEON:

Page 50, strike lines 21 through 23 and insert the following:

(5) in subsection (d) (as so redesignated), in paragraph (1)—

(A) in subparagraph (A), by striking ''subsection (b) or (d) of''; and

(B) by adding at the end the following new subparagraph:

''(C) PRIORITY FOR VETERANS.—Priorities established under subparagraphs (A) and (B) shall include priorities for programs that—

''(i) recruit veterans, particularly returning veterans, into service opportunities;

''(ii) promote community-based efforts to meet the unique needs of military families while a member of the family is deployed; and

''(iii) promote community-based efforts to meet the unique needs of military families when a member of the family returns from a deployment.''; and

Page 64, strike line 23 and all that follows through page 65, line 10, and insert the following:

(3) in subsection (d), in paragraph (2)—

(A) in the matter preceding subparagraph (A), strike ''the Corporation may include—'' and insert ''the Corporation—''; and

(B) by striking subparagraphs (A) through (G) and inserting the following:

''(A) shall include national service programs that—

''(i) recruit veterans, particularly returning veterans, into service opportunities;

''(ii) promote community-based efforts to meet the unique needs of military families while a member of the family is deployed; and

''(iii) promote community-based efforts to meet the unique needs of military families when a member of the family returns from a deployment; and

''(B) may include—

''(i) national service programs that conform to the national service priorities in effect under section 122(d);

''(ii) innovative national service programs;

''(iii) national service programs that are well established in one or more States at the time of the application and are proposed to be expanded to additional States using assistance provided under section 121;

''(iv) grant programs in support of other national service programs if the grant programs are to be conducted by nonprofit organizations with a demonstrated and extensive expertise in the provision of services to meet human, educational, environmental, or public safety needs; and

''(v) professional corps programs described in section 122(a)(8).''.

Page 85, after line 3, insert the following new section:

SEC. 1406. REPORT ON VETERANS SERVING IN APPROVED NATIONAL SERVICE POSITIONS.

Subtitle D of title I (42 U.S.C. 12601 et seq.) is further amended by adding at the end the following new section:

''SEC. 150. REPORT ON VETERANS SERVING IN APPROVED NATIONAL SERVICE POSITIONS.

''(a) IN GENERAL.—The Corporation shall report annually to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate the number and percentage of veterans serving in approved national service positions.

''(b) ANNUAL GOALS.—In the report described in subsection (a), the Corporation shall outline strategies and goals for increasing the number and percentage of veterans serving in approved national service positions each year, including strategies being undertaken to recruit veterans to serve in such positions, and include an evaluation of progress in meeting such goals.''.

The Acting CHAIRMAN. Pursuant to House Resolution 1015, the gentleman from California (Mr. MCKEON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, I rise in support of this amendment which will enhance the GIVE Act by codifying our commitment to ensuring veterans can serve and be served within our national service programs.

The purpose of my amendment is to acknowledge the patriotism, commitment, and sacrifice made by members of the military and their families. In return for their service to our Nation, the least we can do is make sure that our national service programs are able to benefit veterans and military families.

On a bipartisan basis, the Education and Labor Committee chose to incorporate support for veterans in the GIVE Act. My amendment is a natural extension of that theme, and I hope it will garner the same bipartisan agreement as the underlying bill.

Already, the GIVE Act seeks to increase opportunities for veterans to serve and to increase the number of national service programs responding to the needs of veterans under AmeriCorps. My amendment enhances that effort by prioritizing services for and service by veterans throughout all of our national service programs.

The bill before us includes a set-aside within AmeriCorps to support programs for veterans. In addition, the bill includes a study of how veterans are served and how they can be served more effectively. These are positive first steps, but my amendment goes further. Under my amendment, the Corporation will be required to place a priority on applications that serve veterans or recruit veterans to serve. Rather than a fixed set-aside within a single program, this amendment will allow us to broaden the reach of service by and in support of veterans.

The Corporation for National and Community Service is required to establish priorities when funding national service initiatives. This ensures a targeted, effective investment. Under my amendment, included among those priorities would be an emphasis on programs that recruit veterans into service opportunities, promote community-based efforts to meet the unique needs of military families while a family member is deployed, and promote community-based efforts to meet the unique needs of military families when a member of a family returns from a deployment.

In addition, this amendment requires the Corporation to report to Congress on its efforts to increase the number of veterans serving in AmeriCorps and other positions that are eligible for the education award.

Veterans, particularly those recently deployed to Afghanistan and Iraq, deserve opportunities to reintegrate into their communities through service programs funded under the national service laws. This amendment will increase those opportunities.

Without this amendment, we will not have the necessary information to effectively increase veteran participation in national service positions or provide an educational award in exchange for citizen service.

At a time when our service men and women are sacrificing on our behalf around the world, we should be doing all we can to repay that sacrifice. My amendment will make it the explicit policy of the Federal Government to encourage the national service programs to focus more on the unique needs of those heroes and their families, and to encourage more veterans to take advantage of service opportunities under these laws.

The GIVE Act is a solid, bipartisan reform package that will strengthen our national service laws to make them more accountable, efficient, and cost effective.

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

Mrs. MCCARTHY of New York. Mr. Chairman, I rise to claim time in opposition, but I am not opposing the amendment.

The Acting CHAIRMAN. Without objection, the gentlewoman is recognized for 5 minutes.

There was no objection.

Mrs. MCCARTHY of New York. One of the themes of the GIVE Act is to increase opportunities for veterans to serve in national service programs and to increase the amount of national service programs responding to the needs of veterans.

At committee, two amendments were adopted to address these issues. First, we directed the Corporation to reserve 3 percent of funds allotted to AmeriCorps for competitive grant programs that focus on veterans, particularly those that are recently returned from a deployment, and their families. The second amendment required the Corporation to conduct a study of how the national service laws would better serve veterans and increase veteran participation and service, and to create a pilot program based on that study.

This amendment builds up on those efforts. Under current law, States and corporations are charged with establishing priorities to determining the types of programs to be assisted under the national service law. This amendment would require States and the Corporation to include priorities for veterans when establishing priorities for the distribution of assistance under these programs.

Those priorities would be geared towards programs that recruit veterans into service opportunities, promote community-based efforts to meet the unique needs of military families while a family member is deployed, and promote community-based efforts to meet the unique service of military families when a member of the family returns from a deployment.

□ 1215

In addition, this amendment encourages the corporation to report to Congress on its efforts to increase the number of veterans serving in AmeriCorps and other positions that are eligible for the educational award. Veterans, particularly those recently deployed to Afghanistan and Iraq, deserve opportunities to reintegrate into their communities through service programs funded under the national service laws. This amendment will increase those opportunities.

At a time when our servicemen and -women are sacrificing on behalf of our country around the world, we should be doing all we can to repay that sacrifice. This amendment will make it the explicit policy of the Federal Government to encourage national service programs to focus more on the unique needs of these heroes and their families and to encourage more veterans to take advantage of service opportunities under these laws.

I certainly urge its passage, and I thank Mr. MCKEON for offering this. It's a very good piece added to our legislation.

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

Mr. MCKEON. Mr. Chairman, I want to thank subcommittee Chair, Mrs. MCCARTHY, and ranking member, Mr. PLATTS, for their hard work on this bill. It's a good, bipartisan effort. I thank them for their help on this amendment. I urge the amendment be supported by our colleagues.

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

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

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. MATSUI

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110–539.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. MATSUI:

Page 56, strike lines 8 through 12 and insert the following:

''(c) ALLOTMENT FOR COMPETITIVE GRANTS.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year and subject to section 133(d)(3), the Corporation shall reserve up to 62.7 percent for grants awarded on a competitive basis to States for national service programs and to nonprofit organizations seeking to operate a national service program in 2 or more States.''.

Page 56, strike lines 13 through 17.In such section 129, as proposed to be added by such section 1306, strike subsection (d) and redesignate subsections (e) through (k) as (d) through (j), respectively.

Page 56, line 18, redesignate (e) as (d).

Page 57, line 6, strike ''37.5 percent'' and insert ''35.3 percent''.

Page 57, line 15, redesignate (f) as (e).

Page 58, lines 7 and 12, redesignate (g) and (h) as (f) and (g), respectively.

Page 59, lines 1 and 20, redesignate (i) and (j) as (h) and (i), respectively.

Page 63, line 3, strike ''and'' at the end.

Page 63, line 5, add ''and'' at the end.

Page 63, after line 5, add the following:

(C) by adding at the end the following:

''(3) In the case of a nonprofit organization operating programs in 2 or more States, a description of the manner and extent to which the State Commissions of each State in which the nonprofit organization intends to

operate were consulted and the nature of the consultation.''.

Page 64, after line 13, add the following:

SEC. 1308A. NATIONAL SERVICE PROGRAM ASSISTANCE REQUIREMENTS.

Section 131(c)(3) (42 U.S.C. 12583(c)(3)) is amended to read as follows:

''(3) in the case of a program that is not funded through a State, including programs operated by nonprofit organizations seeking to operate a national service program in 2 or more States—

''(A) consult with and coordinate with the State Commission for the State in which the program operates; and

''(B) obtain written confirmation from the State Commission that the applicant seeking assistance under this Act has consulted with and coordinated with the State Commission when seeking to operate a program in that State.''.

Page 64, line 21, strike ''and'' at the end.

Page 65, line 10, strike the period at the end and insert ''; and''.

Page 65, after line 10, add the following:

(3) by amending subsection (d)(3) to read as follows:

''(3) ADDITIONAL PRIORITY.—In making a competitive distribution under section 129(c), the Corporation—

''(A) shall solicit and consider the view of a State Commission regarding any application for assistance to operate a national service program within the State; and

''(B) may give priority to a national service program that is—

''(i) proposed in an application submitted by a State Commission; and

''(ii) not one of the types proposed in paragraph (2),

if the State Commission provides an adequate explanation of the reasons why it should not be a priority of such State to carry out any of such types of programs in the State.''.

The Acting CHAIRMAN. Pursuant to House Resolution 1015, the gentlewoman from California (Ms. MATSUI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MATSUI. Mr. Chairman, I yield myself such time as I may consume.

I rise today to offer a bipartisan amendment to the GIVE Act. The Matsui-Shays amendment makes needed changes to national service and carries with it broad support. Our amendment will combine the two separate State competitive funds and national competitive funds into one singular funding pool. This change will improve national service efficiency and effectiveness, while increasing collaboration between State and national interests.

Every year organizations and the individuals they support are turned away from the grants they need because of high demand or simple administrative burdens. The current funding formula gives approximately one-third of the funding to the States based on population, approximately one-third to State competitive grants, and approximately one-third to a national competitive funding pool. Under the current formula, a high demand for State competitive grants means that State grant applicants are turned away even if there are resources still available in the national pool and vice versa.

Additionally, these deserving nonprofits and community service organizations spend far too many of their valuable resources navigating a confusing applications process and managing multiple grants. If this amendment passes, these precious resources will now be used to better serve their communities.

At its heart the amendment ensures that grants are competitively distributed based on merit and that resources are used in the most efficient and effective manner.

I hope that all of my colleagues will join Congressman SHAYS and myself, as well as the Governor-appointed State service commissions, national service organizations, leading nonprofits, and Members from both sides of the aisle in support of this valuable amendment.

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

Mr. PLATTS. Mr. Chairman, I rise to claim the time in opposition to the amendment although I am not opposed to it.

The Acting CHAIRMAN. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. PLATTS. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of the amendment and commend the maker of the amendment for helping to want to bring more competition to the process of the grants being awarded and more cooperation between the national and the State organizations. I'm aware that the National Governors Association has indicated its support for this amendment and the end result will be a stronger program, a program that is really more about less administrative costs and more dollars flowing to the programs that are going to make a difference in our communities, whether it be national or State.

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

Ms. MATSUI. Mr. Chairman, at this point I yield 1 minute to the gentlewoman from New York (Mrs. MCCARTHY), the chairwoman of the subcommittee.

Mrs. MCCARTHY of New York. I thank the gentlewoman from California, and I thank Mr. SHAYS.

Mr. Chairman, we are in full support of this amendment. The GIVE Act seeks to improve national service and to do so in innovative, creative ways. And this amendment does just that. We are grateful to Ms. MATSUI and Mr. SHAYS for bringing forth this amendment.

Ms. MATSUI. Mr. Chairman, I reserve the balance of my time.

Mr. PLATTS. Mr. Chairman, I'd just like to associate myself with the remarks earlier from the gentleman from Connecticut, who spoke in favor of this amendment during his previous statement, and again to ask all Members to support this amendment when it is put before us for a vote.

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

Ms. MATSUI. Mr. Chairman, again I urge my colleagues to support the Matsui-Shays amendment.

Mr. SHAYS. Mr. Chairman, I would like to thank Congresswoman MATSUI and the Committee on Education and Labor for all of their hard work on bringing H.R. 2857 to the floor today. I would also like to thank the work and dedication of Chairman MILLER, Ranking Member MCKEON, Subcommittee Chairwoman DAVIS, and Subcommittee Ranking Member PLATTS.

I believe national service is one of the most productive, cost effective investments our government can make.

Since the inception of the Corporation for National and Community Service, of which I was a co-author, more than 1 billion service hours have been generated by Senior Corps volunteers, more than 40,000 individuals have served through AmeriCorps, and more than 1 million high school students have participated annually in service-learning initiatives.

In the wake of the September 11 attacks, natural disasters like Hurricanes Katrina and Rita, and the increasing achievement gap in education, the call to serve is louder than ever.

Our amendment will revise and improve the funding formula for AmeriCorps, which engages more than 40,000 Americans in service throughout the Nation, by combining State and national competitive funding streams.

National service programs throughout the country believe this change will provide a better means of allocating this funding and will bring the highest quality programs to States.

The change will also enable States to compete for more funding and provide States with more choices of programs.

Community service is about helping people, and it is also about gaining deeper understanding of each other and the world around us.

Through service, Americans of all ages gain a sense of commitment to their communities and their country, which will prove valuable for the rest of their lives.

I urge my colleagues to support this amendment in order to increase the effectiveness and efficiency of this valuable program.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. MATSUI).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. MCDERMOTT

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110–539.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. MCDERMOTT:

At the end of the bill, add the following new title:

TITLE VI—CONGRESSIONAL COMMISSION ON CIVIC SERVICE

SEC. 6101. SHORT TITLE.

This title may be cited as the ''Congressional Commission on Civic Service Act''.

SEC. 6102. FINDINGS.

Congress finds the following:

(1) The social fabric of the United States is stronger if individuals in the United States

are committed to protecting and serving our Nation by utilizing national service and volunteerism to overcome our civic challenges.

(2) A more engaged civic society will strengthen the Nation by bringing together people from diverse backgrounds and experiences to work on solutions to some of our Nation's major challenges.

(3) Despite declines in civic health in the past 30 years, national service and volunteerism among the Nation's youth are increasing, and existing national service and volunteer programs greatly enhance opportunities for youth to engage in civic activity.

(4) In addition to the benefits received by nonprofit organizations and society as a whole, volunteering and national service provide a variety of personal benefits and satisfaction and can lead to new paths of civic engagement, responsibility, and upward mobility.

SEC. 6103. ESTABLISHMENT.

There is established in the legislative branch a commission to be known as the ''Congressional Commission on Civic Service'' (in this title referred to as the ''Commission'').

SEC. 6104. DUTIES.

(a) GENERAL PURPOSE.—The purpose of the Commission is to gather and analyze information in order to make recommendations to Congress to—

(1) improve the ability of individuals in the United States to serve others and, by doing so, to enhance our Nation and the global community;

(2) train leaders in public service organizations to better utilize individuals committed to national service and volunteerism as they manage human and fiscal resources;

(3) identify and offer solutions to the barriers that make it difficult for some individuals in the United States to volunteer or perform national service; and

(4) build on the foundation of service and volunteer opportunities that are currently available.

(b) SPECIFIC TOPICS.—In carrying out its general purpose under subsection (a), the Commission shall address and analyze the following specific topics:

(1) The level of understanding about the current Federal, State, and local volunteer programs and opportunities for service among individuals in the United States.

(2) The issues that deter volunteerism and national service, particularly among young people, and how the identified issues can be overcome.

(3) Whether there is an appropriate role for Federal, State, and local governments in overcoming the issues that deter volunteerism and national service and, if appropriate, how to expand the relationships and partnerships between different levels of government in promoting volunteerism and national service.

(4) Whether existing databases are effective in matching community needs to would-be volunteers and service providers.

(5) The effect on the Nation, on those who serve, and on the families of those who serve, if all individuals in the United States were expected to perform national service or were required to perform a certain amount of national service.

(6) Whether a workable, fair, and reasonable mandatory service requirement for all able young people could be developed, and how such a requirement could be implemented in a manner that would strengthen the social fabric of the Nation and overcome civic challenges by bringing together people from diverse economic, ethnic, and educational backgrounds.

(7) The need for a public service academy, a 4-year institution that offers a federally funded undergraduate education with a focus on training future public sector leaders.

(8) The means to develop awareness of national service and volunteer opportunities at a young age by creating, expanding, and promoting service options for primary and secondary school students and by raising awareness of existing incentives.

(9) The effectiveness of establishing a training program on college campuses to recruit and educate college students for national service.

(10) The effect on United States diplomacy and foreign policy interests of expanding service opportunities abroad, such as the Peace Corps, and the degree of need and capacity abroad for an expansion.

(11) The constraints that service providers, nonprofit organizations, and State and local agencies face in utilizing federally funded volunteer programs, and how these constraints can be overcome.

(12) Whether current Federal volunteer programs are suited to address the special skills and needs of senior volunteers, and if not, how these programs can be improved such that the Federal government can effectively promote service among the ''baby boomer'' generation.

(c) METHODOLOGY.—

(1) PUBLIC HEARINGS.—The Commission shall conduct public hearings in various locations around the United States.

(2) REGULAR AND FREQUENT CONSULTATION.—The Commission shall regularly and frequently consult with an advisory panel of Members of Congress appointed for such purpose by the Speaker of the House of Representatives and the Majority Leader of the Senate.

SEC. 6105. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—

(1) IN GENERAL.—The Commission shall be composed of 8 members appointed as follows:

(A) 2 members appointed by the Speaker of the House of Representatives.

(B) 2 members appointed by the Minority Leader of the House of Representatives.

(C) 2 members appointed by the Majority Leader of the Senate.

(D) 2 members appointed by the Minority Leader of the Senate.

(2) QUALIFICATIONS.—The members of the Commission shall consist of individuals who are of recognized standing and distinction in the areas of international public service, national public service, service-learning, local service, business, or academia.

(3) DEADLINE FOR APPOINTMENT.—The members of the Commission shall be appointed not later than 90 days after the date of the enactment of this title.

(4) CHAIRPERSON.—The Chairperson of the Commission shall be designated by the Speaker of the House of Representatives at the time of the appointment.

(b) TERMS.—

(1) IN GENERAL.—The members of the Commission shall serve for the life of the Commission.

(2) VACANCIES.—A vacancy in the Commission shall not affect the power of the remaining members to execute the duties of the Commission but any such vacancy shall be filled in the same manner in which the original appointment was made.

(c) COMPENSATION.—

(1) RATES OF PAY; TRAVEL EXPENSES.—Each member shall serve without pay, except that each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(2) PROHIBITION OF COMPENSATION OF FEDERAL EMPLOYEES.—Notwithstanding paragraph (1), any member of the Commission who is a full-time officer or employee of the United States may not receive additional pay, allowances, or benefits because of service on the Commission.

(d) MEETING REQUIREMENTS.—

(1) FREQUENCY.—

(A) QUARTERLY MEETINGS.—The Commission shall meet at least quarterly.

(B) ADDITIONAL MEETINGS.—In addition to quarterly meetings, the Commission shall meet at the call of the Chairperson or a majority of its members.

(2) QUORUM.—5 members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(3) MEETING BY TELEPHONE OR OTHER APPROPRIATE TECHNOLOGY.—Members of the Commission are permitted to meet using telephones or other suitable telecommunications technologies provided that all members of the Commission can fully communicate with all other members simultaneously.

SEC. 6106. DIRECTOR AND STAFF OF COMMISSION; EXPERTS AND CONSULTANTS.

(a) DIRECTOR.—

(1) APPOINTMENT.—The Commission shall have a Director who shall be appointed by the Chairperson with the approval of the Commission.

(2) CREDENTIALS.—The Director shall have credentials related to international public service, national public service, service-learning, or local service.

(3) SALARY.—The Director shall be paid at a rate determined by the Chairperson with the approval of the Commission, except that the rate may not exceed the rate of basic pay for GS–15 of the General Schedule.

(b) STAFF.—With the approval of the Chairperson, the Director may appoint and fix the pay of additional qualified personnel as the Director considers appropriate.

(c) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay for GS–15 of the General Schedule.

(d) STAFF OF FEDERAL AGENCIES.—Upon request of the Commission, Chairperson, or Director, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this title.

SEC. 6107. POWERS OF COMMISSION.

(a) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this title, hold public hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate.

(b) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

(c) OBTAINING OFFICIAL DATA.—Upon request of the Chairperson, the head of any department or agency shall furnish information to the Commission that the Commission deems necessary to enable it to carry out this title.

(d) PHYSICAL FACILITIES AND EQUIPMENT.—The Architect of the Capitol, in consultation with the appropriate entities in the legislative branch, shall locate and provide suitable facilities and equipment for the operation of the Commission on a nonreimbursable basis.

(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Architect of the Capitol and the Administrator

of General Services shall provide to the Commission on a nonreimbursable basis such administrative support services as the Commission may request in order for the Commission to carry out its responsibilities under this title.

SEC. 6108. REPORTS.

(a) INTERIM REPORT.—The Commission shall submit an interim report on its activities to Congress not later than 20 months after the date of the enactment of this title.

(b) FINAL REPORT.—

(1) DEADLINE.—The Commission shall submit a final report on its activities to Congress not later than 120 days after the submission of the interim report under subsection (a).

(2) CONTENTS.—The final report shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for proposed legislation.

SEC. 6109. TERMINATION.

The Commission shall terminate not later than 30 days after submitting its final report under section 6108(b)(1).

The Acting CHAIRMAN. Pursuant to House Resolution 1015, the gentleman from Washington (Mr. MCDERMOTT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. MCDERMOTT. Mr. Chairman, when Katharine Lee Bates wrote ''America the Beautiful'' in 1893, I believe her poetic lyrics were intended to express the goodness of the American people as much as the natural beauty of our great Nation. America was founded on the concept of helping one another, and that selfless spirit expresses itself in countless acts of goodness by ordinary Americans every day.

I want to harness that American spirit, and I want to make it a part of the American experience. Mr. FARR, Mr. WALSH, and Mr. SHAYS have joined me in putting this amendment together, and we had a bill previously, because we believe that making this possible for every American is really where we ought to be.

We all benefit in countless ways from a Nation that is our home. I believe we owe something in return. But there are countless ways for every American to serve and give back to America, and America certainly could use their help. That's why we put this together as an amendment to establish a Congressional Commission on Civic Service.

We want this commission to investigate ways to create a broader commitment to national service in order to strengthen our common sense of responsibility to our community, our Nation, and to each other.

The commission would hold hearings around the country to engage the American people and get their own ideas. Whether it's in schools or nursing homes or prisons or mental hospitals or in the forests or cleaning up beaches or whatever, we want to talk to the local people. The commission would report to Congress with recommendations on how to harness the power of one, that is, the power of American people to improve our Nation.

Our amendment is a first step. It is simply an authorization, and the Congress will need to follow up with an appropriation. It mirrors the legislation we introduced last year, H.R. 1819.

Throughout the process, we have worked closely with some of America's best organizations: Voices for Service Coalition, the National Peace Corps Association, Corporation for National and Community Service, and the State AmeriCorps Administrators.

President John Kennedy once said: ''Ask not what your country can do for you. Ask what you can do for your country.'' From that came the Peace Corps and other organizations similar, and we want to recreate that sense of American expectation in this time. With this amendment we want to help America answer that question and the call.

Today America needs the American people like never before to meet the challenges of a slowing economy, health care, education, conservation. The government can't do it all, and ordinary Americans can and in many cases already do much of it.

It's time to build on the success of our national service programs like AmeriCorps by considering bold proposals that compel, inspire, and enable us to tackle the challenges, big and small, that will always confront us. There is no shortage of ideas.

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

Mr. PLATTS. Mr. Chairman, I rise to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. PLATTS. Mr. Chairman, I do plan on supporting this amendment and appreciate the intended maker of the amendment. And to make sure that we are being thorough in our approach to this important issue, I do want to express just some reservation that we don't duplicate the efforts of the subcommittee and the work of the subcommittee or the corporation itself in exploring the ideals of public service, but I will be supporting it and encourage a ''yes'' vote.

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

Mr. MCDERMOTT. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. I thank the gentleman from Washington (Mr. MCDERMOTT) for yielding.

We support this amendment. We look forward to the results of the commission as we continue to increase the number of Americans who participate in national service and work to overcome challenges in our Nation's communities.

Mr. MCDERMOTT. Mr. Chairman, I am waiting for Mr. FARR, but we will see if he gets here in time.

The recommendations produced by this commission would be a plan of action because it will look at three key areas: to improve the ability of Americans to serve, to improve our community here and abroad. It will also identify and offer solutions to the barriers that make it difficult to perform national service and volunteer. And, finally, we will look at ways to build the foundation of service opportunities that are currently available.

According to the data collected from the Census Bureau, Americans over the age of 16 are volunteering at an historically high rate with 61.2 million, giving their time in 2006 to help others by mentoring students, beautifying neighborhoods, and restoring homes after disasters.

Mr. SHAYS. Mr. Chairman, I would like to thank Congressman MCDERMOTT and Congressman FARR, Congresswoman MATSUI and the Committee on Education and Labor for all of their hard work on bringing this reauthorization to the floor today.

This amendment establishes a Congressional Commission on Civil Service. The Commission would identify ways to expand opportunities for volunteerism and national service in America. It would also recommend ways Federal and local governments can improve awareness and access to national service opportunities, encourage increased volunteerism and better train future public service leaders.

I believe national service is one of the most productive, cost-effective investments our Government can make.

I am pleased this amendment addresses the need for a public service academy, a federally-funded 4-year institution dedicated to training the future leaders of our country's public service sector. In the next 10 years, 90 percent of our nation's Federal executives will be over the age of 50 and nearing retirement. We need to ensure that this workforce is replaced with well-trained, invigorated graduates.

Investing in service opportunities provides enormous returns to communities.

There is no substitute for the passion of our Nation's volunteers, who can be found mentoring students, building houses, assisting senior citizens or beautifying our national parks.

Community service is about helping people, and it is also about gaining deeper understanding of each other and the world around us.

Through service, Americans of all ages gain a sense of commitment to their communities and their country which will prove valuable for the rest of their lives.

I urge my colleagues to support this amendment in order to increase the effectiveness and efficiency of this valuable program.

The Acting CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Washington (Mr. MCDERMOTT).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. ENGLISH OF PENNSYLVANIA

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110–539.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. ENGLISH of Pennsylvania:

At the end of the bill, insert the following (and conform the table of contents accordingly):

TITLE VI—SENSE OF CONGRESS

SEC. 6101. SENSE OF CONGRESS.

It is the Sense of Congress that the Corporation for National and Community Service should make the maximum effort possible to coordinate the recruiting and assignment procedures of their various programs to allow senior citizens and their grandchildren to share volunteer opportunities and/or be assigned to the same geographic areas during their period of service.

The Acting CHAIRMAN. Pursuant to House Resolution 1015, the gentleman from Pennsylvania (Mr. ENGLISH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, this amendment would add a section at the end of the bill to express a sense of Congress that the Corporation for National and Community Service should attempt to coordinate the recruiting and assignment procedures of their various programs to allow senior citizens and their grandchildren to share volunteer opportunities and be assigned to the same geographic areas during their period of service.

I would note, Mr. Chairman, Marian McQuade, the founder of National Grandparents Day and a homemaker from Fayette County, West Virginia, held as one of her primary motivations of her advocacy for a National Grandparents Day, persuading the grandchildren to tap the wisdom and heritage of their grandparents. This amendment builds on the principles that evolved into National Grandparents Day by creating more opportunities to build bridges on an intergenerational basis and strengthen the family structure. This amendment will honor grandparents and enhance the bond between grandparents and grandchildren while encouraging a lifetime of community service.

□ 1230

It seems somehow fundamental that AmeriCorps and Senior Corps work together to bring grandparents and grandchildren together to share memorable and rewarding experiences of community service together, strengthen bonds of family, and make the lives of fellow citizens brighter.

I urge my colleagues to join me in passing this amendment today. This is a remedy for many of the pressures that we feel today on families, it's an attempt to unite generations, and it's an attempt to better coordinate two very important programs in the interest of fostering stronger families.

Mr. Chairman, I would retain the balance of my time.

Mrs. MCCARTHY of New York. I rise to claim time in opposition, but I am not opposing the amendment.

The Acting CHAIRMAN. Without objection, the gentlewoman is recognized for 5 minutes.

There was no objection.

Mrs. MCCARTHY of New York. Thank you.

We support this amendment, as it seeks to support the fostering of service among generations of a family. It is easy to imagine the kind of benefits that grandparents and their grandchildren would gain by not only spending time together, but serving others. The earlier children are introduced to service, the more likely they will volunteer throughout their life.

Speaking as a grandparent, and I thank my colleague from Pennsylvania (Mr. ENGLISH) for introducing this, when I take my grandchildren with me and I try to explain the work that I do, and to see them get involved and be interested in the work that I do I think is a great thing.

The volunteering work that we do, and we bring the grandchildren with us, it opens up their eyes for a number of reasons. A lot of the work that we do is serving in underserved areas and to be able to see that these young children, my grandchildren, 7 and 9, are out there in the community and seeing children less fortunate than them. But to take it back even then to their classroom and say maybe we can do something, when you have Grandparents Day in school with your grandchildren, and you're fostering the sense of volunteerism.

So I thank the gentleman very much for bringing this to our attention. I certainly am in full support of it.

I yield back the balance of my time.

Mr. ENGLISH of Pennsylvania. I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. ENGLISH OF PENNSYLVANIA

The Acting CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 110–539.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. ENGLISH of Pennsylvania:

At the end of the bill, insert the following (and conform the table of contents accordingly):

TITLE VI—SENSE OF CONGRESS

SEC. 6101. SENSE OF CONGRESS.

It is the Sense of Congress that the Corporation for National and Community Service should make the maximum effort possible to coordinate with the National Endowment for the Humanities to provide opportunities for young people enrolled in NACS programs to collect oral histories form senior citizens in the communities where they serve.

The Acting CHAIRMAN. Pursuant to House Resolution 1015, the gentleman from Pennsylvania (Mr. ENGLISH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. ENGLISH of Pennsylvania. Thank you, Mr. Chairman.

Mr. Chairman, this amendment creates a sense of the Congress that the Corporation for National and Community Service should make the maximum effort possible to coordinate with the National Endowment for the Humanities to provide opportunities for young people enrolled in national and community service programs to collect oral histories from senior citizens in the communities that they serve.

As cochairman of the Congressional Humanities Caucus, I have been actively advocating policies and programs to raise awareness of the role of history, literature, languages, and other humanities in Americans' lives. As we all know, studying our history, our culture, and our heritage can help provide a framework to guide our decisions as we confront challenging issues facing us now and into the future. It also gives us a national memory.

If we look back to the experience during World War II when the Federal Government employed many writers to do histories of local communities that now have become an important resource to us, recognizing that we are at a time when our greatest generation is now moving on and the opportunity to consult them could very well be lost in the near future, this is an opportunity that we must seize.

As we all know, studying our history, our culture, and our heritage can be an important part of our future defining of who we are. We not only learn from museums and books, but we also learn from those who have lived in the past. For that reason, I think it's important for our youth to reach out to our knowledgeable elders who have lived through tougher times, who have fought and seen wars, and who have seen the transformation of America.

Close to 1,000 World War II veterans die each day. Many have never spoken of their experiences. During a time in their lives where many are lonely and yearning for an opportunity to have an exchange, this creates an opportunity for us to capture those memories and institutionalize them.

To carry on the American tradition and living history, I urge the support of my colleagues for this amendment today.

Mr. Chairman, I retain the balance of my time.

Mrs. MCCARTHY of New York. Mr. Chairman, I rise to claim time in opposition, but I am not opposing the amendment.

The Acting CHAIRMAN. Without objection, the gentlewoman is recognized for 5 minutes.

There was no objection.

Mrs. MCCARTHY of New York. We support this amendment, as it continues to support the integration of

priority for national service. Everyone gains when they speak to others from a different generation and learn how things have changed over the years. And yet, at the same time, how many things remain the same.

Fostering communication between people increases the connection for all of the community. This piece will add a section to the bill that is the sense of Congress that the Corporation for National and Community Service should make the maximum effort possible to coordinate with the National Endowment for the Humanities to provide opportunities for young people enrolled in NACS programs to collect oral histories from senior citizens in the communities they serve.

With that, I would like to yield 2 minutes to Mr. ANTHONY WEINER from New York.

Mr. WEINER. I thank the sponsors of this legislation and of the amendment.

I think this is an opportunity for us to expand on the notion that many Americans already support, and that is the idea that Americans very much want to be asked to help, they want to be asked to volunteer, they want to be asked to serve. Despite the conventional wisdom about growing apathy in the country, studies have actually shown that almost 30 percent did volunteer work in 2006, up dramatically since 1989, the last time the survey was asked.

We found when asked is government, is Washington, is our country asking enough of us, overwhelmingly Americans say no, we are not being asked to do enough. Unlike the period after Pearl Harbor when FDR famously called us all to this national sense of calling, we failed to do it. The bill that we have today hopefully will reverse that to some degree and get more people involved doing more things.

One of the things the bill does that is most laudable is expands outreach to let cities, localities, and organizations know the program has grown much more flexible over the course of years. I believe that cities should be thinking about their own version of kind of a city version of AmeriCorps, addressing specific problems, maybe not as general as the AmeriCorps program is, where we have many people going, doing discrete individual things, but create programs that cities say let's try to tackle the problem of child hunger, let's try to tackle the problem of affordability. This type of a program would allow cities to take more control, something that my colleagues on both sides of the aisle support.

Not that long ago, I gave a speech in May, where I laid out a proposal in something I called AppleCorps, that New York City would come up with their program to take advantage. The idea would be if you get cities involved, maybe we can get them to put money in on top of what we in the Federal Government are offering to tackle those challenges that they face.

One thing is very clear, that when Roosevelt once famously asked, ''Now that we are in this war, we are all in it, all the way. Every single, man, woman, and child is a partner in the most tremendous undertaking of our American history. We must share together the bad news and the good news, the defeats and the victories.'' This bill seeks to do that.

Thank you very much for the time.

Mrs. MCCARTHY of New York. Mr. Chairman, I yield back the balance of my time.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I urge my colleagues to join me in supporting this amendment, which I think will go a long way to giving our next generation a sense of what our fathers and our forefathers have faced.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. ENGLISH OF PENNSYLVANIA

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 110–539.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. ENGLISH of Pennsylvania:

Page 133, after line 19, insert the following (and conform the table of contents accordingly):

SEC. 1708. COORDINATION WITH VETERANS ORGANIZATIONS SERVING VETERANS WITH DISABILITIES.

The Board of Directors of the Corporation for National and Community Service shall coordinate with veterans organizations serving veterans with disabilities to provide opportunities for young people enrolled in existing NACS programs to provide transportation services on a full-time, part-time, or as-needed basis.

The Acting CHAIRMAN. Pursuant to House Resolution 1015, the gentleman from Pennsylvania (Mr. ENGLISH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, the freedom of the United States has depended on the courage of men and women in uniform for over 200 years. Our veterans, having served as a member of the greatest military in the world, can be assured that they have the appreciation and admiration of millions of Americans.

The experience gained from the U.S. military is without a doubt invaluable, and I applaud our veterans for the courage and the commitment that they have demonstrated consistently while serving our country.

With that said, I would like to offer this amendment, which will provide a valuable service to our veteran population while giving young volunteers an opportunity to be exposed to some of these American heroes that have allowed us to exercise our everyday freedoms. Specifically, my amendment would require the Board of Directors of the Corporation for National and Community Service to work with the Disabled American Veterans organization to provide opportunities for young people to serve as drivers in the DAV transportation network.

This new service will certainly help ease the burden on veterans throughout the country, especially in communities like mine and in yours, Mr. Chairman, in rural areas where we have many veterans who have a challenge getting the service that they need from our brick and mortar VA institutions, give them easy and convenient transportation to doctor appointments, physical therapy, and routine checkups.

Mr. Chairman, at a time when America's veterans are facing increased challenges regarding health care coverage and full access to the benefits that they have earned, Congress ought to embrace commonsense policies that will help ensure our veterans get the care they need and deserve.

In my part of Pennsylvania, Mr. Chairman, it has been a challenge to drum up the volunteers to provide driver service for many of our VA participants and clients. I urge my colleagues to join me in supporting this initiative that will help fill that gap and encourage more of our young people to volunteer to help some of our aging veterans and some of our younger veterans who happen to live a distance away from the institution that serves them.

Mr. Chairman, I retain the balance of my time.

Mrs. MCCARTHY of New York. Mr. Chairman, I rise to claim time in opposition, but I am not opposing this amendment.

The Acting CHAIRMAN. Without objection, the gentlewoman is recognized for 5 minutes.

There was no objection.

Mrs. MCCARTHY of New York. I want to thank, again, my colleague Mr. ENGLISH from Pennsylvania for this amendment. This would require the Board of Directors of the Corporation for National and Community Service to coordinate with veterans organizations serving veterans to provide opportunities for young people to enroll in existing NACS programs to serve as drivers in the DAV transportation network on a full-time, part-time, or as-needed basis. The reason we support this amendment, which is similar to Mr. MCKEON's in a way, is that it will help serve our Nation's veterans. This amendment reminds us of the challenges faced by disabled veterans after they have devoutly served our Nation.

When I see a lot of my veterans back home in Long Island, a lot of them do volunteer their time on driving our veterans back and forth. We only have one veterans hospital on Long Island. A lot of these drivers are as old as

those they are driving. So to see that our young people, and I can see something like this, which would be terrific for our young college students and our seniors that are driving, to be able to be part of this.

It was earlier mentioned by Mr. SHAYS that with the war in Iraq, no one has asked Americans to be helpful. Well, this is a perfect time. This is where our young people can feel that all right, here we have our veterans that have done a gallant job on protecting this Nation. Help them now. Let us help them to get back and forth for their physical therapy or any treatments that they need.

It's also a wonderful opportunity for our young people to get to know our seniors and our veterans that have served this country. The more I think about this, I am sorry that we didn't think of this amendment while we were having our committee hearings. I think next time I will reach out to my colleague and say what ideas do you have so we can bring them to the committee.

So, again, I support this amendment. I think it's a terrific amendment. I think it's a wonderful time for our young people and our seniors and our veterans to get to know each other. They will actually find they have a lot more in common than they do have apart.

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

Mr. ENGLISH of Pennsylvania. Mr. Chairman, let me just say in response to the gentlelady, I am most grateful for her support, and I am most grateful for her open-mindedness. Seeing the excellent work that she has done working on a bipartisan basis, and I want to also thank my colleague from Pennsylvania on this very important reauthorization. I am most grateful to them for their open-mindedness to some small refinements on what I think is a reauthorization of an enormously important program.

I yield back the balance of my time.

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

The amendment was agreed to.

□ 1245

AMENDMENT NO. 8 OFFERED BY MS. SUTTON

The Acting CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 110–539.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Ms. SUTTON:

Page 64, after line 16, insert the following:

(2) in subsection (c)(6), insert after subparagraph (E) the following:

''(F) Areas that have a mortgage foreclosure rate greater than the national average mortgage foreclosure rate for the most recent 12 months for which satisfactory data are available.''.

Page 64, lines 17 and 22, redesignate (2) and (3) as (3) and (4), respectively.

The Acting CHAIRMAN. Pursuant to House Resolution 1015, the gentlewoman from Ohio (Ms. SUTTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. SUTTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, communities across this Nation are being devastated by home foreclosures, and my home State of Ohio has been particularly hard hit. This crisis has not stemmed from a single cause, and mitigating its effects will not be achieved with a single solution. Housing problems stem from predatory lending practices, job losses, and situations such as death, divorce and health emergencies.

It is important, Mr. Chairman, that we pursue innovative solutions to deal with this. This includes tying the provisions of Volunteerism and Service-Learning grants to programs that will serve areas that have been adversely affected by the mortgage crisis. This amendment would require the Corporation for National and Community Service to consider whether an area has a mortgage foreclosure rate greater than the national average when considering grant applications from States and other eligible entities.

In a time when so many of our communities are struggling, we need to pursue every avenue to make sure that the cities and towns with the greatest needs have access to the most assistance.

I urge a yes vote on this amendment.

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

Mr. PLATTS. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. PLATTS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the amendment and would associate myself with the maker of the amendment's statements regarding the importance of helping those who are facing challenges because of the housing crisis. This amendment recognizes that communities that are particularly hard hit by this crisis may be in need of special national service efforts. I thus support the amendment and encourage a yes vote.

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

Ms. SUTTON. Mr. Chairman, I yield such time as she may consume to the distinguished gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Chairman, I thank my colleague. Let me say that my colleague is having a problem with her voice with laryngitis, so I am actually going to be speaking for her from her talking points. So I will continue talking about Ohio, which has been particularly hurt by the current mortgage foreclosure crisis.

In a ranking of metropolitan areas with the highest foreclosure rates, Ohio has the sad distinction of having four areas in the top 20. Northeast Ohio, which includes Lorain and Elyria in her district, had the sixth highest rate. Nearly 3 percent of all households in these cities are in some stage of foreclosure, a 112 percent jump from 2006. Akron came in at 12, Dayton at 15 and Toledo at 19.

The current subprime mortgage crisis has not stemmed from a single cause, and mitigating its effects will not be achieved with a single solution. Housing problems stem from predatory lending practices, job losses, and situations such as death, divorce and health emergencies. We must pursue innovative solutions, and this includes trying the provisions of volunteerism and Service-Learning grants to areas that have been adversely affected by the mortgage crisis.

This amendment would require the Corporation for National and Community Service to consider whether an area has a mortgage foreclosure rate greater than the national average when considering grant applications from States and other eligible entities.

Each year, more than 1.5 million individuals serve our country through the service programs that were created by the National and Community Service Act. In a time when so many of our communities are struggling, we need to pursue every avenue to make sure that the cities and towns with the greatest needs have access to the most assistance.

We expect this amendment is going to be noncontroversial, but they may argue that it is duplicative because of the factors that are already included. The areas affected by high foreclosure rates would likely also be areas with high concentrations of low-income persons and high unemployment rates. But when we look at this, we see that by including this additional factor we will focus the Corporation on awarding grant funding to programs that address the specific needs of communities affected by the foreclosure crisis.

When you look at this particular amendment, the Corporation for National and Community Service administers the National Service Trust Program, which provides funding for service programs, community groups, youth groups, service-lending, campus-based programs, pre-professional training programs and other services, one of the criteria the Corporation is required to consider when evaluating applications for funding is the extent to which projects would be conducted in the areas where they are needed most.

Factors already considered are communities designated as empowerment zones or redevelopment areas; targeted for special economic incentives; designated as having high concentrations

of low-income people; areas that are environmentally distressed; areas that are adversely affected by Federal actions related to the management of Federal lands that result in significant regional job losses and economic dislocation; areas adversely affected by reductions in defense spending or closure of bases; areas with unemployment rates greater than the national average for the 12 most recent months.

This amendment will add another factor that the Corporation must consider when determining what constitutes an area.

The Acting CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentlewoman from Ohio (Ms. SUTTON).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MS. SUTTON

The Acting CHAIRMAN. It is now in order to consider amendment No. 9 printed in House Report 110–539.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Ms. SUTTON:

Page 133, insert after line 19 the following (and conform the table of contents accordingly):

SEC. 1708. STUDY TO EXAMINE AND INCREASE SERVICE PROGRAMS FOR DISPLACED WORKERS IN SERVICES CORPS AND COMMUNITY SERVICE AND TO DEVELOP PILOT PROGRAM PLANNING STUDY.

(a) PLANNING STUDY.—The Corporation for National and Community Service shall conduct a study to identify—

(1) specific areas of need for displaced workers;

(2) how existing programs and activities carried out under the national service laws could better serve displaced workers and communities that have been adversely affected by plant closings and job losses;

(3) prospects for better utilization of skilled workers as resources and volunteers; and

(4) methods for ensuring the efficient financial organization of services directed towards displaced workers.

(b) CONSULTATION.—The study shall be carried out in consultation with the Department of Labor, State labor agencies, and other individuals and entities the Corporation considers appropriate.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Corporation shall submit to Congress a report on the results of the planning study required by subsection (a), together with a plan for implementation of a pilot program using promising strategies and approaches for better targeting and serving displaced workers.

(d) PILOT PROGRAM.—From amounts made available to carry out this section, the Corporation shall develop and carry out a pilot program based on the findings in the report submitted under subsection (c).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2008 through 2012.

The Acting CHAIRMAN. Pursuant to House Resolution 1015, the gentlewoman from Ohio (Ms. SUTTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. SUTTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as we heard with the last amendment, Ohio and many other States have suffered tremendous job losses in recent years. These workers and their families deserve our support, and they deserve creative and innovative thinking and policies from us as their representatives.

Programs such as AmeriCorps and Senior Corps have done so much to provide opportunities for our youth and seniors. It is time now that we investigate ways to provide similar opportunities for Americans who have lost jobs through no fault of their own.

This amendment would require the Corporation for National and Community Service to conduct a study to identify specific areas of need for displaced workers and how existing programs and activities carried out under our national service laws can better serve displaced workers and communities affected by plant closings and job losses. The amendment also requires the Corporation to develop and carry out a pilot program based on the findings of the study.

Mr. Chairman, workers who have toiled for so long in manufacturing plants have much to offer their communities with their unique skill sets and leadership capabilities. I look forward to seeing how new service programs would reinvigorate America's displaced workforce with a sense of new purpose, so that they may continue to explore new career opportunities and continue contributing to our communities.

I urge a yes vote on this amendment.

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

Mr. PLATTS. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. PLATTS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do rise in support of this amendment. This amendment is similar to a study and pilot program dealing with veterans that was authorized through an amendment that passed in the committee. While I hope that as this bill moves forward we do not end up with studies and pilot programs for so many different areas that we lose our focus on the bill's priorities, I do believe that it is appropriate activity for the corporation to undertake this effort.

In general, unemployment remains extremely low by historical standards, despite concerns about the economy. However, for those communities such as the maker of the amendment referenced in her home State of Ohio that are experiencing unusually high job losses, it would be wise to explore ways to target national service efforts towards addressing those concerns.

Therefore, I support the amendment, and encourage a yes vote.

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

Ms. SUTTON. Mr. Chairman, I appreciate the support of the distinguished gentleman from Pennsylvania. I thank him for his work on this bill. It is greatly appreciated by the people I represent. And to the distinguished chairwoman, the gentlewoman from New York (Mrs. MCCARTHY), I also extend my appreciation, and I yield her such time as she may consume.

Mrs. MCCARTHY of New York. Mr. Chairman, I thank my colleague from Ohio.

Good data collection is so important, because with data we can determine how to better implement programs and better serve the needs of our Nation's citizens. As workers must find ways to obtain new skills or transition into a new career, this study will provide us with important information. Service can be a bridge between one phase of life to another or from one career to another.

It is not a secret to anyone that Ms. SUTTON's home State of Ohio has suffered tremendous job losses in recent years. From the year 2000 to 2007, Ohio has lost more than 209,000 non-farm jobs, the biggest 7 year drop since the end of the Great Depression. These workers and families deserve our support, and they deserve creative and innovative thinking and policies from us as their representatives.

This study and pilot program require the Corporation for National and Community Service to examine how to use community service programs to provide opportunities for displaced workers. Programs such as AmeriCorps and Senior Corps have done so much to provide opportunities for our young and our seniors. It is time that we investigate ways to provide similar opportunities for Americans who have lost their jobs through no fault of their own.

Workers who have toiled for so long in manufacturing plants have much to offer their communities, and their unique skill sets and leadership capabilities should not go to waste when plants close. I look forward to seeing how new service programs would reinvigorate America's displaced workforce with a sense of purpose so they may explore new career opportunities and continue contributing to all their communities.

The Corporation for National and Community Service has proven itself to be an entrepreneurial, innovative and effective organization. This amendment will lead the Corporation in a new direction to consider how the programs they provide funding to can do better serve the needs of America's displaced workers.

Our national service laws provide funding for numerous worthy organizations such as AmeriCorps, Senior Corps, Habitat for Humanity, City Year, Boys and Girls Club, Teach for America, and Youthbuild. This amendment will spur new programs that address the needs of our displaced workers and their families.

So, again I thank my colleague from Ohio (Ms. SUTTON) for offering this amendment, and I am looking forward to working with her on other areas.

Ms. SUTTON. Mr. Chairman, I thank the gentlewoman for being compassionate and expanding on the amendment. As she indicated, I have a little health issue I am dealing with here.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Ohio (Ms. SUTTON).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. FLAKE

The Acting CHAIRMAN. It is now in order to consider amendment No. 10 printed in House Report 110–539.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. FLAKE:

Page 16, line 11, strike ''; and'' and insert a period.

Page 16, strike line 12 and all that follows through page 18, line 21.

Page 148, line 24, strike ''$65,000,000 for fiscal year 2008,'' and all that follows through ''; and'' on page 149, line 4, and insert ''$45,000,000 for fiscal year 2008; and''.

The Acting CHAIRMAN. Pursuant to House Resolution 1015, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, Ronald Reagan once said, ''No matter how big or powerful government gets and the many services it provides, it can never take the place of volunteers.'' I believe that wholeheartedly. But listening to the debate today, you might easily conclude that volunteerism wasn't discovered until Congress discovered it, and that the only meaningful service that anyone can provide is in a program sponsored by government. We all know that that is simply not the case.

In truth, the programs that are being talked about today, the government-sponsored programs, make up probably less than one-hundredth of 1 percent of all the volunteer activity that takes place across this country. But when we have community service and volunteer positions, when we end up financing them or providing incentives from government, it becomes just another government service.

□ 1300

The new Summer of Service grant program created by this legislation gives incentives to community service work in the form of financial benefits at taxpayer expense. The amendment that I am offering today would simply strike all the language in the bill relating to the so-called Summer of Service program and reduce the authorization by $20 million. This is the amount designated to the program.

The new Summer of Service program would award $20 million annually for education awards for volunteer positions in which school-aged participants can earn up to $1,000 for completion of a 100-hour community-based service-learning project.

Now, we are all familiar with volunteer service that goes on: churches, Rotary Clubs, Boy Scout organizations. In fact, this weekend, 2 days from now, my own son will be doing his Eagle project. He will provide up to 30 hours of service himself, and more than 100 hours will be provided by people that he has recruited to help him in his project. This kind of activity goes on every day, every minute of every day, every second of every day. And yet, we feel that we have to have new and more government programs somehow to prompt volunteer service. That, I think, sells people across this country short. People can volunteer on their own and do without benefits provided by government.

I reserve the balance of my time.

Mrs. MCCARTHY of New York. Mr. Chairman, I rise to claim time in opposition to the amendment.

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

Mrs. MCCARTHY of New York. I yield myself 3 minutes.

Mr. Chairman, I rise to oppose this amendment. When the National Community Service Act was enacted in 1990, we saw powerful new opportunities to inspire civic engagement and transformation in our communities. Last year, AmeriCorps' number reached 500,000, and today Learn and Serve Americans continue to support service learning for K–12 and college students making a vital connection between their academic studies and a real world application through their service.

Now, with the Summer of Service program, we can provide a new opening to reach many young people we know will benefit with the opportunities to spend a summer in service to their communities. It is a right of passage during grades 5–12.

Mr. Chairman, this program grants educational awards of up to $500 to students who complete 100 hours of service over the summer months. By employing service-learning models to teach civic participation skills, the program will help young people serve their communities and expand educational opportunities for themselves and discourage what is commonly known as the summer academic slide.

Today, 10 million students nationwide between the ages of 12 and 18 have participated in school-based service. Research shows that, among those students, teens from disadvantaged communities who serve hold more positive civic attitudes. Kids who engage in volunteering are more likely to be successful in school and avoid risky behaviors such as drugs, alcohol, and crime. Unfortunately, those disadvantaged teens who have so much to gain from the experience are less likely to volunteer than their peers from more advanced backgrounds.

When service is tied to what students are learning in school, young people make gains on achievement tests, complete their homework more often, and increase their grade point average. Students who engage in service learning improve communication skills, grow more aware of career possibilities, and develop more positive workplace attitudes, laying the foundation for America's future leaders. Yet, Learn and Serve's funding stayed the same at no more than $43 million since 1996, and decreasing over the past several years. In Learn and Serve's last grant award cycle, they had 506 applications but only the resources for 102 awards.

For generations, during times of great crisis and need throughout our Nation, students have stepped up and served their country and their communities. Today, again, our young people want to serve and are desperate to do their part, yet their call has gone unheard.

Since 2001, there have been nearly 50 proposals involving national service before Congress, and not one has been enacted. Here we have a program that demonstrates our commitment to that great promise. A modest investment in Summer of Service is an important and long overdue step in providing service-learning opportunities for young people to start.

We must do everything we can to help every child reach his or her full potential. We cannot teach our children until we honestly help them become engaged in their communities and give them the power to actively participate in their education. I urge a ''no'' vote on this amendment.

Mr. Chairman, I yield time to my colleague from Maryland (Mr. SARBANES).

Mr. SARBANES. Mr. Chairman, I rise as well to oppose this amendment, which really overlooks the incredible positive impact that a summer of service can have on our youth.

The Summer of Service is a program which fills a policy gap which helps communities create positive alternatives for young teens. The middle school years in particular are extremely pivotal years for young people. Most youth are making the difficult transition from middle school to high school, and many of them have no organized activities during those periods when they are out of school. Many are left unsupervised and at risk of being engaged in potentially harmful activity. We want to engage them. We want to make sure that they have something to do.

I was recently, Mr. Chairman, at a conference held in Baltimore that is focusing on what some refer to as the summer learning slide or summer learning lost. Basically, what do you do to engage students over those summer months to make sure that you are complementing the educational opportunities that they have during the regular school year? And the Summer of Service is a perfect opportunity to do that and to support them so that continuum, that trajectory is always upward. It is not a kind of roller coaster where you get two steps forward and you slip one step back.

How our youth spend their time during the summer period may determine whether they embark on a course of active citizenship and civic engagement and engaged learning or whether they go down a different path. This was a conclusion of a conference that the White House convened in 2000 to look at the issues that are facing teenagers. The Summer of Service initiative will offer youth the chance to spend a summer in service to their communities. I urge that we vote against the Flake amendment that would eliminate the Summer of Service.

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

Mr. FLAKE. May I inquire as to the time remaining on my side.

The Acting CHAIRMAN. The gentleman from Arizona has 2½ minutes remaining.

Mr. FLAKE. Mr. Chairman, this $20 million program is being authorized under the Learn and Serve program. I would be glad to yield 30 seconds to the sponsor of this program or to the committee if I can find out if they actually studied whether this program is working as it is. It doesn't seem they are near the microphone, so I will read something from the Office of Management and Budget.

The Office of Management and Budget audited this program a while ago under the Learn and Serve program. The Learn and Serve program was audited to be not performing, results not demonstrated. The AmeriCorps National Civilian Community Corps, not performing. Ineffective. This is our own government telling us what our own programs are doing, and yet here we are under the Learn and Serve program authorizing $20 million more for a new program without trying to go in and actually fix the old program or eliminate the old program.

We in Congress sometimes wonder why our authorizing committees are sometimes neglected. This is why. This is why. This program, the whole AmeriCorps program hasn't been reauthorized I think since 1996 or so; and yet, when we do come to reauthorize it, we ignore what our own government, our own agencies are telling us about these programs and we simply pile more money on.

No matter what we do on the overall bill, and I can read the writing on the wall, the bill is going to pass, let's at least give some thought to the taxpayers here who have to fund this, to say that we are not going to increase a program to create a new program under an existing program that has been rated by our own Office of Management and Budget as not performing, results not demonstrated.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 11 OFFERED BY MR. INSLEE

The Acting CHAIRMAN. It is now in order to consider amendment No. 11 printed in House Report 110–539.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. INSLEE:

Page 144, strike lines 15 through 19 and insert the following (and conform the table of contents accordingly):

Subtitle I—Energy Conservation Corps

SEC. 1811. GENERAL AUTHORITY.

The Corporation for National and Community Service (in this subtitle referred to as the ''Corporation'') shall make grants to States for the creation or expansion of full-time or part-time Energy Conservation Corps programs. Notwithstanding provisions identified in this subtitle, the Corporation shall apply the provisions of subtitle C of this subchapter in making grants under this section as necessary.

SEC. 1812. APPLICATION.

(a) IN GENERAL.—To be eligible to receive a grant under this subtitle, a State shall invite applications from within the State to receive an Energy Conservation Corps grant.

(b) PROCESS.—The State shall then prepare and submit a State application to the Corporation at such time, in such manner, and containing such information as the Corporation may reasonably require. The Corporation shall consult with state and local Conservation Corps in the development of the application guidelines.

(c) DISADVANTAGED YOUTH.—To acknowledge the focused enrollment of disadvantaged youth and young adults in the Energy Conservation Corps, the Corporation shall—

(1) allow a higher cost-per-member to enable Energy Conservation Corps programs to provide the necessary supportive services to ensure the success of the participants; and

(2) allow for greater flexibility in retention rates.

(d) CONSIDERATION OF RESIDENTIAL CORPS.—The Corporation shall allow for equal consideration of residential Corps program opportunities since residential Corps thrive in rural areas that commonly lack opportunities for young adults, enable the participation for emancipated foster youth, gang involved youth, and others lacking a safe and stable home environment, allow for more structured time for work, training, education and counseling, and provide disaster response-ready crews immediately upon request.

(e) EQUITABLE TREATMENT.—In the consideration of applications, the Corporation shall ensure the equitable treatment of both urban and rural areas.

SEC. 1813. FOCUS OF PROGRAMS.

(a) IN GENERAL.—Programs that receive assistance under this subtitle may carry out activities that—

(1) meet an identifiable public need with specific emphasis on projects in support of energy conservation, infrastructure and transportation improvement, and emergency operations, including—

(A) improving the energy efficiency of housing for elderly and low-income people;

(B) building energy-efficient ''green'' housing for elderly and low-income people;

(C) environmental education and energy conservation education for elementary and secondary school students and the public;

(D) reusing and recycling including deconstruction;

(E) the repair, renovation, or rehabilitation of an existing infrastructure facility including, but not limited to, rail, mass transportation, ports, inland navigation, schools and hospitals;

(F) transportation enhancements;

(G) recreational trails improvements, including those that enable alternative means of transportation and ensure safe use;

(H) transformation of military bases affected by the Base Realignment and Closing process (BRAC) to green the space;

(I) tree planting and reforestation;

(J) renewable resource enhancement; and

(K) assisting in emergency operations, such as disaster prevention and relief; and

(2) provide opportunities for youth and young adults, especially disadvantaged youth, to be trained for careers related to the activities listed in paragraph (1), including those that will be part of the emerging field of ''green collar'' jobs.

(b) GOALS OF THE ENERGY CONSERVATION CORPS.—The goals of the Energy Conservation Corps are to—

(1) promote clean energy use and preserve, protect, and sustain the environment;

(2) provide young adults with opportunities to become better citizens, students and workers through meaningful service to their communities and the nation;

(3) mobilize youth and young adults, especially disadvantaged youth, to promote energy conservation and mitigate threats to the environment; and

(4) provide a pathway to responsible adulthood and productive, unsubsidized employment in the private sector.

SEC. 1814. TRAINING AND EDUCATION SERVICES.

All applicants must describe how they intend to—

(1) assess the skills of Corpsmembers;

(2) provide life skills and work skills training;

(3) provide training and education;

(4) develop agreements for academic study with—

(A) local education agencies;

(B) community colleges;

(C) 4-year colleges;

(D) area charter high schools and vocational-technical schools; and

(E) community-based organizations;

(5) provide career and educational guidance; and

(6) Recruit participants without high school diplomas.

SEC. 1815. PREFERENCE FOR CERTAIN PROJECTS.

In the consideration of applications the Corporation shall give preference to programs that are discrete and—

(1) meet an identifiable public need;

(2) instill a work ethic and a sense of public service in the participants;

(3) involve youth operating in crews or a team-based structure; and

(4) enhance skills development and educational level and opportunities for the participants.

SEC. 1816. PARTICIPANTS.

(a) IN GENERAL.—Age enrollment in programs that receive assistance under this subtitle shall be limited to individuals who, at the time of enrollment, are not less than 18 years nor more than 25 years of age, except that summer programs may include individuals not less than 14 years or more than 21 years of age at the time of the enrollment of such individuals.

(b) PARTICIPATION OF DISADVANTAGED YOUTH.—Programs that receive assistance under this subtitle shall ensure that at least 50 percent of the participants are economically disadvantaged youth.

(c) SPECIAL CORPSMEMBERS.—Notwithstanding subsection (a) of this section, program agencies may enroll a limited number of special Corpsmembers over age 25 so that the Energy Conservation Corps may draw on their special skills to fulfill the purposes of this chapter.

SEC. 1817. USE OF VOLUNTEERS.

The use of volunteer services under this section shall be subject to the condition that such use does not result in the displacement of any participant.

SEC. 1818. COOPERATION AMONG STATES FOR EMERGENCY RESPONSE.

(a) AGREEMENTS BETWEEN STATES.—States operating an Energy Conservation Corps may enter into a compact with participating states to provide for mutual cooperation to manage any emergency or disaster that is duly declared by the affected state.

(b) PARTICIPATING STATE RESPONSIBILITIES.—

(1) The authorized representative of a participating state may request assistance of another party by contracting the authorized representative of that state. The provisions of this agreement shall only apply to requests for assistance made by and to authorized representatives.

(2) There shall be frequent consultation between state officials who have assigned emergency management responsibilities and other appropriate representatives of the party states with affected jurisdictions and the United States Government, with free exchange of information, plans, and resource records relating to emergency capabilities.

SEC. 1819. FEDERAL SHARE.

The federal share of the cost of carrying out an Energy Conservation Corps program for which a grant is made under this subtitle is 76 percent of the total cost of the program.

SEC. 1820. BEST PRACTICES.

(a) TRAINING AND TECHNICAL ASSISTANCE.—The Corporation shall provide technical assistance to grantees that request assistance and shall disseminate best practices that emerge from the Energy Conservation Corps.

(b) CONTRACT.—In providing training and technical assistance, the Corporation shall contract with a national organization with a proven track record of developing and sustaining Corps, working with the Conservation Corps model, and engaging young people from disadvantaged backgrounds.

SEC. 1820A. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary for fiscal years 2008 through 2010 to achieve the purposes of this subtitle.

(b) ALLOCATION.—Of the amounts appropriated to carry out this subtitle for each fiscal year—

(1) 90 percent shall be for grants to eligible entities;

(2) 5 percent shall be technical assistance, and dissemination of best practices; and

(3) 5 percent shall be for evaluation.

SEC. 1820B. LEARN AND SERVE AMERICA.

(a) IN GENERAL.—To promote Learn and Serve programs that have the potential to reach every student in our public education network and private schools through school-based green service-learning, the Corporation shall establish a competitive grant program for the creation or expansion of such service learning programs.

(b) APPLICATION.—To be eligible to receive a grant under this section, a State Education Agency, Local education Agency, or nonprofit organization shall submit an application with such information and in such time as the Corporation may require.

(c) AUTHORIZATION OF APPROPRIATIONS.—For this purpose, there are authorized to be appropriated $10,000,000 for fiscal year 2009 and such sums as may be necessary thereafter.

SEC. 1820C. NATIONAL SENIOR SERVICE CORPS.

(a) IN GENERAL.—To promote National Senior Service Corps programs that have the potential to both involve seniors in providing meaningful volunteer opportunities the Corporation shall establish a competitive grant program for the creation or expansion of National Senior Service Corps programs that—

(1) make effective use of the talents and experience of seniors, particularly baby boomers, in programs and projects involving seniors in the improvement of the energy efficiency of housing for elderly and low-income people;

(2) building or helping to supervise energy-efficient ''green'' housing for elderly and low-income people; the repair, renovation, or rehabilitation of an existing infrastructure facility including, but not limited to, rail, mass transportation, ports, inland navigation, schools and hospitals; transportation enhancements; recreational trails improvements, including those that enable alternative means of transportation and ensure safe use;

(3) volunteering in schools to teach or other support environmental education and energy conservation education for elementary and secondary school students and the public; and

(4) assisting in such other activities as the National Senior Service Corps may identify.

(b) ELIGIBILITY.—To be eligible to receive a grant under this section, a program in the National Senior Service Corps shall submit an application with such information and in such time as the Corporation may require.

(c) AUTHORIZATION.—For this purpose, there is authorized to be appropriated $10,000,000 for fiscal year 2009 and such sums as may be necessary thereafter.

The Acting CHAIRMAN. Pursuant to House Resolution 1015, the gentleman from Washington (Mr. INSLEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. INSLEE. Mr. Chairman, I rise with Mr. SARBANES to offer an amendment today that will establish an energy conservation corps program. This will provide green collar training and educational service grants to nonprofit organizations, universities, and State and local governments. This is really an exciting opportunity for us to create opportunities for young folks to be engaged in this new revolution of clean energy in this country.

The energy conservation corps we envisioned will help revitalize communities and preserve and restore the environment, while also preparing young people for the responsible and productive lives we know they are going to have.

The Energy Independence and Security Act of 2007 will create hundreds of thousands of new opportunities for Americans. It will give low-income young people training to fill these green collar jobs that we are now excited about and hope for a prosperous and successful future.

The conservation corps will fund energy conservation installations in public spaces, energy efficient green housing for elderly and low-income people, and restoration of historic structures on public lands. It would also provide funding for and repair, renovation, and rehabbing of existing infrastructure facilities, and transportation enhancements and recreational trail improvements. It is going to help a lot of places that we need energy conservation. It also establishes a competitive grant program to fund National Senior Service Corps programs that will involve seniors in providing meaningful volunteer opportunities.

Now, there are multiple organizations that can participate in this, one of which just as an example is the Student Conservation Association. Under this grant program, they will be able to deploy sustainable community projects which engage disadvantaged and other youth to help communities learn energy saving and water conservation techniques and strategies to prevent pollution.

In this program, SCA corps members will be able to provide a variety of energy-related services to homeowners, schools, and businesses, and communities. These services include outreach and education, facility audits, development of energy reduction strategies, and implementation in support of these programs. As part of this program, corps members will receive training, career development, and life skills while helping communities benefit from these sustainable programs.

I am familiar with this organization, the SCA. My parents led Student Conservation Association efforts with young people in Mt. Rainier National Park back in the late 1960s and early 1970s, and I saw how important these programs were both to help these communities, and to help the young folks themselves. Because what we have learned is, and what I saw firsthand when my folks worked with the SCA kids, once kids get involved in volunteer programs, once they get involved in their communities, once they get involved in clean energy, they are never going to turn back. This is going to be a lifetime pursuit, and there is nothing better we can do to help both kids' lives but this clean energy revolution we are going to launch in this country.

So, by establishing the energy conservation corps, we will help make our

Nation's volunteer programs into a true 21st century program, and we will also help solve one of the most pressing challenges of this century, global warming, while helping our kids as well.

Mr. Chairman, I yield 1 minute to Chairwoman MCCARTHY.

Mrs. MCCARTHY of New York. Mr. Chairman, I want to say thank you to my colleague for offering this amendment, and I certainly fully support it. But I want to also address Mr. FLAKE's concern and clarify: While OMB conducted a part assessment on Learn and Serve, the Summer of Service initiative, what we are proposing is a new initiative that I believe has not been parted.

So with that being said, I think that when we look at the whole bill, and especially for the Summer of Service part, we have an opportunity to help our people, our young people during the summertime. This, to me, can certainly cut down on what we are seeing in our communities across this country right now, on more violence in our communities. We have to look at what is the underlying cause.

With that being said, we are certainly doing the most we can for the little amount of money that we have, to make the biggest impact on these children's lives. So with that being said, I certainly hope that when we come down to it that we will be against Mr. FLAKE's amendment and let this bill go forward, and let's help the young people, let's help our veterans, let us help everybody in this particular amendment. It is a good bill. It has been overwhelmingly supported on both sides of the aisle, but this particular amendment, as far as I am concerned, would hurt too many of our young people.

□ 1315

Mr. INSLEE. Mr. Chairman, I reserve the balance of my time.

Mr. PLATTS. Mr. Chairman, I claim the time in opposition.

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

Mr. PLATTS. Mr. Chairman, while I certainly understand the focus and intent of this amendment, I rise in opposition and worry that this amendment will create more bureaucracy and administrative costs rather than focus on getting dollars out to the participants in the programs.

The focus of the GIVE Act is on streamlining our national service programs to make them more effective, efficient, and accountable. To do that, we have refocused a number of programs and added priorities to others to ensure that national service funds are being spent on initiatives that meet the most pressing needs.

We have accomplished that by working within the existing program structures rather than piling new programs on top of existing programs with similar purposes. I share the gentleman's concerns in the area of energy conservation. I believe a better approach to this issue would have been to work within existing structures. In fact, this bill already does that by addressing energy usage and conservation in a number of areas.

Learn and Service, a new Summer of Service program, includes a focus on energy conservation. And in the innovative program section of that program, energy conservation is specifically included as a type of program eligible for funding.

Under the National Civilian Community Corps, energy conservation was specifically added as a new purpose for that program. And under the programs of national significance authority within the Senior Corps, energy conservation and environmental stewardship were added as types of programs eligible for funding.

Obviously, infrastructure issues are found throughout the bill because we recognize that this is a priority in many locations. But establishing a new corps that will siphon away already scarce resources will only undermine the efforts of the amendment's sponsors to bring greater focus to these types of programs.

I understand this amendment authorizes $10 million for fiscal year 2009. Well, not within this specific act, but the Public Land Corps within the Department of the Interior already exists and is funded by the Federal Government at the amount of $2.5 million this year and it is authorized for $12 million. This program, the Public Land Corps, engages disadvantaged youth ages 16–24 in protecting public lands and the environment, including global warming and emissions reduction.

So my opposition is not to the focus of the effort, but I believe we are being duplicative and are going to waste hours on administrative costs in creating a new program rather than investing these dollars in existing programs that will better focus on energy conservation.

So I would encourage a ''no'' vote, and ask Members to vote ''no.''

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

Mr. INSLEE. Mr. Chairman, I yield 10 seconds to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. I just want to clarify I certainly am in support of the Inslee-Sarbanes amendment. I just wanted to clarify that.

Mr. INSLEE. Mr. Chairman, I yield the balance of my time to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. Mr. Chairman, I just want to say that I am in strong support of this amendment. I am glad to cosponsor it with Congressman INSLEE.

The way we are going to make improvement with our environment is when hundreds of thousands of people develop the habits that clean up the environment instead of having the habits that hurt the environment. There is no better way to do this than to establish this Energy Conservation Corps which brings a service dimension for our young people and for our seniors in the Learn and Service programs to support this green frontier that we are embarked upon.

So I think it is a critical boost to the other efforts that we are making on the energy horizon.

Mr. PLATTS. Mr. Chairman, I yield myself such time as I may consume.

I just want to again emphasize that the GIVE Act specifically includes ''energy conservation and stewardship as specified allowable uses of grant funds in programs already in place.'' So I would encourage a ''no'' vote.

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

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

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

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

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

Mrs. MCCARTHY of New York. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. OBEY) having assumed the chair, Mr. HOLDEN, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2857) to reauthorize and reform the national service laws, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 1:30 p.m. today.

Accordingly (at 1 o'clock and 21 minutes p.m.), the House stood in recess until approximately 1:30 p.m.

□ 1330

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LARSON of Connecticut) at 1 o'clock and 30 minutes p.m.

GENERATIONS INVIGORATING VOLUNTEERISM AND EDUCATION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 1015 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2857.

□ 1331

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2857) to reauthorize and reform the national service laws, with Mr. HOLDEN (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole House rose earlier today, a request for a recorded vote on amendment No. 11 printed in House Report 110–539 by the gentleman from Washington (Mr. INSLEE) had been postponed.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 110–539 on which further proceedings were postponed, in the following order:

Amendment No. 10 by Mr. FLAKE of Arizona.

Amendment No. 11 by Mr. INSLEE of Washington.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 10 OFFERED BY MR. FLAKE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 153, noes 260, not voting 20, as follows:

[Roll No. 105]

AYES—153

Aderholt	Conaway	Heller
Akin	Crenshaw	Hensarling
Alexander	Cubin	Herger
Bachus	Culberson	Hobson
Barrett (SC)	Davis (KY)	Hoekstra
Bartlett (MD)	Davis, David	Hunter
Biggert	Deal (GA)	Inglis (SC)
Bilbray	Dent	Issa
Bilirakis	Doolittle	Johnson (IL)
Bishop (UT)	Drake	Johnson, Sam
Blackburn	Dreier	Jones (NC)
Blunt	Duncan	Jordan
Boehner	English (PA)	King (IA)
Bonner	Everett	Kingston
Bono Mack	Fallin	Kline (MN)
Boozman	Feeney	Knollenberg
Boustany	Flake	Kuhl (NY)
Brady (TX)	Forbes	Lamborn
Broun (GA)	Fossella	Latham
Brown (SC)	Foxx	Lewis (CA)
Buchanan	Franks (AZ)	Lewis (KY)
Burgess	Garrett (NJ)	Lucas
Burton (IN)	Gerlach	Lungren, Daniel E.
Buyer	Gillibrand	
Calvert	Gingrey	Mack
Camp (MI)	Gohmert	Manzullo
Campbell (CA)	Goode	Marchant
Cannon	Goodlatte	Marshall
Cantor	Granger	McCarthy (CA)
Carter	Graves	McCaul (TX)
Chabot	Hall (TX)	McCollum (MN)
Coble	Hastings (WA)	McCotter
Cole (OK)	Hayes	McHenry
McKeon	Rehberg	Smith (TX)
McMorris Rodgers	Reichert	Souder
Miller (FL)	Reynolds	Stearns
Miller (MI)	Rogers (AL)	Sullivan
Miller, Gary	Rogers (KY)	Tancredo
Moran (KS)	Rogers (MI)	Thornberry
Musgrave	Rohrabacher	Tiberi
Myrick	Roskam	Walberg
Neugebauer	Royce	Wamp
Nunes	Ryan (WI)	Weldon (FL)
Paul	Sali	Westmoreland
Pearce	Schmidt	Whitfield (KY)
Pence	Sensenbrenner	Wilson (NM)
Peterson (PA)	Sessions	Wilson (SC)
Pitts	Shadegg	Wittman (VA)
Price (GA)	Shimkus	Wolf
Putnam	Shuster	Young (AK)
Radanovich	Simpson	Young (FL)
	Smith (NE)	

NOES—260

Abercrombie	Faleomavaega	Meeks (NY)
Ackerman	Farr	Melancon
Allen	Fattah	Mica
Altmire	Ferguson	Michaud
Andrews	Filner	Miller (NC)
Arcuri	Fortenberry	Miller, George
Baca	Frank (MA)	Mitchell
Bachmann	Gallegly	Mollohan
Baldwin	Giffords	Moore (KS)
Barrow	Gilchrest	Moore (WI)
Barton (TX)	Gordon	Moran (VA)
Bean	Green, Al	Murphy (CT)
Becerra	Green, Gene	Murphy, Patrick
Berkley	Grijalva	Murphy, Tim
Berman	Gutierrez	Murtha
Berry	Hall (NY)	Nadler
Bishop (GA)	Hare	Napolitano
Bishop (NY)	Harman	Neal (MA)
Blumenauer	Hastings (FL)	Norton
Bordallo	Herseth Sandlin	Oberstar
Boren	Higgins	Obey
Boswell	Hill	Olver
Boucher	Hinchey	Ortiz
Boyd (FL)	Hinojosa	Pallone
Boyda (KS)	Hirono	Pascrell
Brady (PA)	Hodes	Pastor
Braley (IA)	Holden	Payne
Brown, Corrine	Holt	Perlmutter
Butterfield	Honda	Peterson (MN)
Capito	Hooley	Petri
Capps	Hoyer	Pickering
Capuano	Inslee	Platts
Cardoza	Israel	Pomeroy
Carnahan	Jackson (IL)	Porter
Carney	Jackson-Lee (TX)	Price (NC)
Castle	Jefferson	Rahall
Castor	Johnson (GA)	Ramstad
Chandler	Jones (OH)	Regula
Christensen	Kagen	Renzi
Clarke	Kanjorski	Reyes
Clay	Kaptur	Richardson
Cleaver	Kennedy	Rodriguez
Clyburn	Kildee	Ros-Lehtinen
Cohen	Kilpatrick	Ross
Conyers	Kind	Rothman
Cooper	King (NY)	Roybal-Allard
Costa	Kirk	Ruppersberger
Costello	Klein (FL)	Ryan (OH)
Courtney	Kucinich	Salazar
Cramer	LaHood	Sánchez, Linda T.
Crowley	Lampson	Sanchez, Loretta
Cuellar	Langevin	Sarbanes
Cummings	Larsen (WA)	Saxton
Davis (AL)	Larson (CT)	Schakowsky
Davis (CA)	LaTourette	Schwartz
Davis (IL)	Latta	Scott (GA)
Davis, Lincoln	Lee	Scott (VA)
Davis, Tom	Levin	Serrano
DeFazio	Lewis (GA)	Shays
DeGette	Lipinski	Shea-Porter
Delahunt	LoBiondo	Sherman
DeLauro	Loebsack	Shuler
Diaz-Balart, L.	Lofgren, Zoe	Sires
Diaz-Balart, M.	Lowey	Skelton
Dicks	Lynch	Slaughter
Dingell	Mahoney (FL)	Smith (NJ)
Doggett	Maloney (NY)	Smith (WA)
Donnelly	Markey	Snyder
Doyle	Matheson	Space
Edwards	Matsui	Spratt
Ehlers	McCarthy (NY)	Stark
Ellison	McDermott	Stupak
Ellsworth	McGovern	Sutton
Emanuel	McHugh	Tanner
Emerson	McIntyre	Tauscher
Engel	McNerney	Taylor
Eshoo	McNulty	Terry
Etheridge	Meek (NY)	Thompson (CA)
Thompson (MS)	Velázquez	Waxman
Tierney	Visclosky	Weiner
Towns	Walden (OR)	Welch (VT)
Tsongas	Walsh (NY)	Weller
Turner	Walz (MN)	Wexler
Udall (CO)	Wasserman Schultz	Wilson (OH)
Udall (NM)	Waters	Wu
Upton	Watson	Wynn
Van Hollen	Watt	Yarmuth

NOT VOTING—20

Baird	Johnson, E. B.	Rangel
Brown-Waite, Ginny	Keller	Rush
Fortuño	Linder	Schiff
Frelinghuysen	McCrery	Sestak
Gonzalez	Meek (FL)	Solis
Hulshof	Poe	Tiahrt
	Pryce (OH)	Woolsey

□ 1359

Messrs. ROTHMAN, BRADY of Pennsylvania, WU, Mrs. CAPPS, Mr. CARDOZA, Ms. SCHAKOWSKY, Messrs. TIM MURPHY of Pennsylvania, OBERSTAR, RAMSTAD, TANNER, EHLERS and FORTENBERRY changed their vote from ''aye'' to ''no.''

Messrs. KNOLLENBERG, DAVIS of Kentucky, CAMP of Michigan and REYNOLDS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. SCHIFF. Mr. Chairman, on rollcall No. 105, had I been present, I would have voted ''no.''

Ms. McCOLLUM of Minnesota. Mr. Chairman, I intended to vote '''no'' on amendment number 10 of House Report 110–539 offered by Mr. FLAKE of Arizona during debate on H.R. 2857, the Generations Invigorating Volunteerism and Education Act.

AMENDMENT NO. 11 OFFERED BY MR. INSLEE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 252, noes 161, not voting 20, as follows:

[Roll No. 106]

AYES—252

Abercrombie	Bilbray	Capuano
Ackerman	Bishop (GA)	Cardoza
Allen	Bishop (NY)	Carnahan
Altmire	Blumenauer	Carney
Andrews	Bordallo	Castle
Arcuri	Boren	Castor
Baca	Boswell	Chandler
Baird	Boucher	Christensen
Baldwin	Boyd (FL)	Clarke
Barrow	Boyda (KS)	Clay
Bartlett (MD)	Brady (PA)	Cleaver
Bean	Braley (IA)	Clyburn
Becerra	Brown, Corrine	Cohen
Berkley	Butterfield	Conyers
Berman	Capito	Cooper
Berry	Capps	Costa

Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Faleomavaega
Farr
Fattah
Ferguson
Filner
Fortenberry
Frank (MA)
Frelinghuysen
Giffords
Gilchrest
Gillibrand
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jefferson
Johnson (GA)
Johnson (IL)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Reichert
Renzi
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (OH)
Wu
Wynn
Yarmuth

NOES—161

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Barton (TX)
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
Latta
Lewis (KY)
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Price (GA)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiberi
Turner
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—20

Brown-Waite, Ginny
Fortuño
Gonzalez
Holt
Hulshof
Jackson-Lee (TX)
Johnson, E. B.
Keller
Lewis (CA)
Linder
McCrery
Poe
Pryce (OH)
Rangel
Rush
Serrano
Sestak
Solis
Tiahrt
Woolsey

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1406

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PASTOR) having assumed the chair, Mr. HOLDEN, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2857) to reauthorize and reform the national service laws, pursuant to House Resolution 1015, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. DANIEL E. LUNGREN OF CALIFORNIA

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DANIEL E. LUNGREN of California. In its current form I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Daniel E. Lungren of California moves to recommit the bill, H.R. 2857, to the Committee on Education and Labor with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the text of the bill H.R. 3773 as passed by the Senate on February 12, 2008.

POINT OF ORDER

Mr. GEORGE MILLER of California. Mr. Speaker, I raise a point of order that the motion to recommit contains nongermane instructions in violation of clause 7, rule XVI. The instructions in the motion to recommit address an unrelated matter within the jurisdiction of a committee not represented in the underlying bill.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I wish to be heard on the point of order.

The SPEAKER pro tempore. The Chair recognizes the gentleman from California.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, it is unfortunate the gentleman has raised this point of order rather than allowing a straight up-or-down vote on the Senate-passed FISA legislation.

Let me speak specifically to the point of order and why, in fact, this motion to recommit is in order.

The underlying purpose of the germaneness rule is that it ''prevents the presentation to the House of propositions that might not reasonably be anticipated and for which it might not be properly prepared.'' I cite to 8 Cannon, section 2993. That is clearly not the case here in that this body has dealt extensively with the subject matter of the Foreign Intelligence Surveillance Act. And, in fact, we were informed by the majority that we were to be prepared to vote on that this week.

Mr. GEORGE MILLER of California. Mr. Speaker, the scheduling of the House is not the subject of this point of order. I raised a point of order that the motion addresses the jurisdiction of committees not represented in the underlying bill. Neither the Judiciary Committee or the Intelligence Committee is represented in the underlying bill, not the schedule of the House.

The SPEAKER pro tempore. The Chair will continue to hear the gentleman from California, Representative LUNGREN, discuss the point of order.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, despite the difference in titles of H.R. 2857 and H.R. 3773 relating to the motion, that is not controlling under Deschler-Brown, chapter 28, section 24. As a matter of

fact, it refers to the fundamental purpose of the motion. The fundamental purpose of this motion does relate to H.R. 2857, as required by sections 935 and 936 of the House manual.

The report on H.R. 2857 from the gentleman's committee states clearly in its statement of purpose of the bill found on page 57 of that report that the legislation seeks to emphasize, and I quote, ''the critical role of service in meeting the national priorities of emergency and disaster preparedness; and improves program integrity.'' That is from the report on the bill from the gentleman's committee.

In other words, the critical issue of homeland security provides the required nexus between the subject matters of H.R. 2857 and the motions as required under sections 935 and 936 of the House manual.

Further, I would argue, it is clear that the subject matter requirements of section 935 and 936 of the House manual are satisfied. A specific section of the legislation brought to the floor by the gentleman's committee relating to ''Emergency and Disaster Preparedness'' provides on page 71 of the gentleman's committee report that ''H.R. 2857 supports the role of service in addressing emergency and disaster preparedness.'' These are the words from the gentleman's committee's report. ''In addition, this program may engage Federal, State, and local stakeholders to collaborate to achieve a more effective response to issue public safety, public health, emergencies and disasters.''

Mr. GEORGE MILLER of California. Mr. Speaker, I insist upon my point of order. The gentleman again is speaking to the scheduling of the floor of the House. The bill, in its entirety, speaks to national voluntary service. The gentleman, I guess, is talking about the intelligence service. And the fact of the matter is, under the point of order there is nothing in this legislation within the jurisdiction of the committees, for the motion to recommit, of the Intelligence Committee or the Judiciary Committee, and I insist upon my point of order.

Mr. DANIEL E. LUNGREN of California. May I continue my response?

The SPEAKER pro tempore. The Chair will continue to hear the gentleman from California as long as he confines his remarks to the point of order.

Mr. DANIEL E. LUNGREN of California. I was attempting to specify the germaneness, quoting specifically from the language of the committee report justifying support for this bill. I did not bring up public safety, public health, emergencies and disasters and effective response thereto. That is the premise contained in the bill and the committee report.

□ 1415

Mr. Speaker, if we are to be able to respond to public safety, emergencies, and disasters, it does not limit it in the language of the gentleman's committee report to natural disasters. It therefore includes man-made disasters, of which we are very, very cognizant. And 9/11 is perhaps the greatest example. So the bill itself justifies its existence in that the individuals, under the ambit of the bill, to support responses for public safety, public health, emergencies, and disasters are affected in very specific ways by our capacity, our capacity, to determine beforehand what the nature of the disasters and emergencies would be and therefore allow us to array our individuals under this bill in concert, as is stated by the gentleman's report, to collaborate with Federal, State, and local stakeholders. In that way my amendment is very much germane to the main purpose of the bill and the specifics of the bill.

Finally, the language of H.R. 2857 emphasizes the ability to deploy the National Civilian Community Corps to emergencies and disasters. It does not limit it to natural emergencies or disasters, therefore including terrorist attacks.

Mr. GEORGE MILLER of California. Mr. Speaker, I insist on my point of order. Again, had we been involved with the committees of jurisdiction that the gentleman is referring to, the bill would have been referred by the Parliamentarian to those committees, and it was not. And let me just inform the gentleman. I know he's been out for a couple of days and he comes back with great vigor, and I admire his arguments. But there is nothing within the programs of Teach for America or the Boys and Girls Club of America or the Big Brothers Big Sisters program or the YouthBuild or the National Council on Aging or the Senior Citizen Nutrition Program or the American Red Cross, there is nothing in those programs that require that they eavesdrop or wiretap anybody's phones before they can deliver their services. And there is nothing within the jurisdiction of this legislation or of this committee that deals with those matters, and there is nothing in this bill that deals with the matters within the jurisdiction of those committees. And I insist upon my point of order.

The SPEAKER pro tempore. The Chair will allow the gentleman from California 2 minutes to close his argument.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, the gentleman says, with some humor in his voice, that we ought not to be considering the question of wiretapping. That is not the question we bring before us today. The question we bring before of us today and why this is germane is whether or not we have the ability to listen in on those who would kill us and therefore prepare for these disasters before they occur and, more than that, prevent them.

Mr. GEORGE MILLER of California. Mr. Speaker, the gentleman from California is required to speak to the point of order.

Mr. DANIEL E. LUNGREN of California. I am speaking to the point of order.

The SPEAKER pro tempore. The chair has estimated that the gentleman would need 2 minutes to conclude his argument, and 1 minute remains.

Mr. GEORGE MILLER of California. Parliamentary inquiry, Mr. Speaker.

The gentleman must speak to the point of order which has been made with respect to the fact that there is nothing in this committee speaking to those jurisdictions.

The SPEAKER pro tempore. The Chair is willing to hear the gentleman from California for another minute to conclude his argument on the point of order.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, to suggest that intelligence gathered to prevent disaster has nothing to do with the ability of those we are asking under this bill to respond to disaster reminds one of the comment in literature years ago when one was confronted with the incongruity of the law and that person responded by saying: The law, sir, is an ass.

I would not suggest we are at that point here, but I would suggest this: for anyone to say that, to blind ourselves to the information that would allow us to prevent disasters and prepare for the disasters, to say that that is irrelevant to the debate today shows how irrelevant the debate today is to the needs of the people of the State of California, the Nation, and, frankly, our allies. It is germane, Mr. Speaker.

The SPEAKER pro tempore. The chair has heard the gentlemen's argument.

The Chair will hears individual Members in turn. They may not yield to one another. They may not interrupt one another except by proper objection concerning relevance.

Mr. GEORGE MILLER of California. Mr. Speaker, I insist upon my point of order.

And I appreciate that perhaps there's some confusion on the other side of the aisle between the Big Brothers of this program and Big Brother that you're thinking about.

I insist upon my point of order.

The SPEAKER pro tempore. The Chair is prepared to rule.

As the Chair most recently ruled on March 5, 2008, the instructions in the motion to recommit address a matter unrelated to the issues addressed in the underlying bill, and within the jurisdiction of committees not represented in the underlying bill. The instructions are therefore not germane, and the point of order is sustained. The motion is not in order.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I move to appeal the Speaker's ruling, with all due respect.

The SPEAKER pro tempore. The question is: Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

Mr. GEORGE MILLER of California. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 221, nays 191, answered ''present'' 1, not voting 15, as follows:

[Roll No. 107]

YEAS—221

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

NAYS—191

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

ANSWERED ''PRESENT''—1

Johnson (IL)

NOT VOTING—15

Brown-Waite, Ginny
Gonzalez
Hulshof
Johnson, E. B.
Keller
Linder
McCrery
Poe
Pryce (OH)
Rangel
Rush
Sestak
Solis
Woolsey
Young (FL)

□ 1440

Mr. BURGESS changed his vote from ''yea'' to ''nay.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. TIAHRT. Mr. Speaker, on rollcall Nos. 105–107, I was unavoidably detained. Had I been present, I would have voted ''aye'' on rollcall 105, ''no'' on rollcall 106, and ''nay'' on rollcall 107.

MOTION TO RECOMMIT OFFERED BY MR. KUHL OF NEW YORK

Mr. KUHL of New York. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. KUHL of New York. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Kuhl of New York moves to recommit the bill H.R. 2857 to the Committee on Education and Labor with instructions to report the same back to the House promptly with the following amendments:

Page 123, line 10, strike the quotation marks and period.

Page 123, after line 10, insert the following new section:

''SEC. 189D. CRIMINAL HISTORY CHECKS.

''(a) IN GENERAL.—Entities selecting individuals to serve in a position in which the individual receives a Corporation grant-funded living allowance, stipend, education award, salary, or other remuneration in a program receiving assistance under the national service laws, shall, subject to regulations and requirements established by the Corporation, conduct criminal history checks for such individuals.

''(b) REQUIREMENTS.—A criminal history check shall, except in cases approved for good cause by the Corporation, include a name-based search of the Department of Justice National Sex Offender Public Registry and—

''(1) a search of the State criminal registry or repository in the State in which the program is operating and the State in which the individual resides at the time of application; or

''(2) a Federal Bureau of Investigation fingerprint check.

''(c) ELIGIBILITY PROHIBITION.—An individual shall be ineligible to serve in a position described under subsection (a) if such individual—

''(1) refuses to consent to the criminal history check described in subsection (b);

''(2) makes a false statement in connection with such criminal history check;

''(3) is registered, or is required to be registered, on a State sex offender registry or the national sex offender registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or

''(4) has been convicted of murder, as described in section 1111 of title 18, United States Code.''.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. KUHL of New York. Thank you, Mr. Speaker.

I rise to offer this motion to recommit to strengthen the bill before us, H.R. 2857, and the national service laws to ensure that we are all doing what we can to protect those individuals being served by these programs and by the Federal investment in national service.

Sparked by a 2005 Inspector General report that found rampant, and I recognize and emphasize that word ''rampant,'' noncompliance with individual grant provisions requiring background checks, the Corporation for National Community Service recently completed a rulemaking process to institute background checks for any individuals seeking a federally funded national service position within the Senior Companion and the Foster Grandparent program and from the

AmeriCorps positions in which individuals have access to a vulnerable population.

□ 1445

The regs also prohibited individuals from serving in these positions if they were registered sex offenders.

Mr. Speaker, I applaud the administration for taking these steps to protect vulnerable populations being served by the national service programs. But I believe that we should go further and provide more protection.

First, this motion to recommit would codify the corporation's regulations, ensuring that these protections are not subject to the whims of future administrations. Despite current efforts, program audits conducted by the Office of the Inspector General have detected a disturbing pattern of noncompliance with criminal background check provision requirements. In some cases, programs have failed to conduct checks.

Just as disturbing, however, other programs have failed to retain the documentation providing this background check information that was conducted for members working with youth and other vulnerable persons.

Second, this motion to recommit would expand on the corporation's efforts by including, and I emphasize that, including all federally funded national service provision positions, not just those within the foster grandparents and senior competitive programs or just those AmeriCorps programs dealing with specific populations.

Finally, Mr. Speaker, in addition to prohibiting registered sex offenders from serving in these positions, this motion to recommit would include those individuals convicted of murder as well.

Mr. Speaker, our message is clear with this motion to recommit: if you are a program receiving assistance under these national service laws and are accepting participants to serve in federally funded programs and positions within your program, we expect you to screen those potential participants to ensure that they are not, and I emphasize again, not registered sex offenders or convicted murderers. And if you wish to serve in federally funded national service positions, some of which include as their reward an education award that exceeds that which is received by low-income students through the form of a Pell Grant, you are not welcome if you have committed these crimes.

Mr. Speaker, some people would ask, Why do we include these crimes? We believe that these crimes are so egregious that they demand Federal action. But also we hope that by requiring criminal history background checks, programs will have increased information with which they can exercise good judgment. It only seems to make sense. To repeat myself, we also hope that by requiring criminal background checks, programs will have the increased information from which they can exercise good judgment in deciding who deserves the rewards that come with federally funded national service positions.

Mr. Speaker, I urge my colleagues to support this motion to recommit, which would provide the Education and Labor Committee further time to deliberate on this important topic. This motion expresses a loud and clear message that the House of Representatives believes that those in need who are served by programs supported with assistance under these laws should be assured that they will not be placed in harm's way when approaching these programs for help.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I rise to speak to the motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. GEORGE MILLER of California. As I understand the motion, Mr. Speaker, it is to codify the regulations that were finalized in November of last year that the Department has proposed for background checks and protection of the programs; is that correct?

Mr. KUHL of New York. If the gentleman will yield, that is one aspect of the motion. It goes farther than that.

Mr. GEORGE MILLER of California. Mr. Speaker, reclaiming my time, I think we agree with you, and I would ask if the gentleman would accept a unanimous consent request to change ''promptly'' to ''forthwith'' so we could vote on it now and report the bill out.

Mr. KUHL of New York. Mr. Speaker, I recently sat and listened to the debate on the prior attempt to bring a motion to recommit on a significant issue, that being the Foreign Intelligence Surveillance Act. If the gentleman would amend his unanimous consent request to include that so we might have a vote, I would be happy to.

Mr. GEORGE MILLER of California. Mr. Speaker, I reclaim my time.

I just want to say that this is unfortunate, because this is an amendment that we would agree to. It embodies the regulations supported by the Bush administration. It affects a program that has huge bipartisan support in all of our communities, that the President is in support of and is looking for the opportunity to sign this bill. But the gentleman insists upon making his motion in the form of ''promptly,'' so that the bill has to go back to committee, which makes everything much more complicated in terms of the passage of this bill.

Mr. KUHL of New York. Mr. Speaker, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from New York.

Mr. KUHL of New York. Mr. Speaker, it is my understanding that the appropriations for these particular programs don't expire for another several months.

Mr. GEORGE MILLER of California. I reclaim my time and would just say that this amendment was never offered in committee, it was never taken to the Rules Committee. This is sort of a ''gotcha.'' But, unfortunately, it dramatically impacts the timetable for this bill.

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

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 1015, further proceedings on the bill will be postponed.

COMMUNICATION FROM THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
Washington, March 5, 2008.

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

DEAR MADAM SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with two administrative subpoenas for documents issued by the Merit Systems Protection Board.

After consulting with the Office of General Counsel, I have determined that compliance with the subpoenas is consistent with the privileges and rights of the House.

Sincerely,

DANIEL P. BEARD,
Chief Administrative Officer.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, I wish to indicate the positions I would have taken on votes missed because I was unavoidably detained in my district, and, lastly, I was unavoidably detained at a meeting with the Dialogue on Diversity.

On rollcall vote No. 90, H.R. 816, I would have voted ''aye''; rollcall vote No. 89, I would have voted ''aye''; rollcall vote No. 88, I would have voted ''aye''; rollcall vote No. 87, I would have voted ''aye''; rollcall vote No. 86, I would have voted ''aye''; rollcall vote No. 85, I would have voted ''aye''; and to the Inslee-Sarbanes amendment No. 11 to H.R. 2857, I was unavoidably detained with Dialogue on Diversity today and I would have voted ''aye.''

Mr. Speaker, I ask unanimous consent that my positions on these legislative initiatives be placed in the appropriate place in the RECORD.

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

Mr. PRICE of Georgia. Mr. Speaker, reserving the right to object, I wonder in view of the truncated schedule that we have had this afternoon, if anyone on the majority side knows if we might be bringing up the Foreign Intelligence Surveillance Act, the FISA Act, the bipartisan Senate bill that was passed

that we certainly have time to deal with this afternoon. I wonder if anyone might be able to let us know if we are bringing that up this afternoon.

Mr. Speaker, continuing to reserve, I know it certainly is an important issue. We have had communications from 25 State attorneys general.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I withdraw the unanimous consent request.

The SPEAKER pro tempore. The request is withdrawn.

□ 1500

AIR FORCE TANKER DECISION

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

Mr. MCDERMOTT. Mr. Speaker, even before the Air Force announced its decision on a new tanker, serious questions were being raised about the fairness of the process and the justification of the outcome. Barely a week later, it is becoming increasingly clear that the United States Air Force has called an air strike on U.S. jobs, U.S. companies, and a level playing field. That is grounds for a reduction in rank. You can't tell Boeing you want a 767-size tanker, then change your mind, and then deny them the ability to fairly compete with the Triple-7. As it stands, the Airbus won't even fit in our hangars. Maybe the biggest reason the Air Force has an aging tanker fleet is because it has a prehistoric process that ought to be rendered extinct like the dinosaurs.

This is about fairness, this is about selecting the right company to keep America strong, and it so happens the right company is Boeing. Boeing offers the best people, the best plane, and the best deal, but the Air Force shot them down with a botched decision that outsources our national defense to foreign companies. If they won't admit their mistake, Congress should do it for them. The U.S. tanker decision should be grounded because it is unsafe to fly.

H.R. 2857

(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 want to congratulate the chairman of the Education Committee for capturing the spirit of America in H.R. 2857, Generations Invigorating Volunteerism Education Act. I thank my colleague Congresswoman MCCARTHY for introducing the legislation, and again say that there have been so many success stories that all of us could cite by referring to AmeriCorps, Vista, Senior Corps, and Learn and Serve America.

This bill, of course, that we have just been debating works to ensure that volunteers and the organizations that support them will receive the resources that they need to continue their vital work. Many of them engage with other nongovernmental organizations or nonprofits. Some of them work with Habitat for Humanity. Many of them you will find in the Nation's urban and rural schoolhouses. You will find them as role models. You will find them as those who get on the front line when there is Hurricane Katrina or Rita. You find them in institutions such as Texas Southern University and Texas A&M.

This is an important legislative initiative. I am delighted to have had an amendment added to this bill and I am delighted to be one of the supporters of this bill.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, I was detained in my district on February 28 and March 4 and missed the following rollcall votes:

Rollcall vote No. 90, I would have voted ''aye'';

Rollcall vote No. 89, I would have voted ''aye'';

Rollcall vote No. 88, I would have voted ''aye'';

Rollcall vote No. 87, I would have voted ''aye'';

Rollcall vote No. 86, I would have voted ''aye'';

Rollcall vote No. 85, I would have voted ''aye.''

Today, I was detained as well with the Dialogue on Diversity, and therefore on the Inslee-Sarbanes amendment to H.R. 2857, I would have voted ''aye.''

THE SAFE COMMISSION ACT: A BIPARTISAN WAY FORWARD

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

Mr. WOLF. Mr. Speaker, in January, Moody's Investors Service released its annual report which concluded that the United States triple-A bond rating is at risk.

We should care that respectable credit rating agencies are projecting that the United States will be on par with Estonia by the year 2015, Poland and Mexico by 2020, and below investment grade, junk debt, by 2025.

Our Nation cannot continue on its current financial path. The Cooper-Wolf SAFE Commission Act would put everything on the table, tax policy, entitlements, and other Federal programs, to provide a bipartisan way forward on this issue. Over 70 Members from both sides of the aisle, Republican and Democrat, are already cosponsoring the bill.

We must work together to rein in spending. We cannot continue to avoid a responsibility to future generations, to our children and our grandchildren, by passing on a broken system in the form of unfunded Social Security and Medicare obligations and unsustainable spending.

[From the Financial Times, Jan. 11, 2008]

U.S.'S TRIPLE-A CREDIT RATING 'UNDER THREAT'

(By Francesco Guerrera, Aline van Duyn and Daniel Pimlott)

The U.S. is at risk of losing its top-notch triple-A credit rating within a decade unless it takes radical action to curb soaring healthcare and social security spending, Moody's, the credit rating agency, said yesterday.

The warning over the future of the triple-A rating—granted to U.S. Government debt since it was first assessed in 1917—reflects growing concerns over the country's ability to retain its financial and economic supremacy.

It could also put further pressure on candidates from both the Republican and Democratic parties to sharpen their focus on healthcare and pensions in the run-up to November's presidential election.

Most analysts expect future administrations to deal with the costs of healthcare and social security and there is no reflection of any long-term concern about the U.S.'s financial health in the value of its debt.

But Moody's warning comes at a time when U.S. confidence in its economic prowess has been challenged by the rising threat of a recession, a weak dollar and the credit crunch.

In its annual report on the U.S., Moody's signalled increased concern that rapid rises in Medicare and Medicaid—the government-funded healthcare programmes for the old and the poor—would ''cause major fiscal pressures'' in years to come.

Unlike Moody's previous assessment of US government debt in 2005, yesterday's report specifically links rises in healthcare and social security spending to the credit rating.

''The combination of the medical programmes and social security is the most important threat to the triple-A rating over the long term,'' it said.

Steven Hess, Moody's lead analyst for the U.S., told the Financial Times that in order to protect the country's top rating, future administrations would have to rein in healthcare and social security costs.

''If no policy changes are made, in 10 years from now we would have to look very seriously at whether the U.S. is still a triple-A credit,'' he said.

Mr. Hess said any downgrade in the U.S. rating would have serious consequences for the global economy. ''The U.S. rating is the anchor of the world's financial system. If you have a downgrade, you have a problem,'' he said.

Moody's did once threaten to cut the rating of some of the U.S. Treasury's debt when Congress refused to pass the president's budget in the mid-1990s. Other large economies, notably Japan in the 1990s, have had to suffer the symbolic blow of losing their top-notch credit rating.

Last year, David Walker, comptroller general of the U.S., caused controversy when he compared America's current situation with the dying days of the Roman empire and warned the country was on ''a burning platform'' of unsustainable policies.

Medicare and Medicaid spending, which has risen sharply over the past few decades and now accounts for about 45 per cent of total federal spending, up from about 25 per cent in 1975, has long been a source of concern.

Last month, Peter Orszag, director of the Congressional Budget Office, which advises Congress on the federal budget, said the issue was ''the central fiscal challenge'' facing the US.

Most presidential candidates have vowed to reform the healthcare system but many of

them, especially on the Democratic side, have focused on extending coverage to the 40m-plus uninsured Americans rather than on cutting costs.

SPECIAL ORDERS

The SPEAKER pro tempore. 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.

U.S.-COLOMBIA FREE TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 5 minutes.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, after thousands of kidnappings and murders inside Colombia carried out by the terrorist organization known by its initials as FARC, Colombia finally had enough. And when it learned that key heads of the terrorist group that were being given sanctuary inside Ecuador by the government of that country, when Colombia learned that the terrorists were 1,800 meters from Colombia, Colombia decided to strike. It did so from Colombian airspace. And, in fact, the FARC shot at the Colombian Air Force, which permitted the Colombian Air Force to pinpoint the exact spot where the FARC terrorists were, where they had been, and from where they were attacking Colombia.

Colombia struck, and the second-ranking FARC terrorist head, Luis Edgar Devia-Silva, alias Raul Reyes, was killed. Reyes was killed along with approximately 20 other terrorists. Unfortunately, one brave Colombian soldier fighting in defense of freedom, Carlos Hernandez Leon, was also killed during the operation.

It is as tragic as it is condemnable. It is, in fact, criminal for the Governments of Ecuador and Venezuela to provide sanctuary for terrorists who systemically commit murder and kidnappings inside Colombia, and then those terrorists return to Venezuelan and Ecuadorian soil.

President Bush and the United States of America have stood by and are firmly standing by our great democratic ally and friend Colombia and its twice overwhelmingly elected President Alvaro Uribe. Unfortunately, that is not the case with much of the rest of our hemisphere. I commend President Bush for his steadfast support of our great ally President Uribe.

Now, Mr. Speaker, it is time for this Congress to act. We need to renew and to increase our security aid to Colombia, which has been known for a decade as Plan Colombia, and the majority leadership of this Congress must immediately schedule a vote on U.S.-Colombia Free Trade Agreement, an agreement that is in the interest both of the American and the Colombian peoples.

The majority leadership of this House must stop preventing a vote on the U.S.-Colombia Free Trade Agreement. The position on that critical issue of the majority leadership of this Congress is petty and is ultimately irresponsible. The chairman of the House Ways and Means Committee was quoted recently as saying, referring to trips that Members of Congress have been taking to Colombia to find out for themselves how the Free Trade Agreement would affect our two countries: ''It is not the facts on the ground that are important; it is the politics in the air.'' How sad, Mr. Speaker. How sad.

It is time for this Congress to send a clear sign of support and solidarity to our good friend Colombia. It is time to stop blocking the FTA with Colombia and for the majority leadership of Congress to schedule a vote on the Free Trade Agreement with Colombia now.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. YARMUTH) is recognized for 5 minutes.

(Mr. YARMUTH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

JOHNSON C. SMITH UNIVERSITY GOLDEN BULLS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. WATT) is recognized for 5 minutes.

Mr. WATT. Mr. Speaker, today, I rise to recognize and pay tribute to the Johnson C. Smith University Golden Bulls men's basketball team which won the Central Intercollegiate Athletic Association basketball tournament held in my congressional district this past weekend. The Lady Golden Bulls, unfortunately, lost to Shaw University in the women's championship game.

The CIAA basketball tournament is, of course, the premier basketball tournament in the country among Historically Black Colleges and Universities, dating back years before African American athletes were admitted to and allowed to compete in athletics at other universities throughout the United States.

While the tournament highlights the tops in athletic competition and is a source of much needed funding for academic and athletic scholarships, anyone who has ever attended the tournament will know, of course, that it is also an unrivaled social reunion and family event.

The outstanding athletic performances by Johnson C. Smith University's teams this weekend, especially the championship performance by the men's team, was one more tribute to Dr. Dorothy Yancey, who has announced that she will be retiring at the end of this school year after 14 years as president of Johnson C. Smith University.

Dr. Yancey made history when she became the first female president of Johnson C. Smith University in 1994. Her leadership and hands-on management has led Johnson C. Smith University to many outstanding accomplishments, including two successful accreditation reviews, getting Johnson C. Smith University fully wired, and making it one of the first institutions in the Nation to provide laptop computers to every student; construction, renovation, or restoration of state-of-the-art facilities; and recognition by the U.S. News and World Report magazine as a top tier institution among comprehensive colleges that offer bachelor's degrees for each of the last 6 years.

The recent success of Johnson C. Smith University's basketball teams, especially the CIAA's men's championship, is another tribute to Dr. Yancey's leadership as she prepares to retire from Johnson C. Smith. It couldn't have come at a more fitting time. Dr. Yancey's hard work and leadership will forever remain in the hearts of all Johnson C. Smith Golden Bulls and friends. We wish Dr. Yancey and Johnson C. Smith University continuing success. I am fortunate to be the representative of this fine university in Congress.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1515

SOVEREIGN WEALTH FUNDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. MCCOTTER) is recognized for 5 minutes.

Mr. MCCOTTER. Mr. Speaker, I would like today to discuss an issue that is on the horizon that could very well affect the economic freedom of Americans, especially their family's prosperity and happiness. It is an issue that I would also like to thank the chairman of the Financial Services Committee, Representative FRANK, and the ranking member of the subcommittee, Representative KANJORSKI, for bringing forward.

The issue I am talking about is the issue of sovereign wealth funds. Many people will question what is a sovereign wealth fund. The answer is very simple. A sovereign wealth fund is a fund that is controlled by a foreign government that then invests into the private market of the United States.

Many people, especially those within my own party, disturbingly think sovereign wealth funds are a wonderful way to inject capital into the United States. The reality is these are very dangerous instrumentalities of foreign nations and would allow for the potential interference of these foreign nations in our domestic affairs, and not only within our economic sphere.

One of the reasons I joined the Republican Party was because I oppose socialism, communism; and I wanted to advance the cause of liberty. A sovereign wealth fund denies all of those. Again, a sovereign wealth fund is controlled by a government. Those who recall economics can understand that when a government buys an asset from the private sector, when the government owns it, the product or service has been ''nationalized.'' This is the root of socialism. Government buys something in the private sector, socialism gets bigger, free markets and free enterprise and free people get diminished. This is the root problem of a sovereign wealth fund. It will diminish the economic liberty of individuals in the face of governments that are trying to control free enterprise.

We should not have this occurring in the United States of America, the bastion of free enterprise conducted by free people.

The second problem I have with sovereign wealth funds grows from the first: a foreign country controls this fund. This is not protectionism of anything except Americans' liberty, prosperity, sovereignty, and security.

The Communist Chinese have one of the largest sovereign wealth funds in the world. As they continue to tell us, although few people seem to understand that they are serious, they remain communists. The communist sovereign wealth fund from China comes in and buys private assets in the United States. Those government assets are now socialized; and, again, your freedom, liberty, prosperity, and security are diminished and there is a huge problem with this in the hands of the Communist Chinese.

In addition, whereas in the free market private investment funds have to raise capital voluntarily from individuals and then make rational decisions based upon the profit motive, a sovereign government's wealth fund is allowed to take and spend and invest. They spend and invest that which they take from their people. They have no accountability to these citizens, and they can invest for a political motive.

These entities of sovereign wealth funds are antithetical to private sector free market investment. And, again, when they are forced to operate on a private sector profit motive, the sovereign wealth fund can operate on a political motive, which may or may not be in the long-term interests of the people of the United States.

So for two reasons I would like to go on record immediately in my opposition to sovereign wealth funds in any nation's hands being invested in the United States and socializing our private sector assets. And I would like to also especially emphasize my abject contempt for nations that are opposed to the United States' continued existence as a bastion of liberty being able to buy up influence within the United States based upon a solely political motive, and that political motive is not in the people's best interests.

So to my fellow Republicans I would ask them to remember why they are Republicans, to remember that we have the duty to advance the economic liberty of Americans and to protect and preserve their liberty and prosperity and security, and ask them to reassess these sovereign wealth funds. Because no matter how much money they inject into our economy to socialize private sector assets, the cost we are going to pay to the long-term vitality of our free people is too high a price to tender to the very enemies of our existence.

The SPEAKER pro tempore (Mr. SARBANES). Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF 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 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 New Jersey (Mr. GARRETT) is recognized for 5 minutes.

(Mr. GARRETT of New Jersey 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 California (Mr. DREIER) is recognized for 5 minutes.

(Mr. DREIER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DRED SCOTT AND ROE V. WADE

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 a tragic anniversary in American history. It was on this day in 1857 that the Supreme Court of the United States handed down the now famous Dred Scott v. Sandford ruling, saying that Dred Scott, a black man born into slavery but living in a free State, was not a United States citizen and could not sue for his freedom in Federal court.

In a 7–2 ruling handed down by Chief Justice Roger B. Taney, a former slave owner from Maryland, the court found that the black man was not a person under the Constitution; that he was property and not a person; and that as such, he was both prohibited from bringing suit against any citizen in Federal court and was made subject to the fifth amendment of the Constitution which prohibits taking property from its owner without ''due process.''

The court said that all blacks, slaves as well as free, were not and could never be citizens of the United States, and determined that blacks ''had no rights which the white man was bound to respect; and that the Negro might justly and lawfully be reduced to slavery for his,'' the white man's, ''benefit.''

By that one ruling, nearly 4 million slaves living in America were deemed by an erudite judiciary as less than human, unworthy to be protected; and it took an entire Civil War to reverse the tragedy of that decision.

Dred Scott tasted the freedom that he believed was the birthright of every human soul only a short time because tragically, after his emancipation in May of 1857, he lived in the freedom that he longed for for only 9 months before he passed away.

Today we remember the horrendous scar upon the soul of our Nation of slavery and the Dred Scott decision. And we all stand in retrospect and wonder how those people in that day could have been so blind to the unalienable truth that all men are created equal.

And yet today, Mr. Speaker, here in the land of the free and the home of the brave, we have allowed almost 50 million of our own unborn children to be killed in their mothers' wombs as a result of yet another Supreme Court decision that denied their personhood and the most basic constitutional right of all, that being the right to live.

It has now been exactly 12,827 days since the travesty called Roe v. Wade was handed down by the Supreme Court. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million of its own children.

Yet today, even in the full glare of such tragedy, this generation clings to a blind, invincible ignorance while history repeats itself and our own silent genocide mercilessly annihilates the most helpless of all victims yet today, those yet unborn.

Winston Churchill said Americans always do the right thing after they have exhausted every other possibility. Americans are coming to realize that the avenues of heartlessness and selfishness are now exhausted. Americans are beginning to understand that if we as a society do not possess the courage and the will to protect innocent unborn children, that in the final analysis we will never find the will or the courage to protect any kind of liberty or rights for anyone.

Mr. Speaker, perhaps it is important for those of us in this Chamber to remind ourselves again of why we are really all here. Thomas Jefferson said: ''The care of human life and its happiness and not its destruction is the chief and only object of good government.''

Mr. Speaker, the rise and fall of slavery in America, if it teaches us anything, it is that the evil about us eventually and completely collapses upon itself. The time is long past for Roe v. Wade, the bloodiest court decision in the history of humanity, to take its place alongside the Dred Scott decision in the ash heap of history.

TOURING IRAQ AND AFGHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

Mr. PENCE. Mr. Speaker, on February 28 through March 4, just this past weekend, I participated in a bipartisan congressional delegation to Iraq and Afghanistan. I have written about this extensively on my Web blog, which my constituents should know is located at MikePence.house.gov. But I wanted to excerpt portions today by way of reporting back to the House on our findings in these two countries in which American forces face a war every day.

It was a bipartisan congressional delegation, Mr. Speaker, to both Iraq and Afghanistan. In 4 days we took off and landed 20 different times in four different aircraft. We flew to Kuwait in a military jet. We flew into Iraq on a cargo plane. We flew around Iraq and Afghanistan in helicopters and Ospreys. We convoyed in military vehicles throughout both countries. It was a rare opportunity to meet with leaders and locals in both theaters of combat. I am personally grateful to the people of Indiana and our military for making it possible.

Our visit also took place against the backdrop of several major events. The Iraq Government announced that Ali Hassan al-Majid, better known as ''Chemical Ali,'' a brutal military henchman of Saddam Hussein, was to be executed later this month. We arrived in the Kurdish region as that news was breaking and as Turkish forces were announcing their withdrawal for military operations in the north.

And on the second day, our trip to Iraq coincided with the first official visit by a President of Iran to Iraq since 1952. It was a time of great significance for the people of Iraq in several respects.

During our time in Iraq and Afghanistan, one inescapable conclusion emerged. After years of difficulty and setbacks in varying degrees, freedom is making progress in Iraq and Afghanistan. In northern Iraq, known as the Kurdish region, there is security, political process, and economic growth.

And even in central Iraq, after years of insurgent violence, following the military surge, al Qaeda and the insurgency are in steep decline and political progress is beginning to take hold.

As I saw firsthand in Baghdad and in the al Anbar province, the military surge and Sunni cooperation have resulted in extraordinary progress and security. But those gains are fragile. Violence in Iraq has declined by more than 60 percent since the beginning of the surge and has remained at relatively low levels since November of last year. The Iraqi Parliament has passed legislation that makes further political progress possible.

Our visit was, Mr. Speaker, characterized by cautious optimism by American military leaders and ordinary Iraqis on the street.

Afghanistan was also equally encouraging; and with President Hamid Karzai, we saw the determination of a leader devoted to his people and to defeating a resurgent Taliban effort to overturn their progress with terrorist violence this spring.

□ 1530

In the Kunar province particularly, we convoyed out and witnessed really the greatest threat to the Taliban terrorists who operate on that border with Pakistan, a bridge. A bridge is being built by local Afghanis with American resources. Seeing locals waving at our convoy, greeting laborers at this remote construction site showed me the depth of American generosity and the resilience of this proud people.

My summary on my Web site is simply an effort on my part to report point by point, moment by moment on my trip. We speak about each of the days, from the Kurdish region to our time in Baghdad, to our time in Fallujah and our team even on the streets of Haditha, through Afghanistan and through a stop at Ramstein military base to meet with injured soldiers at Landstuhl Medical Center.

And again, Mr. Speaker, my Web site is mikepence.house.gov. And my constituents could access that by visiting my blog and gaining that information. I would be grateful for any constituent who availed themselves of our writing.

The message that we got from Iraq is clear. The surge is working, but the battle is far from over. Violence is down significantly in the past year. The enemy's abilities have been downgraded in both degree and type of attack. U.S. forces have made measurable progress against terrorist elements in Baghdad and al Anbar province, due to both the military surge and extraordinary expanded cooperation among the civilian population.

And while the military surge is working, the good news is the Iraqi Parliament seems to have gone to work too. The adoption of a budget, the passage of a law permitting Ba'ath party members to work for the government and the plan for provincial elections that may well occur by October of this year represent exactly the kind of progress that many in our diplomatic team and many in this Chamber have hoped to see.

Well, Mr. Speaker, I thank you for the courtesy, especially at the opening of this time on the House floor.

I would be grateful if any of my constituents went to mikepence.house.gov, visited our blog and availed themselves of our firsthand account of what we saw in Iraq and Afghanistan.

The progress is real. The progress of freedom is happening. It is fragile. And it is my hope that, by bringing back the information from this bipartisan delegation, that we will be able to find that bipartisan consensus necessary to see freedom win in Afghanistan and Iraq.

THE OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Georgia (Mr. PRICE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PRICE of Georgia. Mr. Speaker, I appreciate so much the opportunity to once again come before the House and address issues of concern, to bring another version of the Official Truth Squad.

The Official Truth Squad started a couple of years ago and was an attempt to, actually grew out of a frustration by many of my colleagues and I who watched what occurred on the floor of the House here and felt that there just wasn't a lot of sunshine going on, bringing light to many of the discussions. And so we launched the Official Truth Squad. The attempt was to try to hopefully bring some commonsense discussion, real-sense discussion to the conversations that go on here in the House on a number of different topics.

One of our favorite quotes is that of the late Senator Daniel Patrick Moynihan who said, ''Everyone is entitled to their own opinion, but they're not entitled to their own facts.''

And so, Mr. Speaker, what I'd like to do today for a little bit is just to talk about some facts. And one fact that I'd like to present as I begin is that, about a week ago, exactly a week ago, Thursday of last week, a little earlier in the day I took this same well, and I made the comment that at that time it was a specific hour on the clock. Today, as a matter of fact, it's 3:34 p.m. on Thursday afternoon.

Many individuals are just getting completed with a full day's work or about to complete a full day's work. A lot of folks are getting ready for the second shift, getting ready to start their shift from 3 to 11 across this Nation. Some who will be working the midnight shift, the late shift, are probably just putting their head on the pillow so that they can get some sleep before they get back up later this evening to get to work tonight.

And where's the House? Well, Mr. Speaker, if you look around you can tell that the House has gone home. The House has gone home. In fact, we went home today without even passing a bill, without even voting on a bill.

Mr. Speaker, the American people have great concern about the lack of productivity here in the House, and they have specific concern about the

inability, apparent inability of this House and this leadership to address the issues that are of utmost concern to the American people.

We take an oath, Mr. Speaker, as you know, that says that we will work to protect and defend the Constitution of the United States of America. One of the ways that we do that is to make certain that the individuals who are gaining information on our behalf from folks across the world who wish to do us harm, that we get that information, that we're working with as much information as possible, that we, as a Nation, know what the bad guys are going to do before they do it. When we don't, what happens is days like 9/11.

And so, Mr. Speaker, shortly after 9/11 there were some laws that were passed that updated our intelligence capability, that made it so that our intelligence officers across the world would be able to track and listen to and discover electronic communication, verbal and otherwise, when terrorists outside of the United States were talking to other terrorists outside of the United States.

Mr. Speaker, I represent the Sixth District of Georgia, just outside of Atlanta. When I ask folks at home does anybody think that's not a good idea, should we be able to listen to terrorists outside of our country when they talk to other terrorists outside of our country, and they might be talking about plans to bring many of us great harm, should we be able to listen if we had the technological capability to do so, I haven't met anybody yet, not one person yet who thought that was a bad idea.

This is not the Federal Government wiretapping, surveilling, listening in on conversations between you and me. This is not the issue. The issue is not whether or not the laws ought to be changed to determine whether or not our intelligence officers can listen to American citizens talking to American citizens on American soil.

No, Mr. Speaker, this issue is the ability of our intelligence officers to listen to terrorists or suspected terrorists outside the United States who are talking or communicating with others of like mind outside the United States. Should we be able to do that?

Mr. Speaker, the Senate thinks we ought to be able to do that, by a bipartisan majority, 68–29. Up until this leadership, the House thought we ought to be able to do that. The American people think we ought to be able to do that.

But the problem now, Mr. Speaker, is this leadership in the House of Representatives who has allowed this law to expire. This leadership has made it so that the American people are suffering from an American Government that has brought about a unilateral, unilateral disarmament when it comes to determining what terrorists are doing, plotting to do us great harm. That's not my opinion. That's a fact. That's a fact.

I'll give you some other facts here, Mr. Speaker. What has happened in the past week, since I last took this well and spoke about this issue is that a letter was sent out from a bipartisan group of 25 State Attorneys General talking about this FISA bill. I will submit this letter for insertion into the RECORD.

MARCH 4, 2008.

Re FISA Amendments Act of 2007 (S. 2248)

Hon. NANCY PELOSI,
Speaker of the House,
Washington, DC.
Hon. STENY HOYER,
Majority Leader,
Washington, DC.
Hon. JOHN BOEHNER,
Minority Leader,
Washington, DC.
Hon. ROY BLUNT,
Minority Whip,
Washington, DC.

DEAR MADAM SPEAKER PELOSI, MAJORITY LEADER HOYER, MINORITY LEADER BOEHNER AND MINORITY WHIP BLUNT: We urge the House of Representatives to schedule a vote and pass S. 2248, the FISA Amendments Act of 2007. This bipartisan legislation is critical to the national security of the United States. Once passed, S. 2248 will ensure intelligence officials have the ability to collect vitally important information about foreign terrorists operating overseas.

Senate Intelligence Committee Chairman John D. Rockefeller (D–WV) authored S. 2248 to solve a critical problem that arose when the Protect America Act was allowed to lapse on February 16, 2008. The root of the problem stems from a Foreign Intelligence Surveillance Act (''FISA'') Court order that jeopardizes America's national security efforts. Under that decision, U.S. intelligence agencies must obtain a FISA warrant before initiating surveillance involving suspected foreign terrorists located outside the United States.

The FISA Court's decision hinged on the fact that those entirely foreign communications are frequently routed through telecommunications facilities that happen to be located in the United States. Because modern global communications networks routinely route data through numerous facilities in a myriad of countries, the nation in which the call originates may be completely unrelated to the nation through which that call is ultimately routed.

A bipartisan majority of the United States Senate recently approved S. 2248. But until it is also passed by the House of Representatives, intelligence officials must obtain FISA warrants every time they attempt to monitor suspected terrorists in overseas countries. Passing S. 2248 would ensure our intelligence experts are once again able to conduct real-time surveillance. As you know, prompt access to intelligence data is critical to the ongoing safety and security of our nation.

As Attorneys General, we are our states' chief law enforcement officials and therefore responsible for taking whatever action is necessary to keep our citizens safe. With S. 2248 still pending in the House of Representatives, our national security is in jeopardy. We therefore urge the House of Representatives to schedule a vote and pass the FISA Amendments Act of 2007.

Sincerely,

Attorney General Greg Abbott (R–TX), Attorney General Kelly Ayotte (R–NH), Attorney General Thurbert Baker (D–GA), Attorney General Jon Bruning (R–NE), Attorney General Steve Carter (R–IN), Attorney General Talis Colberg (R–AL), Attorney General Roy Cooper (D–NC), Attorney General Tom Corbett (R–PA), Attorney General Mike Cox (R–MI), Attorney General W.A. Drew Edmondson (D–OK), Attorney General Doug Gansler (D–MD), Attorney General Troy King (R–MI), Attorney General Larry Long (R–SD), Attorney General Patrick Lynch (D–RI), Attorney General Bill McCollum (R–FL), Attorney General Dustin McDaniel (D–AR), Attorney General Bob McDonnell (R–VA), Attorney General Darrell McGraw (D–WV), Attorney General Rob McKenna (R–WA), Attorney General Henry McMaster (R–SC), Attorney General Mark Shurtleff (R–UT), Attorney General Stephen Six (D–KS), Attorney General Wayne Stenehjem (R–ND), Attorney General John Suthers (R–CO), Attorney General Lawrence Wasden (R–ID).

This letter is dated March 4, 2008, and I'm going to read the majority of it because I think it's incredibly important for you, Mr. Speaker, and the American people to appreciate the gravity of this situation. Again, this is from a group of bipartisan Attorneys General from across the United States.

And what they say is: ''We urge the House of Representatives to schedule a vote.'' Again, that's all we're asking for is a vote. ''To schedule a vote and pass Senate bill 2248, the FISA Amendments Act of 2007. This bipartisan legislation is critical to the national security of the United States. Once passed, S. 2248 will ensure intelligence officials have the ability to collect vitally important information about foreign terrorists operating overseas.''

Mr. Speaker, foreign terrorists operating overseas. State Attorneys General understand it's not talking about changing U.S. law to surveil or listen in upon conversations between American citizens.

Going on in the letter, ''Senate Intelligence Committee Chairman JOHN D. ROCKEFELLER authored S. 2248 to solve a critical problem that arose when the Protect America Act was allowed to lapse on February 16, 2008.''

That's the law, Mr. Speaker, that was allowed to expire because this current left liberal majority, left liberal leadership who runs this House refuses to allow a vote on this bill.

The letter goes on. ''The root of the problem stems from a Foreign Intelligence Surveillance Act Court order that jeopardizes America's national security efforts. Under that decision, U.S. intelligence agencies must obtain a FISA warrant before initiating surveillance in following suspected foreign terrorists located outside the United States.''

And, Mr. Speaker, some people say, What's wrong with that? What's wrong with going to court to see if it's okay to listen in to these folks?

Mr. Speaker, you know and I know that the manner of communication since 1978 when this bill, when the initial FISA bill was adopted, the manner of communication across this world has changed. We now have e-mails. We've got BlackBerries and blueberries

and all sorts of things that we can provide that give people access to immediate real-time communication. We now are able to rent portable phones, cell phones. You can rent them by the minute; you can rent them by the hour. If you rent a phone, have a phone and use it for an hour, and we're able to know that, in fact, that phone is being used by a terrorist overseas, but that phone's only going to be used for 1 hour or one call, it is incomprehensible that patriotic Americans would believe that our government ought to have to go to court in order to get a court order to listen to that conversation that occurred yesterday, the day before, the day before that, or that morning, for that matter.

Mr. Speaker, current technology dictates that our law keeps up with current technology. Otherwise, the terrorists, the bad guys are a leap ahead of us, and that's what's happened in the last 19 days, 20 days when this law's been allowed to expire, and that is that the terrorists are getting a leap ahead of us. Again, that's not my opinion. That's a fact that I'll demonstrate as we talk more about this afternoon.

Continuing in the letter, ''The FISA Court's decision hinged on the fact that those entirely foreign communications are frequently routed through telecommunications facilities that happen to be located in the United States. And because modern global communications networks routinely route data through numerous facilities in a myriad of countries, the nation in which the call originates may be completely unrelated to the nation through which the call is ultimately routed.''

What that means, Mr. Speaker, as you know, is that when a call is made in a foreign land by a terrorist or a suspected terrorist and he or she is calling another suspected terrorist in a foreign land, the electronics, the signal, the electronic signal of that call may go to a satellite, may come down to a station in the United States, and may head back to another satellite and then down to the terrorist. And that happens in real-time. That happens in split seconds. And because that electronic communication touches American soil, or a company on American soil, then, apparently, the liberal leadership in this House of Representatives believes that those individuals ought to be afforded every protection of the United States Constitution.

□ 1545

Mr. Speaker, that is an abrogation of duty. That is not what the American people believe. It is not what the Constitution says, and it is not what action we would choose in order to fulfill and live up to our responsibility and our oath.

Again, going on. In the letter it says: A bipartisan majority of the United States Senate recently approved S. 2248, but until it's passed by the House of Representatives, intelligence officials must obtain FISA warrants every time they attempt to monitor suspected terrorists in overseas countries. We have talked about how unworkable that is. Passing S. 2248 would ensure that our intelligence experts are once again able to conduct real-time surveillance.

As you know, prompt access to intelligence data is critical to the ongoing safety and security of our Nation. As attorneys general, we are our States' chief law enforcement officials and therefore responsible for taking whatever action is necessary to keep our citizens safe.

With S. 2248 still pending in House of Representatives, our national security is in jeopardy. Mr. Speaker, that's not Congressman TOM PRICE saying that. That is a signed letter from 25, a group of bipartisan 25 State attorneys general, saying until this is passed, our national security is in jeopardy. We therefore urge the House of Representatives to schedule a vote and pass the FISA Amendments Act of 2007. Signed by the attorneys general of the States of Texas, New Hampshire, Georgia, Nebraska, Indiana, Alabama, North Carolina, Pennsylvania, Michigan, Oklahoma, Maryland, South Dakota, Rhode Island, Florida, Arkansas, Virginia, West Virginia, Washington State, South Carolina, Utah, Kansas, North Dakota, Colorado, and Idaho.

Mr. Speaker, this letter demonstrates that those individuals, Republican and Democrat across this Nation who are charged with making certain that their citizens in their respective States are safe, recognize the gravity, the gravity of this situation and the dereliction of duty that occurs when the House of Representatives is not allowed the opportunity to vote on renewing the Protect America Act.

Mr. Speaker, we have called on the Speaker, called on the leadership on the majority side of the aisle, on the Democrat side of the aisle, to schedule a vote. Three weeks ago, the leadership said, no, we need about 3 weeks. That's what they said, Mr. Speaker. Three weeks ago they said, we need about 3 weeks and we'll be able to work with the Senate and work out any differences or disagreements or concerns that we have. Just give us 3 weeks.

Mr. Speaker, 2 weeks ago they said that there wasn't any urgency. There wasn't any urgency. Then last week on the floor of this House they said, we are working on it. It's an important matter. We are working on it. We will get it done. Over this past weekend, the chairman of the Intelligence Committee said, we ought to be able to get it done this week.

Mr. Speaker, time is ticking away. Day after day after day that we do not have this law in place makes it so that our Nation is less secure, our people are less safe all for want of a vote on the floor of the House of Representatives. Senate Republicans understand that and have acted appropriately. Senate Democrats understand that and have acted appropriately. House Republicans understand that and are trying to act appropriately. House Democrat leadership refuses to schedule a vote. They do so apparently because they believe it will pass. Astounding, astounding, Mr. Speaker.

I am pleased to be joined by my good friend from Tennessee (Mrs. BLACKBURN) and look forward to her comments on this issue, which I know you have spoken out about so vigorously and understand the gravity of not acting on the Protect America Act.

I am pleased to yield to my friend.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Georgia not only for his leadership on this issue of our Nation's security, but for his work on the Truth Squad as he always repeats the phrase, everyone's entitled to their own opinion but not their own facts.

That is so pertinent, Mr. Speaker, to the debate that we are having on our Nation's security. There is no issue that trumps the security issue. This is something that we know to be very important.

As I travel the country and as I travel my district, what I hear from people is, Why are you not taking this up? Why are you not taking the steps to make certain that we can find out who is trying to harm us?

You know, Mr. Speaker, it makes no sense at all. As I talk with moms that are in my district so regularly, they will talk about how concerned they are with security, security in our communities, security in our places of work, security in our children's schools. They want to make certain that the security to live peacefully is there for us here in our homeland.

They want to be certain that those protections are there for our troops who are deployed; and at this very minute, I have troops from Fort Campbell, which is in my district in Tennessee, and troops who are National Guardsmen from Tennessee who are deployed making certain that American interests are safe and making certain that Americans in our great Nation are also safe to live their lives freely in pursuit of happiness every single day.

Mr. Speaker, I find it absolutely revolting and unsettling that the leadership of this House continues to stand in the way of the Protect America Act. Our colleagues in the Senate have decided this is a very important issue. We all know what happens when you set aside work. You have to kind of pick it up off the table and move it over and say, we are going to come back to that, and we are going to get those items accomplished. But first and foremost, let's deal with the Nation's security.

So they put that on the desk. They made it the priority. They took it up and they said, it is not a partisan issue. We are going to find agreement on this because the security of this Nation trumps it all. The security trumps it all.

Now, if we wanted to go play the ostrich game or if we wanted to go play

Whack-a-Mole with the terrorists, we could do that. We could just rely on the 1978 FISA and pretend that we never had e-mail, that we never had cell phones, that we didn't have voice video and data just traveling on the waves through the air.

Now, Mr. Speaker, that would be nice and make us feel good and comfortable, but the point is, it is not true. It just isn't true. And as the gentleman from Georgia has so eloquently said, we know, we know that the terrorists are using these new technologies to communicate, and we know that there are terrorists in foreign countries who are communicating with other terrorists in foreign countries who are trying to do harm to our troops in the field. We have evidence of that, Mr. Speaker. To our citizens in this country, we have evidence of that and to our citizens and our allies around the globe.

Well, what is so difficult to understand about this, Mr. Speaker? It just seems like when the evidence is there, as the facts are there, as my colleague from Georgia says, why can there not be an admission that those are the facts, they are the givens, everybody, everybody in D.C. seems to agree with this except the leadership of this body. And I find it very disconcerting.

Mr. PRICE of Georgia. Mr. Speaker, I thank my good friend for her comments and for her perspective and for bringing more light and truth to this issue. And it is not just our opinion. It's the opinion of so many individuals.

As you mentioned, the bipartisan bill in the United States Senate, 68–29. These aren't the most harmonious of times in Washington, Mr. Speaker; but the gentlelady from Tennessee and I certainly understand and appreciate that one of our primary responsibilities is the protection of our Nation. And the Senate understood that, and that's why they worked together in a bipartisan way.

So many individuals have given their opinion about why this was important. Mike McConnell, who is the Director of National Intelligence, said before the House Intelligence Committee, We are significantly burdened in capturing overseas communications of foreign terrorists planning to conduct attacks inside the United States. That's what the Director of National Intelligence said.

And Senator JAY ROCKEFELLER, a Democrat from West Virginia who is the chairman of the Intelligence Committee in the Senate, said just last month, What people have to understand around here is that the quality of the intelligence we are going to be receiving is going to be degraded. He said that, if we allow the Protect America Act to expire. Well, Mr. Speaker, we didn't allow it to expire, but the leadership in the House has allowed it to expire. And that's what concerns us so greatly.

I know that my friend from Tennessee appreciates what Senator ROCKEFELLER has said as it relates to this issue, and I am pleased to yield back.

Mrs. BLACKBURN. Mr. Speaker, there was a comment, you mentioned, Mike McConnell, who is the Director of National Intelligence, and I would go to a quote that he gave before to the Senate panel, and listen to this: that half, half, not a third, not a quarter, not a tenth, that half, 50 percent, of what we know comes from electronic surveillance. That means that all of these new forms of communication that are out there, this is what the terrorist cells are using. Half of what we know comes from electronic surveillance, and get this, and the outdated Foreign Intelligence Surveillance Act had degraded those intercepts by two-thirds.

I just find it so egregious that we would hamstring and make it difficult for the intelligence community to carry out their jobs when they are seeking to serve this Nation, when they are seeking to work with the military and to make certain that we know who is seeking to do us harm.

Mr. PRICE of Georgia. Mr. Speaker, I thank my friend once again for her comments and perspective on this most important issue.

I don't know, Mr. Speaker, if there's anything that we do here that is more important than making certain that America is safe and secure. And the American people, although they know that there are partisan battles and political games that are played here, they understand and appreciate that. But what they don't understand is a leadership that abrogates the duty and responsibility that they have to make certain that this Nation is safe.

Person after person, individuals who have great knowledge and experience in this area, much greater than those of us in the House of Representatives in terms of actual hands-on experience in determining what the terrorists are trying to do to do us harm, to a person, to a person say that this is a bill that must be passed.

We are now 19 or 20 days into not having the ability to gain this intelligence, and it is harming our Nation. It is putting us at greater risk.

We've been joined by another good friend from Georgia (Mr. WESTMORELAND), and I look forward to your comments on the issue of the importance and imperative of passing the Protect America Act, and I will yield to him.

Mr. WESTMORELAND. Mr. Speaker, I was listening to Mr. PRICE and Mrs. BLACKBURN talk, and I was wondering if we had the time to do this. So I went back to the day that the FISA failed, which was February 13, and I looked at it and said this is a complicated bill and there are some issues and things to be worked out and have we had enough time to do it and how much time are we spending on discussing this FISA.

And so after listening to you all, I went back and got the schedule for February, and after February 13, on February 14, we did eight suspension bills, which are bills that have very little discussion, and two motions to adjourn. So we were in session that day about 5 hours, but nothing about FISA.

□ 1600

And then it seems, too, that we were gone for about 8 days. And then, Congresswoman, when we got back the week of the 25th, we worked 4 days for a total of 15 hours and 5 minutes with no FISA legislation. We did three suspensions on the 25th. We did the public housing on the 26th, which was withdrawn. We did the energy tax on the 27th. And then we did three suspensions on the 28th. And so, that was for February.

And if you look at what we've done in March, we did three suspensions yesterday. We did six suspensions the next day. Then we did the mental health, which was a total of about 10 hours that we spent on that. And then today, it's 4 o'clock and we're already out and didn't do anything today.

So, I guess my question, then, is, what are we doing? I mean, we, the 109th Congress, was called the ''do-nothing'' Congress. What can this Congress be called? Does anybody have a good name, Congresswoman, that we can call this Congress?

Mr. PRICE of Georgia. Reclaiming my time, I appreciate that. Mr. Speaker, it's kind of appropriate that we are interrupted by a unanimous consent request, a motion that says we ought not do anything in this House until next week, let's just go home.

My friend from Georgia points out that we haven't been doing a lot this year, haven't been doing a whole lot this 110th Congress. And the American people can tolerate a lot in their political leaders, but what they can't tolerate is inaction on important issues and matters of national concern, national security. So, it frustrates them, it frustrates us that this leadership won't bring this bill to the floor. Twenty-one Members of the majority party have signed a letter that said they would vote for this; 21 Members. This bill would pass if it were just brought to the floor.

I am pleased to yield to my good friend from Tennessee.

Mrs. BLACKBURN. I thank the gentleman for yielding.

The gentleman from Georgia is so right in what he is pointing out. What we're spending our time doing here are items that are not crucial, they're policy debates. They're policy debates about how you want to approach an issue. My goodness, the Government Reform Committee and my committee, Energy and Commerce, we have had hearings on steroids in pro sports. Now, we had plenty of time to parade people in and do these hearings, but we didn't have the time for FISA. We've had plenty of time to have committee hearings. Today, we were in Committee on Energy and Commerce on tobacco, and if we wanted the FDA, who already cannot keep the Nation's food supply

safe, they can't keep the Nation's drug supply safe, but we were spending time on that instead of putting time on FISA.

Now, as a mother, you know that children are going to put off to the very end doing the hardest thing. So, what you do when you're a mom is to say, no, we're going to do the hard things first. When we're doing homework, we're going to do the hard problems first, we're going to write the hard papers first because you get it out of the way. And then you know that regardless of how much time is left, you've attended to the things that are going to have the greatest impact.

Now, that is the way the leadership of this House needs to move forward. They need to go back and learn a Kindergarten lesson. They need to go back and think about what they learned there. You do the hard things first.

FISA is a difficult bill. We are pleased that there are some issues that take a lot of work, that we have to work to build consensus, that we have to look carefully and study these; the Nation benefits and our constituents benefit by that. But to put it off, to choose to not address it, to leave it at the back of the line for partisan political gain is dead wrong.

I yield to the gentleman from Georgia.

Mr. PRICE of Georgia. You're absolutely right. And that's what people get frustrated by is the partisanship and the political games being played.

I yield to my friend from Georgia.

Mr. WESTMORELAND. The gentlelady brings up a good point. But the Republicans, the minority here, we've tried to bring it to the floor on over a half dozen occasions. We tried to bring it to the floor again today. We tried to bring it to the floor yesterday. And this is the same bill that passed the Senate. And the gentlelady from Tennessee was taking about, it's a hard issue and it's an issue that needs to be discussed. There is no slower body in the world than our colleagues across the hall. I mean, they've been working on a farm bill for a year now. So, I mean, it's a very deliberative body, and they passed this overwhelmingly 68–29. And as the gentleman from Georgia said, there are 21 Members that have said they would vote for this bill. So we tried to bring it to the floor to see if it would pass, but through parliamentary procedure they refused to let us vote on it.

And, you know, Mr. PRICE, if we don't vote on issues, our constituents don't know how we really feel about it. So, you can go home and say, yes, I'm for the security of this Nation, I'm for the Foreign Intelligence Surveillance Act, but if you don't have an opportunity to vote on it, it's just words, it's simple words.

And so we're ready for some action up here. I mean, we want to see some action on our intelligence to make sure our intelligence community has the very best tools that they need. And not only that, but our corporations, who have been so generous and willing to go along with some of the things that our government has asked them to do to keep our people safe, we need to make sure that they're protected.

And so, you know, we're not the party of the trial lawyers; we're the party of the people. And so, I think if we quit trying to protect some of these special interests and start trying to protect this whole country, we would be a lot better off.

And I want to applaud our leadership for staying consistent and being constant that we keep this in front of the American people and that we are trying to give the Members of this people's House an opportunity to vote on it.

Mr. PRICE of Georgia. Reclaiming my time, I appreciate that.

We are ready for action. We are ready for action. The American people are ready for action on this issue; in fact, they're demanding it. And that's why we have begun, I think over the last week or so, to hear the language on the other side change, but their actions haven't changed.

Mr. WESTMORELAND. And what we're doing is we're giving an opportunity for the terrorists to act.

Mr. PRICE of Georgia. Exactly. Exactly.

Mr. WESTMORELAND. Because we can't surveil them. And so, rather than us taking the action, they're taking the action. And that is unconscionable that this body is letting that happen.

Mr. PRICE of Georgia. Without a doubt. And our constituents understand and appreciate that.

The folks that we're up against in this battle, the individuals who wish to do us harm, are very smart people, very smart people. And we have an open society. When we provide them an opening in that open society, they will take advantage of it. And as you say, it's unconscionable. It's unconscionable for this House to not allow a vote on it.

Some of my constituents at home say, well, why can't you just bring it up? And as you've mentioned, we have tried to bring it up, but the House is a very majoritarian body, it is run by strict rules. And if the leadership of the majority party doesn't want it to happen, it won't happen. If the majority party doesn't want it to happen, it won't happen. And the reason for that is they control absolutely everything that comes to the floor. And consequently, our constituents, our friends at home get frustrated by the fact that we, in this House of Representatives, seem to be unable to get this done. And we've called on, I've called on, everybody here has called on the Democrat leadership, on the Speaker, on the leader on the other side to bring this to a vote.

We're comfortable and confident that this House will do the right thing, will do the responsible thing, and will pass this bill.

Mr. WESTMORELAND. I want Mr. HOEKSTRA to have a chance, but I do want to say this: We had a bomb go off in Times Square this morning, fortunately, it didn't do a lot of damage, at the recruiting station right in the middle of Times Square in the middle of New York City. And we also have had a bombing in Jerusalem today. So, the terrorists are still at work. People that want to terrify this country are still at work, and we've let our guard down.

Mr. PRICE of Georgia. I thank you for those comments.

We're pleased to be joined by our good friend from Michigan (Mr. HOEKSTRA), who is the ranking member, former chairman of the Intelligence Committee, understands this issue as well as anybody, and has been a champion for not just his constituents in the State of Michigan but all Americans in bringing focus on it.

I am pleased to yield to my good friend.

Mr. HOEKSTRA. I thank my colleague. And I thank all of my colleagues for talking about this important issue.

You know, we've been talking about this now for over 7 months. Last August, we passed a 6-month extension. That 6-month extension expired at the beginning of February. We passed a 2-week extension. We got to the end of that, and then the Democratic majority said, well, let's do a 3-week extension. And we said, no, we need to do a comprehensive fix. We need to fix FISA long term. We need to do the telecommunications companies. And then they said, well, we can do that in 3 weeks. An hour ago marked the end of the third week of legislating.

They were never serious about getting this done, and they wouldn't have gotten it done when they said they would. At the beginning of this week they said, well, we're not going to get to it this week because our legislative agenda is just too packed full. Here we are at 10 after 4 and our packed legislative agenda means the House stopped business at 3 o'clock.

Mr. PRICE of Georgia. Absolutely.

Mr. HOEKSTRA. Unbelievable. But now 5 weeks ago, when we started into this process one more time, we said exactly what my colleague was highlighting, both my colleagues, the terrorists have not stopped. They continue their attacks in Pakistan. Five weeks ago is when they had some major bombings in Pakistan just before the elections. They had the major bombing in Afghanistan. But we also then started hearing from al Qaeda in Iraq saying they wanted to use Iraq to do what? Do you remember? Al Qaeda in Iraq said, we want to use it as a base to attack Jerusalem.

And then a major terrorist died in Lebanon. We're not sure exactly what the circumstances were. Some think it's Israel, some others say it might have been Hezbollah itself. But one of the key leaders of Hezbollah passed away, and the statement from

Hezbollah then was, ''we're going to hold Israel accountable.'' And what happened today? Martyr Mughniyah, within the last hour, a TV station affiliated with Hezbollah, said this group may not be affiliated with Hezbollah, but the group, Martyr Mughniyah, as far as we can tell, a new terrorist group, along with the Gaza Martyrs' Group, which may also be a new terrorist group, claim responsibility for the Jerusalem operation.

So, with the events of the last 5 weeks, some new identified terrorist groups have popped up. And most likely, if there is any intelligence that our allies, because we said, who is going to be vulnerable by our diminished capabilities? It's going to be America's homeland. It's going to be our troops in Iraq and Afghanistan. It is our embassies around the world, and potentially our allies. With what al Qaeda in Iraq and what the various organizations have now said after the death of Mughniyah, these are new terrorist groups.

Mr. PRICE of Georgia. Will the gentleman yield?

Mr. HOEKSTRA. Yes.

Mr. PRICE of Georgia. I appreciate that, because what you point out is that in a relatively short period of time, which is what we've been saying, the terrorists are flexible. They change based upon what happens here at home.

Mr. HOEKSTRA. Right.

Mr. PRICE of Georgia. What occurs on the floor of this House is consequential. Who is to say that there wouldn't have been information that would have been gained, had we had this bill in place, that would have been gained that would have allowed us to know that those activities were going to go on today?

I am pleased to yield back.

Mr. HOEKSTRA. We might have. But the key thing here is if these are new terrorist groups that we didn't know about before, guess what? And our allies, the Israelis, got meaningful intelligence about this group. The law on surveillance would be the law that was in place on 9/10/01, the very law that the President, his national security advisers, our current Speaker of the House, bipartisan leadership in the House and Senate all said would not work. Another example within the last hour. All right. Dynamic situation.

And remember, I think we all know that intelligence only works when you do it in a timely way. You know, 2-year-old intelligence is no longer intelligence; it's data. It's information for historical purposes. To keep America safe, intelligence has to be real-time, and the only law didn't do it.

Again, when we talked about what potential threats would be, 5 weeks ago we said, you know, there have been people who have been arrested because they were going to allegedly murder the Danish cartoonist. There was a plot in Denmark to do this. And I said, well, that's interesting. But there is another threat on the horizon. Dutch TV refuses to show anti-Koran film as terror alert is raised. What is this? We've known for quite some time that a Dutch parliamentarian was going to do a video on Islam, his interpretation of Islam. I'm not saying whether it's right, whether it's wrong, but as a parliamentarian you would think that he could have the opportunity to express his views on Islam in a country that, I think in Rotterdam now the most popular baby's name is Muhammad. But he was going to give his views of Islam and was preparing a video. And there were allegations that there might be some things that were inflammatory in this video, people saying he might burn the Koran. Who knows. We don't know what's in it.

But the Dutch Government now, it just came out that the Dutch, we knew this video was in development, not knowing what was in it, but the Dutch now, the TV networks have refused to show it. But he may release this film on the Internet, which has caused the Dutch, again, a very firm and strong ally in Afghanistan in the war against radical jihadists, the Dutch have gone on a high terror alert.

□ 1615

If there are groups, new groups that form as a reaction to this new video, the old law will apply. Our hands will be tied behind our back. Our intelligence community will be limited in its ability to help the Dutch protect their assets. And as we have known from the past, when radical jihadists have an opportunity like this, they don't just focus in on a particular country. They use it as an opportunity to go after modern Islamic regimes in the Middle East, countries in northern Africa, all of Europe, not just the Dutch, and the Americans. But if there are new groups that haven't been identified before, the old rules apply, which means we are more vulnerable.

It is absolutely unconscionable that here we are 3 weeks later and once again we are going home without dealing with this. And it's not because of a heavy workload. It's because they don't want to do what the Senate has done.

The Senate passed a great bill, 68 votes, bipartisan. And we all know how hard it is to get 68 votes in the U.S. Senate today. But a broad bipartisan bill that gave our intelligence community the tools that they needed, and it gave to the telecommunications companies the help that they needed to do their work.

I mean, it's absolutely unacceptable to have one of our colleagues up here today to talk about the intelligence community. Remember the last debate on the last bill, not talking about what our intelligence community is doing to protect American lives. And American intelligence officials, people working in our intelligence community, have lost their lives keeping America safe, and our friends on the other side say what? They're Big Brother. Well, you know what? They're Big Brother, but they are not big brothering America. They're focused on one thing: finding radical jihadists.

But these folks belittle the effort of our intelligence community and give the American people the impression that our intelligence community is just looking for ways to destroy Americans' civil liberties. I have met with these people. I know they're focused on a couple of things: protecting Americans' civil liberties as they keep America safe. And to belittle the work of our intelligence community is absolutely unacceptable, and it's really an embarrassment that those kinds of comments are made on the floor of this House.

Mr. PRICE of Georgia. Without a doubt. And there are so many things that have occurred during the discussion about this issue that have been sad and distressing. That was one of them today, as you saw the chuckles go across on the other side of the aisle when the companies, the patriotic companies, are trying to assist this administration, assist this government, assist our intelligence community in being able to protect all of us; and all they do is denigrate them. It's just so distressing because it's such disinformation and misinformation that it confuses our constituents. But what our constituents understand and appreciate is that it is the majority party in this House that won't allow this House to vote on a bill to protect America.

I'm pleased to yield to my friend from Georgia.

Mr. WESTMORELAND. I want to ask my colleague, the ranking member of the Select Intelligence Committee of the House, if I understand it correctly, after 9/11 the President called in his national security advisers, the CIA, the FBI, all of our intelligence agencies, along with representatives of some of the telecommunications companies, and got together to find out what their assets were for doing surveillance and gathering intelligence, I guess. After they came up with that, if I understand you correctly, you're telling me that a bipartisan group, which included the now-Speaker of the House, were informed of this and that there were some adjustments made to the Foreign Intelligence Surveillance Act to cover these new groups and new methods of gathering intelligence, but what I hear you saying now is, because this thing has expired, that we're back to September 10, 2001, on our ability to gather intelligence on these new groups.

Mr. HOEKSTRA. That's exactly right. The individuals in our government. This was never the administration's program. It was never the President Bush program. This was always the American Government's program, because the administration identified what we needed to do and how we could do it and they went to the bipartisan leadership of the House and the Senate, a small group, because if you have these kinds of capabilities, you don't

want it broadcast to al Qaeda and radical jihadists about what your capabilities are. You want to use it as an effective tool. But on a bipartisan basis, the leadership of the House and the Senate and the leadership on a bipartisan basis of the Intelligence Committees in the House and Senate signed off on these programs.

The current Speaker of the House was briefed four times in the 8, 9 months immediately after 9/11, and you know what? Number one, now she's not bringing to the floor the very changes that she supported in the aftermath of 9/11, but the companies that we went to and asked them for their help. And when these companies said we know the administration is supportive of this, have Members of Congress been informed, the administration could truthfully say, yes, they have been briefed. They've been informed. They know what we're going to ask you to do, what information we expect to get and how we expect that to keep America safe. They're now throwing them under the bus.

But the more important thing is the urgency of today. We need these companies to help us. They help us all the time. And we're having a chilling effect on these types of American businesses that in many ways are helping us in basic law enforcement activities, not only radical jihadists but basic law enforcement, because they're now being told if you help us, recognize that in many cases we're going to throw you to the wolves, which in this case are the trial lawyers.

I appreciate my colleagues having this discussion and debate. Thank you very much for allowing me to be a part of this. I need to get going. I was hoping I could say I'm going to a meeting where we are going to work out the final details on FISA, but now that's not the case. I've got to go to a different type of meeting. But thank you very much for furthering the effort on this very, very important issue.

Mr. PRICE of Georgia. Thank you for bringing greater clarity to that, Mr. HOEKSTRA.

And before you joined us, I read and inserted into the RECORD a letter from 25 State attorneys general talking about the importance of FISA, a bipartisan group of individuals across this Nation who have the responsibility of keeping their States safe. And they understand and appreciate the imperative of this.

Again, this gets so confusing to the American people because the people that apparently don't want this to pass want the American people to be confused. This is pretty simple, Mr. Speaker.

Mr. WESTMORELAND. Mr. Speaker, will the gentleman yield?

Mr. PRICE of Georgia. I yield.

Mr. WESTMORELAND. Do you know why those attorneys general wrote the letter? Because it's affecting the local governments' ability to do surveillance on people from Mexico who are in this country illegally, drug lords and others. It's affecting our local governments' at-home ability to do this surveillance. It's not just al Qaeda and the terrorists. This is affecting our local law enforcement too.

Mr. PRICE of Georgia. It's affecting the information that they're able to get. But it's communication from a foreign individual on foreign soil to another foreign individual on foreign soil. This is not between an American individual on American soil to another American individual on American soil.

Mr. Speaker, when it's confused and brought into kind of a perplexing dilemma for people and talking about the violation of Americans' civil rights, that's not what this is about. This is about protecting Americans from terrorists overseas. And what we have seen in the last 19 or 20 days is exactly what Senator ROCKEFELLER knew when we see, when he said on February 14 of this year: ''What people have to understand around here is that the quality of intelligence we are going to be receiving is going to be degraded.'' He said, stating before the Senate, that if this bill is not passed, the ability to gather intelligence will be degraded. Mr. Speaker, that means that we are not able to get the intelligence we need.

We are now 19, 20 days into not having this bill in place, not having this law in place. And why? I have difficulty when I get asked at home that question. My constituents, many of them, will say, why won't they pass the bill? A majority of the House wants it. Right? And that's correct. Twenty-one Members on the Democrat side have said they would vote for the bill. The vast majority, if not everybody, on the Republican side would vote for the bill. Mr. Speaker, you know, that's a majority of this House of Representatives. So let the House work its will.

Why won't they bring it up? The only rationale, the only reason that has made any sense to anybody, is purely political. Purely political, either to continue the issue for their left, liberal wing because they believe they could gain political points with it or the political nature of not making it so the communications companies have immunity from the information that they provide on foreign individuals, terrorists overseas communicating with other terrorists overseas, providing those individuals the same protections that we have under the United States Constitution.

Never before has that been done. Never before have we provided individuals in a foreign land, non-American citizens in a foreign land, the rights, privileges, and protections of the United States Constitution. Because of the trial lawyer lobby and because of the trial lawyer support for the majority party, the Democratic Party, that's apparently the only reasonable answer to the question, Why won't they allow this to come forward?

But, Mr. Speaker, the leadership has recognized, at least they say they have recognized, the importance of this issue. Just 6 days ago, the majority leader said: ''This is a very serious, important bill. It's critical to the defense of our country.'' Just last week he said this. Why, then, Mr. Speaker, are we not voting on it today? It's 4:25. There's no reason that we ought not have brought this bill up today or yesterday or the day before or tomorrow. But, Mr. Speaker, no, the House has gone home.

Individual after individual has appreciated and recognized the importance of this bill, that the terrorists, those who want to do us harm, are very nimble. They're very flexible. They're very bright. Members of the House of Representatives oftentimes have the opportunity to go to Iraq and to Afghanistan. I was talking to a colleague who was there just 11 days ago. That's just a week into when we didn't have this capability. And 11 days ago, this Member of this body, this House of Representatives, was told by a general on the ground in Iraq that the information they were receiving was not as of high quality as it had been the week before. Changes occur that rapidly in the ability to gain information.

Mr. Speaker, some say that the individuals representing them across this Nation are incapable of leading this Nation anymore. Some say that the actions of this House of Representatives border upon treasonous activity. Mr. Speaker, this isn't leadership that's going on in this House right now; it's an abrogation of duty. It's an abrogation of responsibility. It's a violation of the people's trust. It's a violation of the oath of office. Mr. Speaker, the American people are demanding that this be voted on and that it be voted on at the first opportunity, which now becomes next week.

Mr. Speaker, the Senate Republicans have voted ''yes.'' The Senate Democrats have voted ''yes.'' The House Republicans will vote ''yes'' when given the opportunity. The House Democrat leadership is the only thing standing in the way of passing the Protect America Act and securing and defending this Nation in only the way that we can now, with appropriate intelligence capability. We must do that and we must do that as soon as possible.

ADJOURNMENT TO MONDAY, MARCH 10, 2008

Mr. SERRANO (during the Special Order of Mr. PRICE of Georgia). Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate; and further, when the House adjourns on Wednesday, March 12, it adjourn to meet at 10:30 a.m. on Thursday, March 13.

The SPEAKER pro tempore (Mr. YARMUTH). Is there objection to the request of the gentleman from New York?

There was no objection.

□ 1630

FOSSIL FUELS TO RENEWABLES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes.

Mr. BARTLETT of Maryland. Mr. Speaker, in just a few days now will be the third anniversary of the time I came to this floor to talk about this subject. I believe this may be the 39th time that I have come to the floor, and what an auspicious time to come, because when I got up this morning and turned on the television, I could hardly believe it, oil was $105 a barrel.

There are three groups in this country that are interested in transitioning from fossil fuels to renewables. They have very different agendas, they have very different concerns, but they have common cause in wanting to transition from fossil fuels to renewables. One of these groups is the group that is concerned about the national security of our country. This first chart speaks to that.

There were 30 people about 3 years ago leading Americans: Boydan Gray, McFarland, Jim Woolsey, and 27 others, retired Four-star admirals and generals, who really understand the problems we face, who wrote a letter to the President saying, Mr. President, the fact that we have only 2 percent of the world's oil reserves and we use 25 percent of the world oil, and we import almost two-thirds of what we use is a totally unacceptable national security exposure. We really have to do something about that.

A couple of other statistics on this chart are interesting to note. With our 2 percent of the world oil reserves, we are pumping 8 percent of the world's oil. We are pumping our wells four times faster than the average of the rest of the world. What that means of course is if there is the end of oil, our wells will go dry before the others because we are pumping them faster.

The last statistic here is truly a bit less than 5 percent. We are one person out of 22 in the world, and we use one-fourth of the world's energy, and this fact is not lost on the rest of the world. They recognize this.

The next chart is a statement by our Secretary of State Condoleezza Rice. She had in mind the statistics that you just saw, and she had some other things in mind that we will come to in a few moments. When she said we do have to do something about the energy problem, I can tell you that nothing has really taken me aback more as Secretary of State than the way the politics of energy is, I will use the word, warping diplomacy around the world. We have simply got to do something about the warping now of diplomatic effort by the all-out rush for energy supply. So our Secretary of State recognizes the national security implications of the world's oil energy supply.

One of the things she had in mind was this next chart. This is a really interesting one. This shows what the world would look like if the size of the country was relative to the amount of oil that it had in reserve. Boy, this is a warped map of the world, isn't it? There is China and India over there, so small you can hardly find them because they have very little oil.

Saudi Arabia is huge. It just dominates the landscape. Saudi Arabia has 22 percent, more than one-fifth of the world's reserves of oil. And notice little Kuwait through there, a tiny little province way down in there in the southeastern corner of Iraq, and Saddam Hussein thought that would look good as a province of Iraq, which was a problem about 12 years, 16 years ago, I guess. But look at the size of their reserves. Iraq and Iran, the United Arab Emirates, just dots on the map, and look at how much oil they have. Then across northern Africa, Nigeria, Libya, Algeria, Egypt, and so forth.

Look in our hemisphere. Venezuela of course dwarfs everything else. Venezuela has more oil than all the rest of our hemisphere put together. Russia, big, but not huge compared to these other reserves. Little Kazakhstan, you see it's fairly large there.

So some really striking things about this map. One is the size of the reserves in India and China. About almost one-fourth of the world's population lives in India, about one-third, really, live in India and China, and they have no more oil than we have. Notice that our two biggest suppliers of oil are Canada and Mexico, and they have less oil than we. Now, there aren't very many people in Canada to use the oil, so they can export it to us. Although there are a lot of people in Mexico, most of them are too poor to use the oil, so they can export it to us. But look how Venezuela is dominating this hemisphere.

Another thing that Condoleezza Rice had in mind when she made that statement about how oil is warping the world's diplomacy was the distribution of the reserves of oil. On the right over there, we have the top 10 oil and gas companies on the basis of oil reserve holdings in 2004. Notice that 98 percent of those are governments, nationally owned oil reserves. LUKOIL in Russia, big, and they have 2 percent, and they are kind of quasi-government, really.

But notice over here on the left. Now, this is the top 10 oil and gas companies on the basis of production. The graph on the right shows how much oil they have, and the graph on the left shows how much oil they are producing. The big boys up here, ExxonMobil and Royal Dutch Shell and BP and so forth, they weren't even big enough to show up over here on the right. They are not numbered among the top ten. So they don't own much oil but they are pumping a lot of oil that somebody else owns. So they are pumping 22 percent of the oil. But notice still that 78 percent of the oil is pumped by these national companies that own it there. Condoleezza Rice I'm sure had this in mind when she made that statement.

She also had this next chart in mind. This is an interesting one. This looks at holdings around the world. World energy picture of January of 2005. You will notice the symbols there for China. China is buying oil all over the world. Why would they do that? Because in today's world, it really doesn't make any difference who owns the oil. We own very little of the oil. We have 2 percent of the world's reserves, but we are using 25 percent of the world oil, and we do that because we come with our dollars. Let's hope it continues to be dollars rather than euros. We come with our dollars and we buy the oil.

So why are the Chinese buying up the oil when it doesn't make any difference in today's world economy who owns the oil? The person, the company, the country that comes with the dollars buys the oil. Well, at the same time that they are buying up all this oil, and I am sure Condoleezza Rice had this in mind, they were also very aggressively building a blue water navy. You see, you would need a blue water navy. We have the only one in the world now. You would need a blue water navy to protect the supply routes if you wanted to take the position that the oil was yours and you couldn't share it.

They have 1 billion 300 million people, and I can imagine that one day they may, with pressure from their people, tell the world, gee, I am sorry, but this oil is ours and we can't share it. They have 900 million people in what they call rural areas that, with the miracle of instant communication and television, have observed the benefits of the industrialized world, and they are clamoring for some of those benefits. I think that the Chinese recognize that they must do something to meet those demands or they might see their empire unraveling the way the Soviet empire unraveled.

So this is one group of people that have a concern about moving away from fossil fuels to alternatives, renewables. We have very few fossil fuels and so we have a big incentive to move away and develop renewables, and these are those who are concerned about national security interests.

There is a second group, and I don't have any charts for this group, but you have seen so much of this that you don't need me to have charts. This is a very large group of people who believe that our excessive use of fossil fuels, which is some releasing of carbon dioxide that has been sequestered through the ages when the sun shown on ancient subtropical seas and algae and small animals and plants and so forth grew there. Then at the end of the season they drop to the bottom and silt came in, and then more the next season. And then finally the tectonic plates opened up and they went down to a proper point where, with pressure and temperature and time, this organic material was converted into what we know today as oil and gas.

Coal is a little different. As a boy, I knew very well where coal came from because we lived in coal mining country. As a matter of fact, we had a coal mine on our farm, and the coal would come out of the mine, dust up to big chunks of coal. And we'd have to break some of those chunks to put it in our furnace. I remember taking that sledgehammer where it leaned against the wall and breaking a lump of coal and there it opened up and there was a big fern leaf. I remember as a kid the feelings I had. I wonder how long ago that fern grew. So I knew where coal came from plants. It came from plants that died. We can see the beginning of coal in the bogs of England, by the way.

But what we are doing in burning these fossil fuels is releasing the carbon dioxide that was sequestered in these plants over very long time periods. You see, what happens in photosynthesis is carbon dioxide is taken out of the air and oxygen is released into the air. If you now bury that plant, you now have sequestered the carbon dioxide. When you take it out and burn it, you are releasing the carbon dioxide.

In the last 100 years or so, we have doubled the concentration of carbon dioxide in our atmosphere. Now this is what we call a greenhouse gas. You see the effects, the greenhouse effects when you go out to your car in the parking lot in the summer and you open the door and that blast of heat hits you. What has happened is that the rays of the sun have come in over a broad spectrum of ways and they have heated up the interior of your car and that re-radiates in the infrared, and the glass of your car is relatively impervious to infrared, so it keeps that heat in there. The same thing happens in our world. The sun shines down and warms up things down here and they radiate back.

These greenhouse gases act very much in the atmosphere like the glass in your car or the glass in the greenhouse. It reflects the infrared back in, so it keeps us warmer. There are a growing number of people who believe that this increase in carbon dioxide, increasing the greenhouse gases are producing climate change in our world and producing a global warming. Of course, enough global warming could melt, it would take a very long time, couple of hundred years, probably, but could melt the polar ice caps. That would raise the level of the oceans about 200 feet. If you look around the world at the number of people who live in less than 200 feet above sea level, it's a big, big part of the world's population.

So these people who are concerned about global warming and climate change, and by the way, I would note that very small differences in temperature make huge changes in climate. During the last ice age about 10,000 years ago, our Earth was about 5 degrees Centigrade cooler than it is now. That is about 9 degrees Fahrenheit. That is not a whole lot. That is about like going from here to Minnesota. But that 9 degrees Fahrenheit difference in temperature caused the ice age.

So when you're looking at a temperature change and saying I go from one room in my house to another and there's a bigger change than that and the sky isn't falling, how come that is a big deal? Just remember that relatively small temperature changes can make huge climate changes.

Now, the solution to the problem that the climate change-global warming people see is exactly the same solution to the problem that the national security-concerned people see, and that is we have got to move away from fossil fuels. We have got to move to renewables where we are recycling the carbon dioxide. You see, if you burn something that grew this summer, if you burn it this fall, like burning wood from a tree that may have been growing for 30, 40 years, and taking CO_2 out of the air and storing it in the tree, then when you burn the tree, you put the CO_2 back in the air, but that is the same CO_2 the tree had taken out, so it's a balance and the CO_2 doesn't go up.

So what the climate change global-warming people want to do is to reduce our dependence on fossil fuels and the concomitant release of carbon dioxide and instead substitute these renewables which simply recycle the carbon dioxide.

□ 1645

Now, if you are going nuclear, by the way, it is even better. After you have paid a carbon cost for building the nuclear power plant, then there is no carbon dioxide produced for the duration of that nuclear power plant.

The third group that have common cause, and before I talk about this group, I want to note that I think that the best interests of mankind, the best interests of our country, the best interest of Republicans and Democrats, will be served if we don't criticize each others' premise. There are those who believe that the global warming thing is just silly. There are others who believe that the foreign countries that own all this oil are going to play nice and give us the oil, so why worry about the national security interests.

But rather than criticizing the premise of these others, why don't we just lock arms, because what we want to solve the problems, and in just a moment I am going to talk about the third problem, which I think is really the big one, is to reduce our dependence on fossil fuels and increase our reliance on alternatives.

The next chart, and I have got to go back 52 years to talk about the origin of this chart, because this all began 52 years ago. As a matter of fact, that anniversary will be the day after tomorrow. The 8th day of March in 1956, a speech was given in San Antonio, Texas, that I believe within a few years will be recognized as the most important speech given in all of the last century. That speech was given here in 1956, so we are right here on the chart now.

The United States is king of oil. We are producing more oil, using more oil, exporting more oil I think than any other country in the world, and an oil geologist by the name of M. King Hubbert in this very famous speech in San Antonio, Texas, told a group of oil people that in 14 years, roughly 14 years, it turned out to be 14, you will peak in oil production, and no matter what you do after that, you will not be able to produce more oil.

Now, remember, the United States then is king of oil. Oil wells everywhere, Oklahoma, Texas. A little interesting sidelight here, why were there so many? That is because, as I understand it, of the law of capture. If the oil came out of your well, you owned the oil, even though much of it might have been sucked out of the ground of the person that owned the land next to you. It was called the law of capture, I think. So if you wanted to get some of those revenues, you had to drill your own well. I understand that wells were drilled in graveyards and through the foyers of churches. If you look at some of those pictures, it looked like a forest of oil rigs out there, and I think the reason was this law of capture. But, right on schedule, in 1970 we peaked in oil production. This is a chart of that peak. We reached a peak here in 1970.

Now, M. King Hubbert had included only the Lower 48 in his prediction. He had not included Alaska, where we found a lot of oil. He had not included the Gulf of Mexico, where we found a meaningful amount of oil. But you notice that the slide down the other side of Hubbert's Peak just had a little blip from the oil that we found in Alaska and the Gulf of Mexico.

So, right on schedule M. King Hubbert and his prediction of a phenomenon which we call today peak oil, said that we would reach that maximum in the United States in 1970. Now, this same forecaster, with the enormous credibility of having been right on target for the United States, said that the world would be peaking about now.

The next chart is an interesting one, and if you had only one graph, one chart you could look at to talk about this, it would be this one, because this has so much information on it. The little bars here show the discoveries of oil. You notice that we started discovering it way back there, some of it in the Depression really, and then after the end of the Depression just before the war, and then huge discoveries in the fifties, the sixties and seventies. But ever since then, down, down, down, down. Kind of a ragged down, because every once in awhile you hit a pretty big field, and here is the spike here. But on average every year since the seventies and eighties it has been down, down, down.

The solid black line here represents the oil that we have produced, which is

also the oil we have used, because there is no big store of oil anywhere. We use it as we produce it. And a really interesting curve.

Notice the shape of this curve here. If nothing happened to change that curve, it would have gone off the top of the graph by this time. Well, something did happen to change the shape of that curve. You notice that changed in the seventies, and these were the oil price spike hikes engendered by the Arab oil embargo, and it caused a worldwide recession. Here is the worldwide recession, and, boy, we woke up, we and much of the rest of the world, and we found ways to do things more efficiently. Now we are recovering from that and the economy is great for most of the world, there is a little tremor now, but it has been a great economy. But you notice the slope of this curve after that is very much less than the slope of this curve.

There is an interesting statistic during the Carter years, up to the Carter years, as a matter of fact, that every decade we use as much oil as had been used in all of the world in all of previous history. Wow. What that means is, of course, when you have used half the oil, you have only one decade left. Well, we have really slowed down now. You can see the slope of this curve is very much less.

Now, when will the world reach its maximum oil production? See, what we have been doing since about 1980, we have found less and less oil, but we have used more and more oil, so this area here, the area above the oil that we found has been filled in by the oil that we found way back.

Now, we have got a lot these reserves left, and the makers of this chart say that this is the average of what we will find in the future. It won't be smooth, it will be up and down, but that is probably about the quantity that we will find. But we are using more. And they are suggesting that we will be peaking about now, as you can see, and that this area here will have to be filled in by reserves that we found back here, because we aren't finding any meaningful amount of oil now. So those who made this chart believe that oil in the world should be peaking about now.

The next chart shows the estimates of a number of authorities. Some of them have enormous uncertainty in when they think peak oil might occur. Here is one that says it could occur anytime between now and 2120, between 2020 and 2120. Here is one that says, gee, it could be anytime. But a great number of them believe it could be as early as about now. Here we are at about this point. A great many of them believe it could be now or shortly after this. So there is general consensus through most of the authorities in the world that peaking could be now.

The next chart kind of puts all of this in perspective, and this is an interesting chart. Let's just refer to the upper part of it. The lower part of it is a blowup of the upper part separating out gas from oil.

Hyman Rickover, who gave a great speech the 14th day of May, 1957, so this will be the 51st anniversary of his speech, noted that we were in an age of oil. I will have some quotes from his speech in a few moments. That we were in an age of oil. And he said in 8,000 years of recorded history we were, when he gave his speech, about 100 years into the age of oil.

This is a chart that looks not back through 8,000 years. But if we went back that far, the amount of energy used by mankind would be down here so near zero you could hardly see the difference. We go here about 400 years and the industrial revolution began with wood. And then we found coal, and, boy, it jumped up. And then we found gas and oil, and, wow, the quality of the energy, the extractability, how easy it was to get, how easy it was to use. And look what happened to energy use. It just spiked. Here we see that same discontinuity in the seventies, the worldwide recession, the oil price spike hikes.

Now, let's look at the next curve here, because this shows exactly the same curve. What we have done here is to expand the abscissa, that is this bottom, and compressed the ordinate, so now it is a low, smooth curve. If you pull this in and push that up, you can make the sharp curve that we saw over there. We had only gone this far over there. Now we really dip down the other side.

But I want to focus here on the yellow area of this chart. If we in fact are peaking in oil production, and if the world follows the pattern that we have been following in the United States, then the production of oil will look, it has looked up until now about like this, and in the future it will slide down the other side of Hubbert's Peak.

Today in the United States we produce half the oil that we produced in 1970, in spite of finding a lot of oil in Alaska and a fair amount of oil in the Gulf of Mexico, and in spite of drilling more oil wells than all of the rest of the world put together. So we are about at this point, I believe, and the demand is about 2 percent.

Now, 2 percent doesn't seem like much, does it? As a matter of fact, our stock market doesn't like 2 percent growth. It thinks that is anemic and it is likely not to do well. But 2 percent growth doubles in 35 years, and here we are talking about long time periods. It doubles in 35 years, it is four times bigger in 70 years, it is eight times bigger in 105 years, and it is 16 times bigger in 140 years.

This phenomenon of exponential growth caused Albert Einstein to respond to a question, gee, Dr. Einstein, what will be the next big energy force in the world? And he said the most powerful force in the world is the power of compound interest. The next, of course, after nuclear energy.

So, with this 2 percent growth, and I would submit that it is going to be hard to hold growth to 2 percent, because we have India and China coming on board. I was in Beijing about a year or so ago and they had banned bicycles in parts of Beijing because they were getting in the way of cars. With the demand of oil in India and China, I think it will be hard to hold it to 2 percent growth. But this is 2 percent growth, and it doubles in 35 years. So this period is 35 years.

Many people looking at the problem we face with peak oil say, gee, let's fill the peak. I think it is manifestly impossible to fill the peak, and I don't think we need to fill the peak. I would be happy if we were reasonably sure that we could just fill the area below this peak so we would have a plateau out here. I am not sure that the world will be able to do that. Neither am I sure that we have to do that to live well, actually.

The next quote is a quote from this really great speech given by Hyman Rickover. If M. King Hubbert's speech was the most important speech of the last century, and I think that it may have been, then I think maybe the most insightful speech of the last century was that speech given 51 years ago the 14th day of this May.

I came to this floor on the 50th anniversary of that, and Hyman Rickover's widow sat in the gallery there when I read largely from the really, really insightful prophetic speech that he gave.

These are some of the quotes. ''I suggest that this is a good time to think soberly about our responsibilities to our descendants.'' I do a lot of that. I have 10 kids, I have 16 grandkids, and I have two great grandkids, so I think a lot about my descendants. ''Those who will ring out the fossil fuel age.''

Wow. I was thinking of this statement when I led a CODEL to China the last holiday, not this Christmas and New Year's, but the one before that, and we went there to talk about, the nine of us, went to talk to the Chinese about energy. And it was really interesting.

They began their discussion of energy by talking about post-oil. Wow. As Hyman Rickover said, there will be a post-oil, because if there is a fossil fuel age, the age of oil, then there will be some time after the age of oil. We in this country think in terms of the next quarterly report and how am I going to get myself elected the next time, and it is really interesting that people in that part of the world tend to think more in terms of generations and centuries. But the Chinese recognize that there will be an age of oil.

''Those who will ring out the fossil fuel age, we might give a break to these youngsters by cutting fuel and metal consumption so as to provide a safer margin for the necessary adjustments which eventually must be made in a world without fossil fuels. There will one day be a world without fossil fuels.''

I think that has to be obvious. If you look at the world, the whole thing is

not oil, and, even if it was, it wouldn't last for oil. But it is certainly not. So there will be one day be a world without oil, and Hyman Rickover was suggesting 51 years ago was a good time to start thinking about how we make that transition.

The next chart shows a reality that I don't know how many have thought about. This is a chart which shows on the abscissa the amount of energy you use, and on the right over here it shows how happy you are with your station in life.

□ 1700

Now, we use more energy than anybody else, and so there we are, the furthest one over here to the right, but we are not the happiest Nation in the world. There are 24 countries, everybody above this line, feels better, not just as good, better, about their quality of life than we feel about our quality of life, and some of them use only about half as much oil as we use. And when I look at the future and the huge challenges that we have from the future, I note that we have a lot of opportunity to live more efficiently and to live, not just as happily, but to live more happily, because there are 24 countries that use less oil than we, some only half the oil that we use, who feel better about their quality of life than we feel about ours.

Now, this third group that has common cause with the first two, the first two being those who are concerned about our national security, we get far too much of our oil from over there and, as the President appropriately said, from people who don't even like us. The second group is concerned about global warming and releasing all of this sequestered CO_2 from these fossil fuels and dumping it into the atmosphere and producing these greenhouse gases that reflect back the infrared radiation to the Earth and warm up the Earth.

By the way, I lived in Siberia. You might have a hard time convincing me that a warmer Earth would be all that bad. And I would note that, if they played nice over there, these guys who have all the oil, that may not be a problem, so the national security thing may not be a problem.

I would submit that the Earth has been very much warmer in the past. That is the only way we could have had subtropical seas in the north slope and the North Sea and ANWR and so forth. A warmer Earth will be very different, better for some people, worse for others, and I don't think it is a risk worth taking. But many will argue that, gee, the sky may not fall if the Earth gets warmer.

But I will tell you that this third group of people, the people who are concerned about peak oil, there is no way that we are going to get through that without a very bumpy ride unless we aggressively pursue this challenge.

Now, I am excited about this. My wife tells me that I really shouldn't be talking about this because people in ancient Greece killed the messenger that brought bad news, and I need to get myself reelected and I shouldn't be talking about this. I tell her, this is a good news story. The good news is that if we start today to meet this challenge, the ride will be less bumpy than if we start tomorrow.

But the really good news part of this is that there is no exhilaration like the exhilaration of meeting and overcoming a big challenge. And, boy, this is a big challenge.

Many of the problems we have with our unemployed and our kids and so forth in this country are because time weighs heavily on their hands, and they end up doing sometimes hurtful things to themselves and society. I lived through World War II, the last war, by the way, in which everybody was involved. It was the last war in which our country was at war. Now, our military has been at war since then and our military families have been at war since then. But, boy, World War II, our country was at war. Everybody knew we were at war. Not a single automobile was made for public consumption in 1943, 1944, and 1945. You had to have a ration coupon to buy gas. If you convinced them you were a good churchgoer, they would give you enough to go to church; otherwise, you stayed home or walked to church. You had to get a coupon to get sugar to do your canning with. There was a real scarcity of automobile tires. We saved our household grease and took it to a central repository. We had daylight savings time, that comes this weekend, and we had daylight savings time because then we had an extra hour to spend in our victory gardens. And there was no law from Congress that said you had to have a victory garden, but, boy, everybody who could, talk to your grandparents, they probably dug up their backyard and they put a garden there. I saw pictures of vacant lots in New York City where they took all the rubble and piled it up in rows and planted gardens between them. Everybody was involved in that war.

And I will tell you, if we are going to get through this, this is a huge challenge, it will require the best of us. But we are the most creative, innovative society in the world. And, with leadership, which is I think fairly conspicuously absent today, I think that we can rally to this cause.

What we need to get through this is the total commitment we had in World War II. We need to have the technology focus of when we put a man on the Moon and we need to have the urgency of the Manhattan Project.

By the way, that technology focus would do other really nice things for us. I talk to a lot of businesses that cannot find enough technically trained people. Our young people today just aren't turned on to training in science, math, and engineering. Many of them are becoming lawyers and political scientists. I think we have quite enough of both of those, thank you.

I remember during the less than a decade, our President challenged us to do it in a decade and we did it in less than a decade, putting a man on the Moon. And I remember how turned on, it captured the imagination of the American people and inspired our young people to go into careers of math, science, and engineering. I remember a cartoon of a little redheaded, freckle-faced buck-toothed young fellow who said, ''Six months ago, I couldn't even spell 'engineer' and now I are one.''

Everybody wanted to be involved in this. And we need to have the technology focus that we had then, and what that will do is inspire more of our bright young people. We have really bright young people, and they need to be going into pursuits that will really be productive like science, math, and engineering. If we inspire them to go into those positions, we might once again become a manufacturing exporting Nation.

By the way, the technologies that we will need to develop to exploit these renewables, I think we could become the center for that in the world and, once again, could become a major exporting Nation.

Again, I say, we are the most creative, innovative society in the world. Somehow, somehow, the genius of our Founding Fathers and the Constitution they gave us, which really, really respects the rights of the individual, created a milieu, a climate in which creativity and entrepreneurship would flourish, and it is still flourishing. Just look at our small businesses, that they are responsible for bringing us out of recession. So I am really enthusiastic about this.

Everybody needs to be committed. We need to have the technology focus of putting a man on the Moon. And this is urgent. Just in the last few days, I have three things in front of me here where others are recognizing that this is urgent. There is a 2-day summit with our National Academy of Sciences, and they are looking at America's energy future. It is about time. They are going to be looking at America's energy future.

We have a huge challenge. We use one-fourth of the world's oil, we have 2 percent of the world's oil, and the President very correctly said that we are hooked on oil. And, like the cocaine addict who is hooked on his drug, he has just got to have another fix, and so now there is a clamor to go out and drill for that oil up in ANWR and drill for that oil offshore.

I haven't voted for those. I have 10 kids, 16 grandkids, and two great grandkids. We are leaving them a horrendous debt, not with my votes, but a horrendous debt. And I just ask, wouldn't it be nice if we could leave them a little energy?

I was asked to vote to drill in ANWR, and my question was: If you could drill and pump ANWR tomorrow, what will you do the day after tomorrow? And for

my kids and grandkids and great-grandkids, there is going to be a day after tomorrow.

Now, I will vote to drill in ANWR and offshore when a commitment is made that all of the energy that we get from those fields will be invested in alternatives. You see, today we have a situation where we have run out of time and there is no surplus energy. If there was surplus energy, oil wouldn't be $105 a barrel this morning.

When I say we have run out of time, I am really very critical of what we, the world, has done in the last 28 years. I say 28 years because that takes us back to 1980. And, by 1980, it was absolutely certain that M. King Hubbard was right about the United States. We peaked in 1970. By 1980, we are sliding down the other side of what is called Hubbard's Peak. So we knew he was right about the United States. Now, I believe it was in 1979, just a year before, that he predicted the world would be peaking about now.

And I ask you, if M. King Hubbard was so right about the United States, shouldn't there have been some concern that maybe, just maybe, he might be right about the world? And wouldn't it have been appropriate to look at that possibility and put some programs in place that would address that potential eventuality?

You know, it is very difficult to look back on what we have done without using a couple of not very complimentary analogies. When we first found that incredible wealth under the ground, and, boy, that was incredible wealth. One barrel of oil, and we use about 22 million barrels a day in our country, by the way. One barrel of oil has the work output of 12 people working all year, 25,000 man hours of work.

When I first saw that number, I thought that can't be true; 12 people working all year, one barrel of oil has that much energy in it? And then I thought about that one gallon of gasoline, still cheaper than water in the grocery store if you are buying it in little bottles, how far that takes my Prius. Our Prius now is 47 miles per gallon averaging over the last maybe 20,000 miles. Now, I could pull my Prius 47 miles. That is almost all the way from here to my home in Frederick. That would take me a long while. I would have to get come-alongs and hook to the guardrail and so forth to pull the car. I could do it. And so I finally said, gee, that is probably right. Every barrel of oil has the energy equivalent of 25,000 man hours of work, 12 people working all year for you.

As a matter of fact, I saw a statistic recently that was really interesting. If there was no gas, oil, or coal, no nuclear, no sun, no hydro, if the only power available was the power of human activity to enjoy the quality of life that each of us enjoys, there would have to be 300 people out there working. That is the amount of energy from fossil fuels that each one of us consumes. We live as well as if there were 300 people out there working to support our quality of life. No wonder Hyman Rickover referred to this as a golden age.

The next chart kind of shows where we are and where we are going. All three of these groups want to move away from fossil fuels to alternatives, of course for very different reasons and, again, I stop criticizing each other's premise, because what we want to do to solve the problem as we see it is exactly the same thing: Move away from fossil fuels to renewables. How are we going to do that?

Now, there are some finite resources that are really quite unconventional, and we are exploiting some of them now. From the tar sands in Canada, we are getting about 1 million barrels of oil a day. That is with heroic efforts. They are using local gas which is stranded, which means that it is far away from any population and, therefore, it is cheap and so you can use it for something like this. They have a huge tailings pond which is full of all sorts of noxious chemicals. And the vein, if you are thinking of it as the vein, is on top and it will soon have to duck under an overlay so they have to exploit it in situ, and they don't know how to do that yet. They have a shovel, which lifts 100 tons at a time. They dump it in a truck, which hauls 400 tons. They haul it to a cooker, which cooks it until it loosens up its stiff oil and it flows, and they add some chemicals to it to keep it flowing when it cools down. They are getting about 1 million barrels a day, and that is 1 million out of 88 million that the world is producing. So a bit more than 1 percent, but it is not sustainable and they know it is not. They are going to need more oil, they are going to run out of water by and by.

But if they could continue this exploitation, there is more potential oil in the tar sands of Canada than there is in all of the huge oil reserves that we showed on that map of the world that we showed earlier. So there is a huge potential there.

□ 1715

But remember, in any one of these things, you need to look at energy-profit ratio, how much energy you need to put in to get out a unit of energy. And if you are putting in more energy than you get out, obviously you are not going to do that, and you are going to move on to some other source.

The oil shales in our western United States, they have reserves at least as large and maybe some larger, some believe, up in the trillions of barrels of oil.

By the way, and we will come to the number later, but the world had about we believe 2 trillion barrels of recoverable oil. We have recovered about 1 trillion of those barrels. Most authorities believe there is another trillion to be recovered. Some believe we can find more and get more out of the present reservoirs.

But in spite of the brightest people in the world, the most aggressive economy in the world, we have not been able to reverse our slide down the other side of Hubbert's Peak. So when you are listening to people speaking about a rosy future with abundant oil, remember that the United States with all of our superiority has not been able to reverse our slide down the other side of Hubbert's Peak.

There are a number of organizations looking at exploiting that. It is called ''the rocks that burn'' by the Indians. When you heat it up, it becomes oil. It is not exactly oil in the form that it is found. Can we develop that, how quickly, how much will we get from it, we will certainly get something from it by and by, but remember this energy-profit ratio.

Coal. We have a lot of coal. Not as much as we thought we had. The National Academy of Sciences took a new look at that, and they said that the conventional wisdom that there was 250 years out there at current use rates, and be very careful when someone mentions current use rates when making projections for the future because, with growth, that time duration really shrinks.

The National Academy of Sciences now says we have something like 100 years of coal at current use rates. I have a chart that shows what that really means in terms of energy that is available to us.

Then we have nuclear. We have three different potential sources of nuclear energy. The one that the world is using for producing energy is fusion, light water reactor plants. France gets about 75 to 80 percent of their electricity from fusion. We get about 20 percent. We are much bigger than France and so we produce more electric power than France produces, but not so high a percentage of what we use.

Fissile uranium is a finite resource. The world will one day run out. I have no idea when that will be because I get wildly divergent estimates when I ask people how long will it last: 10 years, 30 years, 100 years. We need an honest broker. It is hard to have a discussion when there isn't agreement on the facts. I would like to commission the National Academy of Sciences to help us decide on what the reserves are and what the resources are so we can have a productive dialogue. But even when we run out of fissile uranium, we still can get nuclear power from what we call breeder reactors.

They have problems, and you are producing stuff that is potentially weapons grade and you are hauling it around for enrichment, and there are opportunities for terrorists. Then there is an end product that you need to store away for a quarter of a million years. I understand there are potential breakthroughs there where we can burn more of this fuel, and we end up with a waste product which is much less radioactive with a shorter half-life. So the storage problems are going

to be reduced. There is lot of new technology in the nuclear area, and I will tell you that some who have been stout opponents of nuclear, when they are considering a likely alternative in an energy-deficient world of shivering in the dark, nuclear is looking better to them.

Nuclear fusion. That is the only energy source out there that is a silver bullet. If we find that, we are home free. By the way, we have a great fusion reactor. It is called the Sun. And the Sun is the source of almost all the energy we use. It was the shining of the Sun a long while ago that produced the plants that produced the gas, oil, and coal. It is the shining of the Sun that produces the differential temperatures and makes the winds blow. It is the sunshine that lifts the water from the ocean and the plains and drops it on the mountains and it flows down through the dams to produce hydropower. There are only a few sources of power that don't come from the Sun: nuclear, a trifling amount of chemical, and the tides don't come from the Sun.

By the way, there is a huge potential amount of energy in the oceans, but it is so disbursed that it is just hard to collar it. There is an old axiom that says that energy or power to be effective must be concentrated. Look at the tides. The Moon lifts the oceans 2 or 3 feet. I carry two 5-gallon buckets of water, and that is heavy. How much energy would it take to lift the whole ocean, 75 percent of the world's surface, 2 or 3 feet? But the problem is harnessing that energy.

But there are other potential ocean energy sources, like the ocean thermal gradients. In the tropics, it is very warm on the surface and very cold on the bottom. And there are several technologies for getting energy from that temperature difference.

Then we get to the true renewables. By the way, there are many people who don't really think it is necessary to talk about this because they are market enthusiasts, and they will tell you that the market will solve this problem. The market will solve this problem. You may not like the way that the market will solve this problem because the price of oil, unless we do something and move aggressively towards alternatives, may go really high. I hear people telling me gas may go to $20 or $25 a gallon in an energy-deficient world. So the market will solve the problem, but you may not like the way the market solves the problem.

There are two problems. One is that the resources are not infinite and they are not available in the time in which the market would like to have them. The second problem is that the market signals are not timely enough.

One of the big studies done, our government, your government, has paid for four studies. They are ignoring all of them. The first one, the Hirsch Report, said that the world has never faced a problem like this, and challenges us to plan for this a couple of decades ahead because they said if you haven't started to plan for this two decades ahead, there will be some economic consequences. If it is only a decade ahead, there will be big economic problems. And if you wait until it is upon you, and apparently it is, they said the world has never faced a problem like this. There is no precedent in history.

The next chart shows those things in an interesting form. I would like to use analogy for this chart, and that is, the young couple whose grandparents have left them a big inheritance and they have a lavish lifestyle where 85 percent of the money they spend comes from their grandparents' inheritance and 15 percent is from their income. They look at the inheritance and it is going to run out a long time before they retire at the rate they are spending it. So they have to either make more or spend less.

Here we are: 85 percent of all of our energy comes from coal, gas, and petroleum, the oil. So 15 percent is left. A bit more than half of that is nuclear electric power, and the rest is renewables. Now, some people have it 86–14, but it is roughly 85–15. Notice the breakout here of the renewables. In 2000, solar was 0.07 percent. So maybe it is 10 times bigger. That is still a tiny, tiny amount.

Wood. That is the timber industry and the paper industry wisely burning what would otherwise be a waste product, filling up landfills.

Waste energy. That is a great idea, a whole lot better than putting it in a landfill. We ought to recycle what we can productively recycle and then burn the rest of it. And there is a great facility in Montgomery County, and it is really a class facility. I wouldn't mind having it next to my church. It is a great-looking building. You don't see or smell the trash, and it is producing electricity. But that is not a solution to our energy problem because most of the trash that they are burning is the consequence of profligate use of fossil fuel energy. And in a fossil fuel-deficient world, that trash stream is going to be very much less. So for the moment that is a good idea, but it is not a solution to our problem.

Wind. Wind is the most rapidly growing alternative today. The leading country in that is Denmark. They produce electricity at a cent and a half a kilowatt hour. We can do it here for 2.5 or so cents a kilowatt hour.

Conventional hydro. We are tapped out on that, probably. Some believe we can get as much hydro from what is called microhydro. It is much less environmentally threatening, small devices in streams to produce electricity.

Alcohol fuel. I have just a moment to spend on that. The National Academy of Sciences says that if we turn all of our corn into ethanol, all of it, and discount it for fossil fuel input, that it would displace 2.4 percent of our gasoline. This is not ROSCOE BARTLETT saying that; this is the National Academy of Sciences. They noted if you tuned up your car and put air in the tires, you could save as much energy as you would get from all of our corn converted to ethanol. We haven't converted it all, but the amount that we have converted has doubled the price of corn. And our farmers diverted land from wheat and soybeans to corn, and there was an increased demand for wheat and soybeans, so now the price of all three, for these major foods, for poor people around the world is up.

In fact, a member of the United Nations said what we had innocently done, inadvertently done, unintended consequences, was a crime against humanity because now three of the basic four foodstuffs in the world, rice, corn, wheat and soybeans, have increased in price because we had this government-subsidized corn ethanol program.

We will get something from biomass, from cellulosic ethanol, something from corn. But Hyman Rickover cautioned wisely in his speech 51 years ago, you should be careful eating your food. He also said you should be careful you don't burn up the fertility of your soil by removing the organic material which produces what we call tilth, which is what makes the difference between topsoil and subsoil. It holds nutrients and water. We will get something from these. I think now there is an irrational exuberance, as was said about the market a few years ago. We will get something, but it is not a silver bullet. It will not be a huge amount. And we use so much oil, it will barely make a dent in it.

Geothermal. That is true geothermal, tapping the molten core of the Earth. That is one source of energy that didn't come from the Sun. We need to exploit that more. That is not tying your air conditioner, your heat pump to ground temperature, which is a great idea. In the summertime to cool your house, you are trying to heat up that 100-degree air outside. It is easier to heat up the ground at 56 degrees. In the winter, you are doing the opposite.

The next chart looks at coal. This assumes 250 years. If you grow only 2 percent, and I think we will need to dip into our coal more than 2 percent, if we have less and less oil, it shrinks to 85 years. If you use some of the energy from the coal to produce a gas or a liquid, and it is not fair to make the comparison if you don't, then it shrinks to 50 years.

Now another interesting phenomenon here, which is unavoidable, we are going to have to share that with the world because if we use the oil that we produce from coal, then the oil we might have used someone else will use. So in effect you are sharing it with the world. So now 12 divided by 4, we use a fourth of the oil, is 12.5 years. It is even less if it is only 100 years, maybe 6 years or so.

The next chart is a great example of efficiency. This shows producing light from the incandescent bulb, the fluorescent, and the light-emitting diode.

The green on the top is the light. It is the same in all of these. The blue is the energy. And notice that the incandescent bulb is a better heater than light source. I brood my chickens with that.

Notice the light-emitting diode. If you have an LED flashlight, you will forget when you put batteries in it, and we need to move to these kinds of technologies.

I have one final chart to end this discussion with. There are two major entities in the world that follow the production and consumption of oil, and they make assumptions about the future. I wouldn't pay much attention to their assumptions about the future because they have been consistently wrong, but they are very good at charting what we have used.

This is the EIA, the Energy Information Administration, a part of our Department of Energy; and it is the IEA, the International Energy Association, this is a part of the United Nations. This is a group that has been following what has been going on in Iran. Both of them have been tracking what we have been using in oil, and these are their lives.

□ 1730

And these are their lines. And notice, for about the last 3 years, 30 months or more, they're essentially flat. And during that time, that's just about the time that I have been coming here to the floor. It'll be 3 years the 14th day of March that I made my first speech on the floor here relative to this subject. And during that time, oil has doubled in price. Here we are at about $50 a barrel. And there we are up there at, well, off the chart now, above $100 a barrel.

In the few moments remaining to us, I'd like to look at a couple of charts. This is a very recent statement, January 22, by the CEO of Shell Oil. By the year 2100, the world's energy system will be radically different from today. Boy, will it. The world's current predicament limits our maneuvering room. We are experiencing a step change in the growth of energy demand. And Shell estimates that after 2015, supplies of easy to access oil and gas will no longer keep up with demand. He's saying it's going to peak about then.

Mr. Speaker, I would like to close by saying again that this is an enormously invigorating challenge. America's up to this challenge. What we need is the leadership necessary to make this happen.

OIL AND GAS AND THE ECONOMY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

Mr. BURGESS. Mr. Speaker, we all spend time with search engines. We all spend time with Google. You know, if you Google the term ''gambling'' you'll get millions of matches. And of course, you can't come to a Google page without seeing the Wikipedia. And if you go to Wikipedia to see about gambling, it states that ''Gambling has a specific economic definition, referring to wagering money or something of material value on an event with an uncertain outcome.''

Mr. Speaker, this is exactly what is going on with energy policy here in the United States House of Representatives. Earlier today, the price of oil rose to a record high, nearly $106 a barrel.

We all feel pain at the pump. In fact, I drive a hybrid car back home, but it's still getting awfully expensive to fill up. And like any good Texan, I have a Ford F–150 pickup truck, and last week when I had to fill it with metal to drive to the recycler, it cost me almost $80 to fill up the truck.

In fact, since the Speaker of the House took the gavel on January 1, 2007, the average price of gasoline has increased by about $1 a gallon. The price of gas now back home for me is about where it was in the days after Hurricane Katrina. You remember Hurricane Katrina wiped out almost all the refining capacity in the United States, and the price of oil went up higher than anyone had ever seen it go before. The price of gas at the pump was higher than anyone had ever seen before, and we're there now.

And I've got to tell you, in Texas, this time of year, we generally have our cheapest gas. So what's it going to be on May 1 when we start having to have all of those fancy blended gasolines for the compliance with the Clean Air Act, and the peak of the summer driving season is about to start? We're likely to see gasoline at $4 a gallon back home.

And how does the House of Representatives handle this uncertainty and the resulting rise at the pump? By gambling. We bet our energy policy chips on future sources of energy that cannot fully support a country as large or as energy reliant as is the United States of America.

Last week, the House of Representatives voted to provide tax breaks to consumers who make green choices, and extends tax breaks to producers of renewable energy to create green jobs. Fair enough. But unfortunately, this scheme ignores the fact that green choices and renewable energy are currently more costly for consumers and are not yet ready for full market use.

In addition, the plan offsets these breaks by sending an $18 billion bill to the energy industry that will ultimately pass that cost on to the consumer.

Now, I'm not all that good at math, and I'm certainly not a gambler, but for the life of me, no matter how you add and subtract, I cannot understand how we stand to benefit by handicapping the very resources that we rely upon to get to work, to create our jobs, to go to school, to go to the grocery store or even to the doctor's office. By doing so, the democratic majority here in the House of Representatives is gambling American resources on a horse they know full well cannot possibly win the race.

Thanks to this legislation, the country has now lost $18 billion that could have been spent by experts in the energy industry to expand renewable and alternative energy capabilities, the same energy capabilities that this scheme purports to promote.

I hope these new green jobs are close to home, because workers are going to have to pay for walking shoes in addition to work boots.

Mr. Speaker, why is the majority willing to gamble our economic and national security on the uncertainty of the energy sources of tomorrow in order to bow to the billion dollar environmental industry today?

Of course, Members of this House want to expand alternative and renewable energy resources. In fact, we must do so, as we just heard in the last hour. We must have clean, safe, reliable, affordable sources of energy to continue to compete in the 21st century. But these are not new technologies in which we are investing. Ethanol has been subsidized since the 1970s, in fact, probably earlier than that. We've had solar and wind power capabilities since the 1980s. Yet, somehow this majority believes that the reason that these technologies have not taken over is because of some sort of cabal by the energy market.

So rather than financially support the research into new technology, this body chose to strap higher costs on the backs of already cash-strapped Americans. What about the needs of the Nation's families today? What about the families struggling to pay for oil to heat their homes, gas to drive their cars?

Today we face a slowing economy, a credit crunch. We have a hard hit housing sector. So how does the majority respond to those who are struggling to pay for gasoline and heating oil? They say the energy equivalent of ''let them eat cake.'' Let them pay for something that is inherently more expensive than the current market provides.

Mr. Speaker, if California wants to cut energy demand by pricing people out of the market, as we just heard in the last hour, that's fine for them. But please don't think that the rest of the American people are going to sit back and let that happen without a fight.

Our economy is suffering. Our energy needs are great. This is not the time to double down on short-term schemes that deals long-term problems. America relies on energy to fuel our economy and our lives. That means that America needs real change to spur the development of new technology in the fields of renewable and alternative energy.

Let's spur this development in the right way and invest in all forms of energy, and let's do so without prejudice, without handicapping or picking the winners and losers based upon the

cleanness or the carbon consciousness index, whatever that is.

Let me end by quoting the famous songster, Kenny Rogers, the Gambler, because it seems like an appropriate way to wrap up this discussion. ''You got to know when to hold them, you got to know when to fold them; know when to walk away and know when to run.''

Let's hope the other body walks away from this risky democratic scheme so we can keep Americans from having to pick up the marker for the House's irresponsible gambling habit.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. WATT) to revise and extend their remarks and include extraneous material:)

Mr. YARMUTH, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. WATT, for 5 minutes, today.

(The following Members (at the request of Mr. LINCOLN DIAZ-BALART of Florida) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, March 13.

Mr. JONES of North Carolina, for 5 minutes, March 13.

Mr. LINCOLN DIAZ-BALART of Florida, for 5 minutes, today.

Mr. PENCE, for 5 minutes, today.

Mr. KUHL of New York, for 5 minutes, March 13.

ADJOURNMENT

Mr. BURGESS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 39 minutes p.m.), under its previous order, the House adjourned until Monday, March 10, 2008, at 12:30 p.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:

5643. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's Vehicle Fleet Report on Alternative Fuel Vehicles for fiscal year 2007, pursuant to 42 U.S.C. 13218; to the Committee on Energy and Commerce.

5644. A letter from the Assistant Secretary for Management, Department of Veterans Affairs, transmitting the Department's Vehicle Fleet Report on Alternative Fuel Vehicles for fiscal year 2007, pursuant to 42 U.S.C. 13218; to the Committee on Energy and Commerce.

5645. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the March 2008 International Narcotics Control Strategy Report, pursuant to 22 U.S.C. 2291(b)(2); to the Committee on Foreign Affairs.

5646. A letter from the Chief Justice, Supreme Court of the United States, transmitting a copy of the Report of the Proceedings of the Judicial Conference of the United States, September 18, 2007, pursuant to 28 U.S.C. 331; to the Committee on the Judiciary.

5647. A letter from the Pricipal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's report on the activities of the Community Relations Service (CRS) for Fiscal Year 2006, pursuant to 42 U.S.C. 2000g-3; to the Committee on the Judiciary.

5648. A letter from the Pricipal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's report on the use of exemption from antitrust laws provided by Section 405 of the Pandemic and All-Hazards Preparedness Act, Pub. L. 109-417; to the Committee on the Judiciary.

5649. A letter from the President and Chief Executive Officer, Little League Baseball, transmitting the Annual Report of Little League Baseball, Incorporated for the fiscal year ending September 30, 2007, pursuant to 36 U.S.C. 1084(b); to the Committee on the Judiciary.

5650. A letter from the Secretary, Department of Transportation, transmitting a copy of a draft bill to amend subsection (e)(1) of Section 2010 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, or SAFETEA-LU, to allow a State to use funds from a grant under Section 2010 to promote the use of motorcycle helmets; to the Committee on Transportation and Infrastructure.

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. CONYERS: Committee on the Judiciary. H.R. 1312. A bill to expedite adjudication of employer petitions for aliens of extraordinary artistic ability; with an amendment (Rept. 110–540). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. RAHALL (for himself, Mr. GRIJALVA, and Mr. DICKS):

H.R. 5541. A bill to provide a supplemental funding source for catastrophic emergency wildland fire suppression activities on Department of the Interior and National Forest System lands, to require the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire management strategy, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and the Budget, 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. SULLIVAN (for himself, Mr. BOREN, Mr. LUCAS, Mr. COLE of Oklahoma, Ms. FALLIN, Mr. PICKERING, Mr. MARCHANT, Mr. THOMPSON of Mississippi, Mr. BONNER, Mr. SESSIONS, Mr. TAYLOR, and Mr. UDALL of New Mexico):

H.R. 5542. A bill to amend title XVIII of the Social Security Act to provide for a temporary moratorium on enforcement of the cap amount on payments for hospice care under the Medicare Program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ALLEN (for himself, Mr. ENGLISH of Pennsylvania, and Ms. BERKLEY):

H.R. 5543. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to increase the retirement security of women and small business owners, and for other purposes; to the Committee on Ways and Means, 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. BURGESS (for himself and Mr. STUPAK):

H.R. 5544. A bill to amend the Public Health Service Act to authorize a demonstration project for integrated health systems to expand access to primary and preventive care for the medically underserved, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BURGESS:

H.R. 5545. A bill to amend title XVIII of the Social Security Act to modify Medicare physician reimbursement policies to ensure a future physician workforce, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Mr. CANNON, Ms. ZOE LOFGREN of California, Mr. SHUSTER, Mr. WEINER, Mr. DELAHUNT, Mr. PLATTS, Mr. WELCH of Vermont, Mr. SULLIVAN, Mr. WILSON of South Carolina, Mr. GOHMERT, Mr. HALL of Texas, Mr. BOOZMAN, and Mr. PETERSON of Pennsylvania):

H.R. 5546. A bill to amend the antitrust laws to ensure competitive market-based rates and terms for merchants' access to electronic payment systems; to the Committee on the Judiciary.

By Mr. ALLEN (for himself, Mr. DELAHUNT, Mr. MCGOVERN, and Mr. MICHAUD):

H.R. 5547. A bill to amend the Federal Power Act to ensure that the mission and functions of Regional Transmission Organizations and Independent System Operators include keeping energy costs as low as reasonably possible for consumers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COHEN:

H.R. 5548. A bill to provide for the continued availability of automated stamp vending machines at facilities of the United States Postal Service serving underserved communities, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUMMINGS:

H.R. 5549. A bill to expand the dental workforce and improve dental access, prevention, and data reporting, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently

determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Illinois (for himself, Mr. TOM DAVIS of Virginia, Mrs. MALONEY of New York, Mr. CUMMINGS, Ms. NORTON, and Mr. SARBANES):

H.R. 5550. A bill to amend title 5, United States Code, to increase the maximum age to qualify for coverage as a ''child'' under the health benefits program for Federal employees; to the Committee on Oversight and Government Reform.

By Mr. DAVIS of Illinois (for himself and Ms. NORTON):

H.R. 5551. A bill to amend title 11, District of Columbia Official Code, to implement the increase provided under the District of Columbia Appropriations Act, 2008, in the amount of funds made available for the compensation of attorneys representing indigent defendants in the District of Columbia courts, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. GIFFORDS (for herself, Mr. BILBRAY, Mr. ALEXANDER, Mr. BOYD of Florida, Mrs. BOYDA of Kansas, Mrs. CAPITO, Mrs. CUBIN, Mr. DONNELLY, Mr. ELLSWORTH, Mr. FEENEY, Mr. FRANKS of Arizona, Mr. HALL of New York, Mr. HILL, Mr. HUNTER, Mr. ISRAEL, Mr. KENNEDY, Mr. LAMPSON, Mr. MARCHANT, Mr. MITCHELL, Mr. MOORE of Kansas, and Mr. TANCREDO):

H.R. 5552. A bill to require a report on the efforts of the United States Government to increase border security; to the Committee on Homeland Security.

By Mr. ISSA:

H.R. 5553. A bill to suspend temporarily the duty on certain travel bags; to the Committee on Ways and Means.

By Mr. MICHAUD (for himself, Mr. FILNER, Mr. MILLER of Florida, Ms. CORRINE BROWN of Florida, Mr. ALLEN, Mr. BISHOP of Georgia, Mr. LEWIS of Georgia, and Mr. COHEN):

H.R. 5554. A bill to amend title 38, United States Code, to expand and improve health care services available to veterans from the Department of Veterans Affairs for substance use disorders, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PLATTS:

H.R. 5555. A bill to amend the Internal Revenue Code of 1986 to allow volunteer firefighters a deduction for personal safety clothing; to the Committee on Ways and Means.

By Mr. PLATTS:

H.R. 5556. A bill to amend the Internal Revenue Code of 1986 to allow certain individuals who have attained age 50 and who are unemployed to receive distributions from qualified retirement plans without incurring a 10 percent additional tax; to the Committee on Ways and Means.

By Mr. PLATTS:

H.R. 5557. A bill to amend the Internal Revenue Code of 1986 to allow a full deduction for meals and lodging in connection with medical care; to the Committee on Ways and Means.

By Mr. PRICE of Georgia:

H.R. 5558. A bill to limit the discriminatory taxation of oil pipeline property; to the Committee on the Judiciary.

By Mr. PUTNAM:

H.R. 5559. A bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs; to the Committee on Ways and Means.

By Mr. WELCH of Vermont (for himself, Mr. SHERMAN, Mr. ALLEN, Mr. BERMAN, Mr. BLUMENAUER, Mrs. CAPPS, Mr. CARDOZA, Ms. CLARKE, Mr. COURTNEY, Mr. CROWLEY, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DELAURO, Mr. DREIER, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Mr. HALL of New York, Ms. HARMAN, Mr. HINCHEY, Mr. HODES, Mr. HONDA, Mr. INSLEE, Mr. KENNEDY, Mr. KUCINICH, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE, Ms. ZOE LOFGREN of California, Mr. MARKEY, Ms. MATSUI, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MICHAUD, Mr. GEORGE MILLER of California, Mr. MILLER of North Carolina, Mr. MORAN of Virginia, Mr. MURPHY of Connecticut, Mr. NADLER, Mr. OLVER, Mr. PALLONE, Mr. PAYNE, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Mr. SCHIFF, Mr. SERRANO, Ms. SHEA-PORTER, Mr. SIRES, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. THOMPSON of California, Mr. VAN HOLLEN, Mr. WAXMAN, Mr. WEXLER, Ms. WOOLSEY, Mr. WU, and Mr. FILNER):

H.R. 5560. A bill to permit California and other States to effectively control greenhouse gas emissions from motor vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HOYER (for himself, Mr. MORAN of Virginia, Mr. VAN HOLLEN, Mr. WYNN, Ms. NORTON, and Mr. WOLF):

H. Con. Res. 311. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; to the Committee on Transportation and Infrastructure.

By Ms. ROS-LEHTINEN (for herself, Mr. WEXLER, Mr. BILIRAKIS, Mrs. MALONEY of New York, Mr. PAYNE, Mr. SMITH of New Jersey, Ms. WATSON, Mr. WILSON of South Carolina, Mr. FALEOMAVAEGA, Mr. MCCOTTER, Mr. MANZULLO, Mr. POE, Mr. GALLEGLY, Mr. MEEKS of New York, Mr. HOLT, Mr. FRANK of Massachusetts, Mr. FATTAH, Mrs. NAPOLITANO, Mr. MCNULTY, Mr. KENNEDY, Mr. SPACE, Mr. VAN HOLLEN, Mr. PALLONE, Mr. SARBANES, and Mr. CROWLEY):

H. Res. 1024. A resolution recognizing the 187th anniversary of the independence of Greece and celebrating Greek and American democracy; to the Committee on Foreign Affairs.

By Mr. BOUSTANY:

H. Res. 1025. A resolution providing for consideration of the bill (H.R. 1843) to extend the termination date for the exemption of returning workers from numerical limitations for temporary workers; to the Committee on Rules.

By Mr. BISHOP of Georgia (for himself, Mr. TIAHRT, Ms. MATSUI, Mr. MILLER of Florida, and Mr. TANNER):

H. Res. 1026. A resolution recognizing the 100th anniversary of the founding of the Congressional Club; to the Committee on Oversight and Government Reform.

By Mr. LAMBORN (for himself, Mr. DAVID DAVIS of Tennessee, Mrs. BLACKBURN, Mr. KINGSTON, Mr. GINGREY, Mr. FLAKE, Mr. PRICE of Georgia, Mrs. CUBIN, Mr. CHABOT, Mr. KUHL of New York, Mr. FRANKS of Arizona, Mr. PITTS, Ms. FOXX, Mrs. BACHMANN, and Mr. CANTOR):

H. Res. 1027. A resolution amending the Rules of the House of Representatives to strike rule XXVIII, popularly known as the ''Gephardt rule'', and to require recorded votes on measures that increase the statutory limit on the public debt; to the Committee on Rules.

By Ms. LEE (for herself, Ms. WOOLSEY, Ms. WATERS, and Mr. FILNER):

H. Res. 1028. A resolution reasserting congressional prerogatives in foreign policy and reaffirming the importance of following constitutional processes when the United States Government enters into agreements regarding the use or maintenance of the United States Armed Forces or the use of the financial resources of the United States to assist a foreign government or people and clarifying the nature and scope of status of forces agreements; to the Committee on Foreign Affairs.

By Mr. GUTIERREZ (for himself, Mr. SERRANO, Ms. VELÁZQUEZ, Mr. BACA, Mrs. CHRISTENSEN, Mr. GRIJALVA, Mr. SALAZAR, Ms. JACKSON-LEE of Texas, Ms. ROYBAL-ALLARD, Mr. FATTAH, Mr. BUTTERFIELD, Ms. KILPATRICK, Mr. TOWNS, Mr. CONYERS, Ms. NORTON, Mr. HINCHEY, Mr. WATT, Mr. BRADY of Pennsylvania, Ms. CLARKE, Mr. SIRES, Mr. LINCOLN DIAZ-BALART of Florida, Ms. BERKLEY, and Mrs. JONES of Ohio):

H. Res. 1029. A resolution congratulating and recognizing Mr. Juan Antonio ''Chi-Chi'' Rodriguez for his continued success on and off of the golf course, for his generosity and devotion to charity, and for his exemplary dedication to the intellectual and moral growth of thousands of low-income and disadvantaged youth in our country; to the Committee on Oversight and Government Reform.

By Mr. NEUGEBAUER:

H. Res. 1030. A resolution recognizing the achievements of former Texas Tech University, Indiana University, and West Point men's basketball coach Bob Knight; to the Committee on Education and Labor.

MEMORIALS

Under clause 3 of rule XII,

240. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 267 memorializing the Congress of the United States to extend unemployment benefits as a key part of the federal economic stimulus package; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

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

H.R. 248: Mr. BILBRAY, Mrs. CUBIN, and Mr. DOOLITTLE.

H.R. 471: Ms. ESHOO.

H.R. 503: Mr. ALLEN.

H.R. 552: Mr. BERMAN, Mr. DENT, and Mr. TOWNS.

H.R. 579: Mr. SAXTON and Ms. SLAUGHTER.

H.R. 706: Mr. LEWIS of California.

H.R. 768: Mr. BARRETT of South Carolina and Mr. COBLE.

H.R. 864: Ms. BALDWIN.

H.R. 1000: Mr. PASTOR and Mr. MURPHY of Connecticut.

H.R. 1032: Mr. BLUMENAUER.

H.R. 1043: Mr. LATOURETTE and Mr. BROWN of South Carolina.

H.R. 1063: Mr. BROWN of South Carolina.

H.R. 1117: Ms. WOOLSEY and Mr. KAGEN.

H.R. 1188: Mr. PAYNE.

H.R. 1228: Mr. DOOLITTLE and Mr. KIND.

H.R. 1282: Mr. KILDEE, Mr. PORTER, and Mr. ANDREWS.

H.R. 1419: Mr. CHABOT and Mr. TOWNS.
H.R. 1439: Mr. DONNELLY.
H.R. 1479: Mr. SCHIFF.
H.R. 1537: Mr. WILSON of South Carolina and Mr. PASCRELL.
H.R. 1553: Mr. BROWN of South Carolina.
H.R. 1554: Mrs. CUBIN.
H.R. 1576: Mrs. MUSGRAVE.
H.R. 1584: Mr. DAVIS of Kentucky, Mr. LAMBORN, Mrs. TAUSCHER, Mr. SKELTON, and Mr. BROUN of Georgia.
H.R. 1610: Mr. LATTA, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. YOUNG of Alaska.
H.R. 1629: Ms. FOXX and Mr. ROTHMAN.
H.R. 1647: Mr. ALTMIRE.
H.R. 1691: Mr. COHEN and Ms. WOOLSEY.
H.R. 1738: Ms. LEE.
H.R. 1767: Mr. ENGLISH of Pennsylvania, Mr. DAVID DAVIS of Tennessee, and Mr. ARCURI.
H.R. 1783: Mr. KILDEE and Mr. OBERSTAR.
H.R. 1843: Mr. KLEIN of Florida.
H.R. 1975: Mr. FALEOMAVAEGA, Mr. MCGOVERN, Mr. PASTOR, Mr. RAMSTAD, Mr. EMANUEL, and Mr. BACA.
H.R. 2016: Mr. HIGGINS.
H.R. 2020: Mr. HINOJOSA.
H.R. 2054: Mr. MORAN of Kansas and Ms. BALDWIN.
H.R. 2066: Mr. UPTON.
H.R. 2091: Mr. EMANUEL and Mr. DINGELL.
H.R. 2320: Ms. LEE.
H.R. 2370: Mr. MARIO DIAZ-BALART of Florida.
H.R. 2371: Mr. MARKEY and Mr. BURGESS.
H.R. 2533: Ms. ZOE LOFGREN of California and Mr. FILNER.
H.R. 2611: Mr. UDALL of Colorado.
H.R. 2652: Mr. KUHL of New York.
H.R. 2689: Mr. ROTHMAN and Mr. UDALL of Colorado.
H.R. 2702: Mr. SHAYS.
H.R. 2762: Mr. MANZULLO, Mr. UDALL of Colorado, Ms. FALLIN, Mr. ISSA, Mr. HUNTER, and Mr. DENT.
H.R. 2794: Mr. GORDON.
H.R. 2802: Mr. COHEN and Mr. KILDEE.
H.R. 2818: Mr. MARKEY and Mr. LARSON of Connecticut.
H.R. 2894: Mrs. BONO MACK, Ms. BALDWIN, Ms. HIRONO, Mr. FORTUÑO, Mr. SIRES, Mr. DOGGETT, Mr. TOWNS, Ms. CASTOR, Mr. HOLT, Ms. SLAUGHTER, Mr. MOORE of Kansas, Mr. MCNERNEY, Mrs. TAUSCHER, Mr. CHANDLER, Mr. LEVIN, Mr. BAIRD, Mr. PATRICK MURPHY of Pennsylvania, and Mr. KAGEN.
H.R. 2915: Mr. CUMMINGS.
H.R. 2922: Mr. GRIJALVA, Mr. ELLISON, and Ms. BALDWIN.
H.R. 2943: Mr. KILDEE.
H.R. 3029: Mr. COHEN.
H.R. 3098: Mr. AKIN.
H.R. 3212: Mr. SCOTT of Virginia.
H.R. 3326: Mr. PASCRELL.
H.R. 3360: Ms. LEE.
H.R. 3363: Mr. AKIN.
H.R. 3418: Mr. HASTINGS of Florida.
H.R. 3480: Mr. FARR and Mrs. TAUSCHER.
H.R. 3485: Ms. LEE.
H.R. 3494: Mr. HELLER and Mr. HULSHOF.
H.R. 3533: Mr. DONNELLY and Mr. SMITH of Texas.
H.R. 3660: Ms. ESHOO.
H.R. 3779: Mr. EHLERS.
H.R. 3817: Mr. GERLACH.
H.R. 3928: Mr. DUNCAN.
H.R. 3981: Mr. RANGEL and Mr. ACKERMAN.
H.R. 4061: Mr. BROUN of Georgia.
H.R. 4088: Mr. KELLER and Mr. COHEN.
H.R. 4125: Mr. GONZALEZ.
H.R. 4206: Mr. MARKEY, Mr. HINOJOSA, and Mr. REHBERG.
H.R. 4218: Mr. GRIJALVA, and Ms. HERSETH SANDLIN.
H.R. 4279: Mr. PENCE.
H.R. 4516: Mr. STARK.
H.R. 4651: Mr. LATHAM.
H.R. 4838: Ms. TSONGAS.
H.R. 4845: Mr. KLINE of Minnesota.
H.R. 4879: Mrs. MCCARTHY of New York.
H.R. 4900: Mr. ROSS, Mr. SESSIONS, Mr. BOUCHER, Mr. BROWN of South Carolina, Mr. KELLER, Mr. COLE of Oklahoma, Mr. MARCHANT, Mr. KUHL of New York, Mr. TANCREDO, and Mr. MCCAUL of Texas.
H.R. 5036: Mr. RANGEL.
H.R. 5057: Ms. BALDWIN.
H.R. 5109: Mr. KELLER and Mr. SHUSTER.
H.R. 5124: Mr. CAMPBELL of California.
H.R. 5161: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 5172: Mr. KLEIN of Florida.
H.R. 5180: Ms. MCCOLLUM of Minnesota, Mr. MITCHELL, Mr. ELLSWORTH, Mr. WELCH of Vermont, Mr. SHULER, Mr. HODES, Mr. MORAN of Virginia, Mr. ROSS, Mr. BOREN, Mr. DAVID DAVIS of Tennessee, Mr. GALLEGLY, Mr. GORDON, Ms. BALDWIN, and Ms. CORRINE BROWN of Florida.
H.R. 5265: Mr. CARNAHAN, Mr. WILSON of Ohio, and Mr. GEORGE MILLER of California.
H.R. 5268: Mr. HALL of New York, Ms. SUTTON, Mr. ELLISON, Ms. SCHAKOWSKY, Mrs. MALONEY of New York, Mr. ENGEL, Ms. BERKLEY, Ms. CASTOR, Mr. MCDERMOTT, Mr. BOUCHER, Mr. KUHL of New York, Mr. LOEBSACK, Mr. MCNULTY, Mr. HOLT, Mr. GENE GREEN of Texas, Mr. GRIJALVA, and Ms. BALDWIN.
H.R. 5269: Mr. GENE GREEN of Texas.
H.R. 5395: Mr. SIRES, Mr. SCOTT of Virginia, Ms. CORRINE BROWN of Florida, Ms. KILPATRICK, Ms. LEE, Mrs. CHRISTENSEN, Mr. BLUNT, Mr. JACKSON of Illinois, Ms. CLARKE, Mrs. JONES of Ohio, Mr. CUMMINGS, Mr. MEEK of Florida, Mr. MEEKS of New York, Ms. NORTON, Mr. SCOTT of Georgia, Mr. TOWNS, Mr. WATT, Mr. SARBANES, Mr. KUCINICH, Mr. LYNCH, Mr. MARCHANT, Mr. ISSA, and Mr. JORDAN.
H.R. 5401: Mr. KLEIN of Florida.
H.R. 5443: Mr. TOWNS and Mr. MORAN of Virginia.
H.R. 5445: Mrs. MCMORRIS RODGERS, Mr. MCHUGH, and Mr. BONNER.
H.R. 5447: Mr. MARSHALL, Mr. PAYNE, and Mr. LEWIS of Georgia.
H.R. 5448: Mr. BISHOP of Georgia, Mrs. MALONEY of New York, and Mr. LEWIS of Georgia.
H.R. 5450: Ms. SCHWARTZ, Mr. CANNON, Mr. FRANKS of Arizona, Mr. CHABOT, Mr. FORTENBERRY, Mr. AKIN, and Mr. CONAWAY.
H.R. 5464: Ms. ROS-LEHTINEN.
H.R. 5465: Mr. ACKERMAN, Mrs. CAPPS, and Mr. GORDON.
H.R. 5467: Mr. ENGLISH of Pennsylvania, Mr. PAUL, Mr. ARCURI, Mr. JONES of North Carolina, and Mr. HALL of New York.
H.R. 5472: Mrs. JONES of Ohio, Mr. GOODE, Mr. RUSH, Mr. JEFFERSON, Mr. MCGOVERN, Mr. HINOJOSA, Mr. AL GREEN of Texas, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. CORRINE BROWN of Florida.
H.R. 5475: Mr. PORTER.
H.R. 5511: Mrs. MUSGRAVE and Mr. SALAZAR.
H.R. 5515: Mr. CAMP of Michigan, Mr. CANTOR, Mr. ENGLISH of Pennsylvania, and Mr. HERGER.
H.R. 5519: Mr. RODRIGUEZ, Mr. ALTMIRE, and Mr. ACKERMAN.
H. Con. Res. 75: Mr. CAPUANO.
H. Con. Res. 137: Mr. BONNER.
H. Con. Res. 224: Ms. LEE.
H. Con. Res. 284: Mr. LAMBORN, Mr. PICKERING, Mr. SALI, Mr. SHULER, Mr. COBLE, Mr. FRANKS of Arizona, Mr. BOOZMAN, Mr. GINGREY, Mr. JORDAN, Mr. FEENEY, Mr. PITTS, Mr. MARCHANT, Mr. SAM JOHNSON of Texas, Mr. WALBERG, Mr. GOODE, Mr. CONAWAY, Mr. KING of Iowa, Mr. BILBRAY, Mr. BARRETT of South Carolina, Mr. DAVID DAVIS of Tennessee, Mr. BRADY of Texas, Mrs. BACHMANN, Mrs. CHRISTENSEN, Mr. MCCOTTER, and Mr. TANCREDO.
H. Con. Res. 301: Mr. MCDERMOTT and Mr. POE.
H. Con. Res. 302: Mr. LEVIN, Mr. CARTER, Mr. BERMAN, Mr. OBERSTAR, and Mr. MCDERMOTT.
H. Res. 49: Mr. MARIO DIAZ-BALART of Florida and Mr. KNOLLENBERG.
H. Res. 105: Mr. AKIN.
H. Res. 259: Mr. CASTLE.
H. Res. 351: Mr. LUCAS and Mr. KELLER.
H. Res. 690: Mr. MURPHY of Connecticut and Mr. POE.
H. Res. 888: Mr. LATTA and Mr. CAMPBELL of California.
H. Res. 892: Ms. CORRINE BROWN of Florida, Ms. MOORE of Wisconsin, Mr. ENGLISH of Pennsylvania, Mr. MURTHA, Mr. ROTHMAN, Mr. TIBERI, Mr. TOWNS, and Mr. GRAVES.
H. Res. 895: Ms. MCCOLLUM of Minnesota, Mr. PRICE of North Carolina, and Mr. SCOTT of Virginia.
H. Res. 959: Mr. WILSON of South Carolina, Mr. MILLER of Florida, Mr. SAXTON, Mr. EVERETT, and Mr. UDALL of Colorado.
H. Res. 962: Mr. SCOTT of Virginia, Ms. BORDALLO, Mr. BECERRA, Mr. MACK, and Mr. GARY G. MILLER of California.
H. Res. 991: Mr. REYNOLDS.
H. Res. 997: Ms. BERKLEY, Mr. HINOJOSA, Mr. SHIMKUS, Mr. SHUSTER, Mr. MCCOTTER, and Mr. ENGEL.
H. Res. 1006: Mrs. CAPITO.
H. Res. 1008: Mr. GENE GREEN of Texas.
H. Res. 1016: Mr. BURTON of Indiana, Mr. KELLER, Mr. HOEKSTRA, Ms. GRANGER, Mr. CONAWAY, Mr. GALLEGLY, Mr. CANTOR, and Mr. WELDON of Florida.
H. Res. 1018: Mr. MEEKS of New York, Mr. TANNER, Mr. ABERCROMBIE, Mr. KIND, Mr. CRAMER, Mr. BERRY, Mrs. GILLIBRAND, Mr. BAIRD, and Mr. ROSS.
H. Res. 1021: Mr. MICHAUD, Mrs. LOWEY, Mr. CARDOZA, Mr. WAXMAN, Ms. RICHARDSON, Mr. SHERMAN, Ms. WATSON, Mr. MCNERNEY, Mr. HONDA, Ms. SHEA-PORTER, Mr. CUMMINGS, Mrs. BIGGERT, Mrs. BOYDA of Kansas, Ms. FALLIN, Mrs. BONO MACK, Mrs. CAPITO, Ms. SOLIS, Mr. NADLER, Ms. ESHOO, and Mr. Hare.

PETITIONS, ETC.

Under clause 3 of rule XII,

220. The SPEAKER presented a petition of the Council of the City of Binghamton, New York, relative to a Resolution urging the Congress of the United States to open an impeachment inquiry into President George W. Bush and Vice President Richard Cheney in defense of the United States Constitution; to the Committee on the Judiciary.

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PROCEEDINGS AND DEBATES OF THE *110th* CONGRESS, SECOND SESSION

Vol. 154 WASHINGTON, THURSDAY, MARCH 6, 2008 *No. 38*

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BLANCHE L. LINCOLN, a Senator from the State of Arkansas.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Rev. Warren W. Watts of Tri-County Pastoral Counseling Services, Martinsburg, WV.

PRAYER

The guest Chaplain offered the following prayer:

Let us pray.

Heavenly Spirit, eternal light of this world, who knows each of us and is with us always. As the Members of this Senate gather, may their hearts be open, their spirits willing, and their minds challenged by the business of this day.

We thank You, Lord, for the dedication shared by this elected body. While representing a variety of people from different professional settings, they all share a common goal of helping and guiding our people and this Nation we lovingly call the United States of America.

Heavenly Spirit, be for each Senator their strength, their armor and their shield in facing and overcoming the many challenges of operating an effective government.

Let these Senators serve with integrity and courage and bless each family and State represented. As our forefathers trusted in You, may this be the legacy of this Senate and of our great Nation. All that we have, all that we are, we owe to You, our God. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BLANCHE L. LINCOLN, led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 6, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BLANCHE L. LINCOLN, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. LINCOLN 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. Madam President, following my remarks and those of the Republican leader, the Senate will be in a period of morning business for 1 hour. The time will be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half, the Republicans controlling the final half.

Following morning business, the Senate will resume consideration of S. 2663, a bill to reform the Consumer Product Safety Commission. When the Senate resumes consideration of that measure, there will be 15 minutes for debate prior to a vote in relation to the Vitter amendment, amendment No. 4097. It relates to attorney's fees.

Senators should be prepared to vote sometime early this morning before 11 o'clock.

MEASURES PLACED ON THE CALENDAR—S. 2709, S. 2710, S. 2711, S. 2712, S. 2713, S. 2714, S. 2715, S. 2716, S. 2717, S. 2718, S. 2719, S. 2720, S. 2721, AND S. 2722

Mr. REID. Madam President, it is my understanding there are 14 bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the titles of the bills for the second time.

The assistant legislative clerk read as follows:

A bill (S. 2709) to increase the criminal penalties for illegally reentering the United States and for other purposes.

A bill (S. 2710) to authorize the Department of Homeland Security to use an employer's failure to timely resolve discrepancies with the Social Security Administration after receiving a ''no match'' notice as evidence that the employer violated section 274A of the Immigration and Nationality Act.

A bill (S. 2711) to improve the enforcement of laws prohibiting the employment of unauthorized aliens and for other purposes.

A bill (S. 2712) to require the Secretary of Homeland Security to complete at least 700 miles of reinforced fencing along the Southwest border by December 31, 2010, and for other purposes.

A bill (S. 2713) to prohibit appropriated funds from being used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

A bill (S. 2714) to close the loophole that allowed the 9/11 hijackers to obtain credit cards from United States banks that financed their terrorist activities, to ensure that illegal immigrants cannot obtain credit cards to evade United States immigration laws, and for other purposes.

A bill (S. 2715) to amend title 4, United States Code, to declare English as the national language of the Government of the United States, and for other purposes.

A bill (S. 2716) to authorize the National Guard to provide support for the border control activities of the United States Customs and Border Protection of the Department of Homeland Security, and for other purposes.

A bill (S. 2717) to provide for enhanced Federal enforcement of, and State and local assistance in the enforcement of, the immigration laws of the United States, and for other purposes.

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A bill (S. 2718) to withhold 10 percent of the Federal funding apportioned for highway construction and maintenance from States that issue driver's licenses to individuals without verifying the legal status of such individuals.

A bill (S. 2719) to provide that Executive Order 13166 shall have no force or effect, and to prohibit the use of funds for certain purposes.

A bill (S. 2720) to withhold Federal financial assistance from each country that denies or unreasonably delays the acceptance of nationals of such country who have been ordered removed from the United States and to prohibit the issuance of visas to nationals of such country.

A bill (S. 2721) to amend the Immigration and Nationality Act to prescribe the binding oath or affirmation of renunciation and allegiance required to be naturalized as a citizen of the United States, to encourage and support the efforts of prospective citizens of the United States to become citizens, and for other purposes.

A bill (S. 2722) to prohibit aliens who are repeat drunk drivers from obtaining legal status or immigration benefits.

Mr. REID. Madam President, I object to any further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bills will be placed on the calendar.

IMMIGRATION

Mr. REID. Madam President, we had the opportunity last year to debate, at great length, immigration. We spent weeks of Senate time on immigration. I appreciate the concern of those interested in moving those bills we reported. We knew it was coming. There was a big press fanfare that these bills were coming.

What we tried to do last year, and there was bipartisan support, we could not get 60 votes, but we had bipartisan support. We wanted to make sure our northern and southern borders were secured. That was where we directed our first attention with our legislation.

We also recognized that all over the country there are issues relating to the need for temporary workers. There are people who would say: Well, why would someone from Nevada be concerned about temporary workers?

Well, the Presiding Officer comes from a State where agriculture is big. But agriculture in certain parts of the State of Nevada is big. We are the largest producer of white onions in America; we produce the largest amounts of garlic, and, of course, huge amounts of alfalfa.

With corn being used so much as it is for the production of alternative fuel, alfalfa is becoming a very high-quality, very important product. So we need temporary workers in the farm communities throughout Nevada, but we also need them, on occasion, with our resort industry.

So, No. 1, secure our borders, north and south. No. 2, we need to take a look at guest workers, not in Nevada but the whole country. There is a need to take a look at them.

Thirdly, our legislation said what are we going to do with the 11 or 12 million people who are here who are undocumented? Our legislation directed toward that, was it amnesty? Of course not. But what it did was set up a process that people who were in the country who were undocumented could come out of the shadows. Would they go to the front of the line? Of course not. They would go way to the back of the line.

After having paid penalties and fines, learned English, stayed out of trouble, paid taxes, it seems quite fair, after some 13 years or 14 years, they would be able to have their status readjusted. It is important we do that. It is very clear we cannot deport 12 million people. I am not sure—maybe some want to do that, but I think, realistically, that is not part of what this country is about.

Finally, what we need to do is take a look at what we did in 1986; that is, we established a new setup for immigration, and it was where we would have employer sanctions; we shifted it from the Government to employers. So we had four basic things in our immigration legislation: Border security, temporary workers, path to legalization, and do something about employer sanctions that was more meaningful.

This was a good, strong piece of legislation. There were other things in that. But those were the four main parts. So I would hope this legislation, which was supported by the President, is legislation we could move forward on at some time.

Everyone has a right to offer whatever legislation they wish to offer. I acknowledge that. But I would think that rather than trying to piecemeal this legislation with little bits and pieces here, as everyone knows, if anything to do with immigration comes to the floor, other people who are concerned about certain aspects of border security—temporary workers, pathway to legalization, employer sanctions—would offer amendments.

The difficulty we have had getting bills to the floor and having legislation proceed has been very difficult. So I wanted everyone to know this legislation which was brought to the Senate today, and as I repeat, with great fanfare, big press events, if people want to do something about legislation on immigration, I do not think this is the right way to go. I hope the American public sees this for what it is.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

AMT

Mr. MCCONNELL. Madam President, for the last few days, I have come to the floor to propose a number of potential remedies Congress could employ to address the current housing downturn; remedies aimed at helping those who are struggling most and at creating new opportunities for others.

In this economy, Congress certainly has a role to play. And that role is to help those in urgent need, while at the same time taking a longer view of the economy and its future strength.

Taxes are an area where Congress can clearly play a helpful or a harmful role. So the debate over the looming AMT tax, which is set to hit millions of middle-class Americans with an average tax hike of about $2,000 this year, is extremely important.

Last year, at a time when there was less concern about the economy overall, both parties agreed that a tax which was never meant to hit the middle class should be blocked. More than 170,000 families in my State are in danger of being hit with the AMT tax this year.

Nearly 900,000 taxpayers in Florida are in danger of getting hit by it. It is about the same number in Texas and Illinois, and Massachusetts, and Pennsylvania. In Ohio, nearly 900,000 taxpayers are expected to get hit. And then there is New York and California. In New York, more than 3 million families are in danger of getting hit with the AMT this year, and in California nearly 4½ million families and individuals are in danger of being stuck with this tax.

Last year, Republicans insisted that if we were going to protect people from a tax they were never meant to pay in the first place, this meant not raising some other tax on them somewhere else. Senate Democrats came to share that view as well.

This year, Senate Democrats wisely opted in their budget resolution to take the same approach that prevailed last year: No new taxes, no new taxes to cover the AMT patch.

House Democrats, on the other hand, have opted for a different approach. They want to raise taxes by more than $60 billion to pay for the AMT. And they want to do it by circumventing the legislative process. They should know from the outset that Senate Republicans will oppose this stealth and unfair tax hike, and we fully expect it will fail.

As the Chairman of the Budget Committee, Senator CONRAD, has said: Raising taxes to pay for the AMT is ''not the will of the Senate.''

Republicans stood strong for two basic principles last year when it came to the budget: The tax burden is already too high for working families and the businesses that create jobs in this country. And spending needs need to be kept in check to the President's top line.

We not only insisted on these principles, we fought for them. And on behalf of the American taxpayer, we prevailed. I have no doubt we will have similar success this year.

Republicans fought hard for fiscal discipline last year at a time when the

economy was not the central concern of the American people. At a time when it is the central concern of the American people, we cannot be talking about raising taxes by tens of billions of dollars. We need to be expanding the family budget, not the Federal budget. The House should know that in this economy, this is a principle Senate Republicans will defend aggressively.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. MCCASKILL). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to a period of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

Mr. SCHUMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OBSTRUCTIONISM

Mr. SCHUMER. Madam President, today I am here to talk about the obstructionism across the aisle and how it is hurting our country, preventing progress, preventing change at a time when Americans demand change. This chart says it all: 73 Republican filibusters and counting.

The Republican Party, Leader MCCONNELL, and others have pointed out that a handful of the filibusters may have been started by Democrats. We can look at the circumstances of those. Maybe those were done because there was no choice, because somebody else was delaying in another way. But let's say there were 10 of these that are Democratic. Then we will change this number from 73 to 63. It is still overwhelming. It is still the record.

The point we are making is very simple: This Republican minority, unable to put forward its own agenda, unable because they are not in sync with America, can only obstruct. If you had a single word to describe the tenor of the Republican minority this year and last year, this session of Congress thus far, it would be ''obstruct.'' If you needed two words, it would be ''obstruct, obstruct.'' If you needed a few more words, it would be ''obstruct, obstruct, and then obstruct again; get in the way.''

Admittedly, this body was designed, in the wisdom of the Founding Fathers, to be the cooling saucer. This body is supposed to take a careful look and slow things down. But there are times when history demands change. There are times when the minority has understood that, and even though they would modify the way change occurs, they don't stand in the way and just say no. This is one of those times.

Technology has changed our world. It is not the same world it was even 10 or 15 years ago.

Technology has created terrorism. Why? Small groups of bad people have been enabled by technology to strike at New York or London or Madrid and innocent civilians.

Technology has created one global labor market in so many different areas. It means the kids in the schools of New York or Arkansas or Missouri have to compete with the kids at schools in Berlin and Beijing and Bangor. It means that jobs are competing. It used to be New York State would compete with Connecticut and New Jersey and Pennsylvania and Missouri and Arkansas. Now we compete around the globe. That is technology, nothing else.

Technology has allowed us all to live longer. Praise God. The average life expectancy goes up and up and up. I have a Dad who is 84. He plays golf. Thirty years ago, a man 84 was rare, and when someone was 84, they were old and frail. My dad, who led a hard life—so happy he now has a nice, happy life—is active. He drives all around, argues with my mother about how far he can drive, and all of that.

We live longer, but that creates new strains on us as well. What about health care for our elderly people? The costs go up, and every one of us would give our right arm to see our mother or father have another good year of health, or husband or wife or child. It means pensions and what we do with later-life changes. It also means we live longer and things get stretched out. People get married later. They are not in a rush to get married and have a family. They find careers later. They experiment. In the day when you had to just get a job quickly—a lot of people don't do that anymore. So it has changed that.

Technology has even changed little things. Our parents felt very much in control of us. I would get home at 3 o'clock from grade school, and I would go out on my street to play. It was baby boom time. There were 50, 60 kids. We played all kinds of games and ran around. These days, more likely, the children stay home. They are on the Internet. Lord knows what they are seeing. It is a different world.

Technology has changed everything, and technology demands that the U.S. Government help people adjust to that technology so they can continue to have the great American life. That is what America is demanding—change. Look at the polls. They are unprecedented. How many people think our country, under George Bush's leadership, is moving in the right direction? A smaller and smaller percentage. How many people think we need significant change? A larger and larger percentage. We can argue about what that change should be, but change we must or our children and even ourselves in later years will not have the same good life we have today.

We on the Democratic side are seeking to bring about some of that change. Some of it is quite large—change the course of the war in Iraq, change our health care system, change our energy policy. Some of it is smaller but important.

What do we face from the other side? The word ''no'' and the word ''no'' again and the word ''no'' again. Using the Senate rules, which allow them to require 60 votes on even the smallest measures, they have slowed everything down. Again, the exact number is not the point; it is that they have set the record. Republican filibusters are rampant. A few of these are ours, many are theirs. They will get to 73 soon, I assure you.

Why do they do it? I will tell you why. I try to study history a little bit. I am hardly a Ph.D. in history, but I like to read about it, think about it. There are times when there is a paradigm shift in our politics. The year 1980 was one such time. Most of my colleagues on the other side of the aisle came in in that 1980 Ronald Reagan paradigm: strong security, shrink government, family values. Those were very attractive. Now the times have changed. The old way doesn't work. But their base—20 percent of the electorate but half, maybe more, of the Republican base—is stuck in that old world. So they have one foot in one camp. They see where the public is, but they can't move. Their base and their inability to break with that base have them paralyzed. So there is only one choice—obstruct, say no. When you can't say yes about anything, say no. That is what they have done—63, 65, 67, 68, 69. Again, we are busy calculating how many, but it is a whole lot, and it is a record.

Let me talk about one example, the housing crisis. Our economy is heading south. The numbers are not good. Unemployment is going up. Job creation is meager, anemic almost. The amount of income people have is declining, and expenses are going up. Just to continue to buy energy—oil, gas, heating oil—food, with prices that have gone through the roof because of energy in part, eats up all of most average families' extra income. So our economy is hurting.

What is at the bull's-eye of that economic downturn? It is housing, all kinds of problems. Again, the old philosophy, Reagan philosophy—don't regulate these new mortgage brokers—has led to a disaster. The banks were pretty regulated. They are not to blame in this crisis by and large, the initial

banks that made mortgages, the community banker, for instance, regulated by the Federal Government. But the mortgage brokers who are not affiliated with banks, unregulated, are clearly at the nub of this. They were unregulated, and that was the old philosophy on that side of the aisle—no regulation, let the buyer beware. Well, the buyer got hurt. But as we learned in economics, the person in the house next door, who is fully paid on his or her mortgage, got hurt because his or her housing values went down.

Now we even have a credit freeze because people so miscalculated—the great financial moguls so miscalculated the value of these mortgages, it has now cast into doubt the way we evaluate credit everywhere. The Port Authority of New York just paid 17 percent for a short-term bond. Everyone knows the Port Authority is going to pay it back—they have a great revenue stream—but still, people are worried.

So the only way we are going to get to turn this economy around is do some things with housing. We on the Democratic side proposed a modest package of five measures, many of which had bipartisan support—raising the mortgage revenue caps was proposed by President Bush—and every one of them was designed to be focused, not that expensive—some money but not a huge program, designed to bring support from the other side.

Then Senator REID went to the floor and said: There are good ideas from the other side of the aisle. Senator ISAKSON has a very interesting idea about a credit for first-time home buyers for a while to encourage people to buy homes and get this housing market going. Senator REID offered Senator MCCONNELL the opportunity—you offer your amendments, modify the housing package, and let's move forward.

Again, what did we get? I don't know what number it was: another block, another filibuster, another requirement that we are not going to let this go forward. We are either going to delay and delay and delay with countless amendments, irrelevant amendments, or we will not let you move forward on any of your amendments—either one fitting into this category of ''filibuster.''

Why don't they join us? Here the economy is sinking, and yet we had one vote, I believe it was, on the other side of the aisle saying: Let's move forward and get a housing package.

We are willing to entertain your amendments—not amendments that have nothing to do with housing: the estate tax—you know, the old saws. Let's do that another time. We have done it before. I am sure we will do it again, probably on the budget that is coming up next week. But let's move forward on housing.

Senator REID was extremely generous in his offer. What was the answer? No. This chart, in other words, says: No.

Our country demands change. Housing is in crisis. The housing crisis has spread like ripples outward on a pond, hurting—hurting—our economy, hurting it as a whole. Here we have a smart, well-designed, thoughtful, and not overly broad package of housing reforms, and instead of debating, the other side obstructs. Is it because there are few on that side of the aisle who say: No Government involvement, and they are able to exert their will on the whole Republican minority and say: Just stop it? Is it because most of the other side is scared of the Republican base that says: No Government involvement, let the economy sink?

We heard that from Herbert Hoover. We heard that from William McKinley. We have learned about the economy since those days. We have learned that smart government involvement, particularly when there is an economic downturn—people are hurting, jobs are not being created—is the right thing to do.

Again, we can debate what the right way to do it is. I am sure most on the other side would more prefer tax cuts. Some of us prefer some money for CDBG or mortgage counselors—some Government spending. But let's debate it, and let's come up with a result. And instead: No. Filibuster. Again, maybe it is No. 73, maybe it is No. 69, maybe it is No. 67. I don't know what number it is. They are busy calculating that upstairs. But it is a big two-letter number.

The only thing I can say, putting on my political hat—I will tell you, the public is demanding change. The times, they are a-changing. If you do not seek to make that change, you will be called accountable in November. I do not want that to happen. I want to see a good, robust election. I want to see Democrats pick up seats. But given the choice, I would much rather have us join together in constructive legislation and each get credit for it.

But that is not going to happen unless we have a change in attitude, unless we go back to the old ways when filibusters were used on issues of major import but not used routinely to block every single piece of legislation.

Let us hope the membership on the other side of the aisle will see the light. Let us hope they will see that mere obstructionism is not what the country wants. Let us hope they understand there is a demand for change out there in the country. And let us hope they will join with us in seeking that right degree of change with open debate, with discussion of relevant amendments, and moving forward to heal some of the economic wounds the country is now facing.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, I ask to be notified after 5 minutes.

The PRESIDING OFFICER. The Senator will be notified.

IMMIGRATION

Mr. SESSIONS. Madam President, yesterday 12 Senators announced their intention to file 15 bills that would deal with the broken immigration system we have—15 responsible pieces of legislation that would be effective, in discrete, separate ways, to close some of the loopholes that are making our immigration system not work.

This is important. It is important for the Senate to undertake this. I believe we should follow through, in the wake of last year's defeat of the massive amnesty proposal, with what so many Members have promised: real reform and real enforcement and border security first. That was what we decided last summer, I think, by most observers. We decided that amnesty before enforcement was backwards, and we needed enforcement first. That is what we talked about, and that is what the vote indicated when there was a massive defeat of that comprehensive bill.

Now, the majority leader this morning, to my dismay, called that discussion yesterday fanfare. He said he hoped the American people can see what is going on here. Let's be frank about what is going on here. The majority leader, by those words, indicates to me he has no intention of moving forward with enforcement legislation. The leader of the Democrats in the Senate has indicated he does not want to go forward with it and that he is still in last year's and the year before's philosophy that the way to handle immigration is to refuse to pass anything that impacts positively enforcement until he is able to force through a massive amnesty.

I will not go into the details of that discussion last year, but it was honest and detailed and long. When the debate was over, the American people and this Senate voted it down. We rejected it because it will not work that way. We must have the enforcement first. There are so many loopholes out there.

It is disappointing. That is, frankly, where we are. Fourteen of his colleagues on the Democratic side voted to reject that plan. There were only 46 votes for it. You needed 60 to pass it. The suggestion that we are going to go back to a comprehensive plan such as that is not sound.

These bills that have been offered by a fine group of Senators are excellent, responsible pieces of legislation. They help control some of the problems we have. I am disappointed it looks as though we are going to have to work hard to force an opportunity to even get votes on some of these critically needed pieces of legislation.

Of the 15 bills that are in the package that was announced yesterday, over half of them have had prior votes in the Senate.

Senator DEMINT's fence completion bill, S. 2712, has been the subject of four votes. The fence completion bill—and we voted on it, voted on it, and it wins every time—but you look out here, and all we have is a broken virtual fence that will not work, and very few miles of fence, very little of the double border. It is not occurring.

Senator DOMENICI's bill, to keep the National Guard there longer, has been voted on twice.

My bill requiring mandatory minimums for those who enter the country illegally has been voted on twice. It is a pretty tough bill. Somebody said we introduced a tough package. It would require 10 days detention at a minimum if you come here illegally. How extreme is that? If you come back a second time, a longer period. My legislation would also establish new worksite enforcement measures. That has been voted on at least twice in the Senate.

Various forms of the Chambliss-Isakson bill, creating effective partnerships between law enforcement and the Federal Government in State and local agencies, has received numerous votes.

The PRESIDING OFFICER. The Senator has used 5 minutes. There are a number of other bills from Senator VITTER, Senator INHOFE, Senator LAMAR ALEXANDER, Senator ARLEN SPECTER—and I have his remarks, which I will submit for the RECORD, and all of these things we voted on, many of which passed and some of which were in last year's comprehensive bill.

I see my colleague is here, Senator ELIZABETH DOLE, who is so thoughtful on these issues and is a superb Senator and who has given a lot of time and interest in trying to do this thing right. I know she has a piece of legislation she would like to discuss.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mrs. DOLE. Madam President, in the time remaining in the 110th Congress, there is still much that can be done to address critical pieces of the massively complex immigration issue. As my good friend, the Senator from Alabama, who made such kind comments, has related, we are offering solutions to demonstrated problems—measures that have bipartisan appeal and broad public support.

I have introduced legislation which would repeal President Bill Clinton's Executive order requiring the Federal Government to provide services in languages other than English. It is impractical and fiscally irresponsible to provide services in the hundreds of languages spoken in the United States at an estimated cost of up to $2 billion annually. My bill would also help ensure that Federal funds to local and State governments are not jeopardized because they provide English-only services. Moreover, proficiency in English should be encouraged, as it is required for citizenship and essential for maximizing opportunities in this country.

My other bill, the Safe Roads Enhancement Act of 2008, would amend the Immigration and Nationality Act to make a drunk driving conviction a deportable offense for illegal aliens. It also would classify a third drunk driving conviction as an aggravated felony and therefore a deportable offense for nationals of a foreign country.

In my State of North Carolina, there have been a number of fatal automobile accidents caused by an intoxicated person who was in the United States illegally. In several of these incidents, the illegal alien has a record of DWI but has been caught and released. For families, the pain of losing a loved one is compounded by the knowledge that the person responsible for these fatalities was not even in this country legally.

A tragic example occurred in Charlotte last spring when a man attempted to cross the street and was struck and killed by a drunk driver who then fled the scene. Fortunately, police were able to apprehend the driver, an illegal alien with a previous DWI conviction, before he could harm anyone else. Cases such as this are not isolated, and they are not specific to North Carolina. Across our Nation, similar senseless tragedies occur on roads and highways.

My bill would help ensure that undocumented aliens who have self-identified themselves by drunk driving are removed. Likewise, individuals who abuse their legal status in the United States by repeatedly breaking drunk driving laws would lose their privilege of living in our country. Sadly, as we have seen repeatedly, we sorely need to strengthen immigration laws with regard to drunk driving convictions.

Furthermore, our Government urgently needs to be laser-focused on removing undocumented aliens who are self-identifying themselves by committing other crimes, such as drug trafficking and gang-related activities. Most of us can agree that criminal aliens who are obviously here for the wrong reasons should be removed. If we are not safe in our own communities and in our own homes, then what else is going to matter?

I am very proud that as a result of my many months working with Federal officials and sheriffs across our 100 North Carolina counties, ours is the first State in the Nation to have a statewide partnership plan for sheriffs to coordinate with ICE, part of the U.S. Department of Homeland Security. This plan will ensure that all North Carolina sheriffs can readily access, if they choose, the tools such as 287(g) to identify and help process undocumented aliens who have self-identified themselves by committing crimes.

This plan is being implemented by the steering committee of North Carolina sheriffs and adopts a regional approach to ensure statewide access to 287(g) databases and other resources to determine the immigration status of apprehended individuals. The State is being audited as we speak. I welcome the work of my colleagues from Georgia for their bill that recognizes that local law enforcement officers are on the front lines fighting crime in their communities, and it directs additional resources for these types of Federal partnerships that can help bring criminal alien problems under control.

The No. 1 lesson learned from the Senate's failed immigration bill is that Americans simply don't have confidence their Government is serious about securing our borders and enforcing our laws. Real action, real results on this front are long overdue. People don't want promises anymore, they want proof. We now have a chance to put the horse before the cart and enact the border security and enforcement policies that will bring about the political will and support to further address our broken immigration system. I urge my colleagues' support of this commonsense approach.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. Madam President, I thank the Senator from North Carolina and the Senator from Alabama for their leadership on this immigration issue. Thanks for a few moments to speak on a bill that I will be offering related to the immigration debate that is called the Complete Fence Act.

Last year, I think we took on a noble task of trying to solve the immigration problem with one grand bill, but what we have learned in the Senate is that it is very difficult to focus on one issue and get a bill through without a lot of add-ons for special interests. We are certainly seeing it with the consumer product safety bill that we are debating now.

The House passed a bill that was bipartisan and unanimous and was supported by consumer groups as well as industry groups. It was a bill that was ready for us to take and pass and send to the President. But we in the Senate needed to add in a number of special interest provisions that have nothing to do with consumer product safety. We even discovered last night, as the bill was put into a managers' amendment, they had added some new things that apply to one State and things that have nothing to do—no germaneness—with consumer product safety that we have to deal with.

Certainly, that is what we ran into on the immigration issue. So much was added to the bill, it was like trying to swallow an apple when that apple needs to be eaten with a number of different bites.

That is what we are trying to do with this series of immigration bills which recognize that in order to have a real solution to the immigration problem in the country, we need to build a platform for reform one plank at a time. Even those who were pushing the comprehensive bill now realize we need to begin with border control and enforcement, the type of enforcement internally that the Senator from North

Carolina was talking about: a worker verification program so employers know who is legal and who is not. If we build this system that way, in a way the American people can trust, we can get to the point where America will trust us to develop new immigration policies, how to deal with those who are already here, and how to accept immigrants in the future who are needed for our economy.

But the very first step, as all of us have recognized, is to have border control. This body has passed several times legislation that would build a 700-mile fence along the border that would support our Border Patrol in stopping illegal immigrants. It is not just an issue of illegal immigrants themselves; it also involves drug trafficking, it involves human trafficking, and it also involves security from terrorists who might be smuggling weapons into this country. It is essential that we control our borders.

In 2006, Congress passed the Secure Fence Act which required 700 miles of fencing, and this is metal fencing—this is not virtual fencing; this is metal pedestrian fencing along the southwest border—and a deadline for 370 miles of this to be completed by the end of this year. At this point, only 167 miles of real metal fencing has been completed, but we have been assured by the Department of Homeland Security that they will meet their goal of 370 miles of fencing before the end of this year.

The bill I am introducing would set a deadline for 2010 for all 700 miles of pedestrian metal fencing to be completed. This is essential to move ahead with the immigration reform process so the American people will know we are serious about protecting the border and having a workable immigration system.

So I urge all of my colleagues to urge the Department of Homeland Security and comfort the American people with the fact that we are serious about completing this fence and to support the Complete Fence Act of 2008.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Madam President, I rise today in support of a piece of legislation that my colleague from Georgia, Senator ISAKSON, and I have filed. I compliment my friends and colleagues from South Carolina, North Carolina, and Alabama for their leadership. I look forward to supporting their commonsense measures toward doing what we said we were going to do, which is secure the border.

The one thing we learned last year, as the Senator from North Carolina alluded to earlier, during the immigration reform debate is the American people don't have confidence in Congress that we are going to do what we say we are going to do when it comes to border security. There is good reason for that. Credibility on this issue is simply lacking, both with the administration, as well as with Congress. Now we have an opportunity to come back and take a commonsense approach from a legislative perspective on truly securing the border. The legislation Senator ISAKSON and I are introducing does this.

A lot of people have said: Senator, why don't you just enforce the laws that are on the books today? Why don't you get local law enforcement officials involved in helping secure the border and in dealing with people who are here illegally?

Well, the fact is, local law enforcement officials have very little power when it comes to dealing with folks who are in violation of a Federal immigration law, particularly when it comes to being here illegally. So what our particular piece of legislation does is, it puts the tools in the hands of those folks who are going to have the primary contact and are more likely to have the initial contact with folks who are here illegally, and that is local law enforcement officials versus someone from ICE or any other part of the Federal Government from a law enforcement standpoint.

All of us remember that three of the 9/11 hijackers were stopped on routine traffic stops by local law enforcement officials. Unfortunately, those local law enforcement officials did not have the means whereby they could check to determine whether those individuals were in this country legally or illegally. If they would have had the input—not access but the input—by the Federal Government into the NCIC, which is the national identification tracking mechanism for vehicles and drivers of vehicles that is used nationwide, then those local law enforcement officials would have known and understood those individuals were here illegally. And if they would have had the tools otherwise given in this piece of legislation, they could have dealt with and detained those individuals.

So what we seek to do with this commonsense piece of legislation is to, first of all, clarify the authority that local governments have in the normal course of carrying out their duties to help enforce our immigration laws. Secondly, it will expand the National Crime Information Centers Immigration Violators File to include those individuals who are known to be here illegally, or known to be here legally, so they can be cross-referenced in an instant and not have to worry about getting incorrect information or making assumptions.

This piece of legislation expands the 287(g) program, which is a very popular program with our law enforcement officials. Three of my counties in Georgia are already utilizing this program. What it does is, the Federal Government steps in with a county anywhere in the country to provide the law enforcement officials in that county with training and instructions as to how to deal with folks who are found to be violating our immigration laws.

Lastly, it will compensate State and local entities for immigration-enforcement-related expenses.

Madam President, common sense is what we are asking for here when it comes to enforcing the border and providing our law enforcement officials with the tools necessary to assist in making sure our borders are secure.

With that, I look forward to working with my other colleagues on their particular pieces of legislation as we move forward to make sure we restore confidence with the American people when it comes to border security, and we will be able to truly say we have secured the border, and here is how we have done it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. VITTER. Madam President, I ask unanimous consent to be recognized to speak for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Madam President, I rise today to join several of my colleagues to continue to focus on the enormous problem facing our country of illegal immigration. I am proud to not only rise with these colleagues, some of whom have been on the floor this morning, but also to actively work with them on important enforcement and other measures that we can and must push forward this year to make significant improvements, to take significant strides in moving forward to solve the problem.

Yesterday, I announced, along with others, two things—first of all, the formation of a brand-new caucus in the Senate, which I organized. I am proud to say that now I believe the number is 12 Members have joined the caucus. It is the Border Security and Enforcement First Caucus. The purpose behind the group is exactly as the name implies: to push border security and enforcement first as the key, necessary first step in solving this enormous problem.

We have tried the other approach over and over for decades, and that is the so-called comprehensive approach. All that has yielded is gaps of time—3 to 5 years—and then there is a comprehensive approach that was tried and completely rejected by the American people. That approach has only led to failure because it doesn't jibe with what the American people know is the right approach, which is taking this in steps and starting with crucial enforcement, proving to them that Washington is going to do what it has never done before—have the political will and get real about enforcement.

Most recently, of course, the American people rejected that approach last July when they chimed in and had the Senate view its will to kill that last so-called comprehensive bill—a large amnesty bill with which they disagreed vehemently. So this is a new approach that can lead to progress, achievement, and success—enforcement first.

Also, yesterday a broad group of Senators introduced a package of bills that moves us in that direction. I have two bills in that package, which I will briefly mention.

The first bill would say that so-called sanctuary cities—local jurisdictions that set as official policy that they are not going to cooperate in any way with immigration enforcement and with our Federal immigration enforcement officials—will not get COPS funding. Instead, that COPS funding will go to the rest of the local jurisdictions in the country who do work with us in immigration enforcement.

The second amendment simply says that matricula consular cards issued by the Mexican Government to their citizens in this country—oftentimes, their citizens who are here illegally cannot be accepted by U.S. banks, to allow them to do things like open bank accounts and have credit cards. That is clearly a vehicle that is used now by millions of illegal aliens, allowing them to operate freely and effectively in this country. It should end for many reasons, security reasons and for enforcement reasons. My bill would do that.

Again, I am proud to join with a number of Senators in this important push toward enforcement first and the formation of our new caucus, the Border Security and Enforcement First Caucus, and in introducing this important package of bills, which we can move and pass this year.

I urge all of my colleagues to reject and defy the conventional wisdom that we cannot do significant things in a big election year. We can and we must because we face significant challenges, and certainly illegal immigration is near the top of that list.

I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). Who yields time?

Mr. VITTER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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 thank my colleague for talking about some of the legislation that was announced yesterday in a press conference—15 pieces of legislation, offered by 12 Senators, that they believe would help create a lawful system of immigration and that they would like to discuss and debate and vote on this year.

My friend, the Democratic leader, said he didn't like it, apparently because a number of those Senators gathered and announced at a press conference their ideas. He called that ''great fanfare, a press event,'' with a little bit of a sniff, I think. And then he said these words: ''I hope the American public sees it for what it is.''

That kind of hurt my feelings. Can we not have a press conference to announce legislation that is going to improve America and talk about it? Is he suggesting that there is a nefarious plan afoot here? What is it that he is not happy about?

I just suggest that it was a revealing comment by the majority leader, with his inside-the-beltway hat on. What was revealed by that comment? He is suggesting that we should not bring it up because a lot of people in the media and the ''masters of the universe,'' I call them, who want to control all this immigration and make it do what they want it to do—and they realize the American people do not agree with them, but they want to do it anyway. So I think it was a revealing comment when the majority leader said that something is afoot here. What he is concerned about is that these bills might actually be brought up, as Senator VITTER has announced, as a good piece of legislation—may actually be brought up and, heavens, they might be asked to vote on it with an election coming up; that it is unfair to ask the U.S. Senate to vote on legislation that the American people would like to see pass, that could help create lawfulness in the immigration system, with an election coming up. He hopes the American people ''see it for what it is.''

Well, if the fact that an election is coming up helps our colleagues to be more alert to the real need for reform, the real need to end unlawfulness in immigration, then so be it; maybe that is a good thing. I don't see anything wrong with asking a Senator, who is paid by the taxpayers of America a decent wage, a good wage, to vote on important pieces of legislation that the public cares about.

I suppose the majority leader, who would oppose, apparently, the legislation—or at least some of it—that we are talking about here would prefer that we wait until early next year, after the election, and he would have a better chance then of cobbling together the votes to kill the reforms that are needed. Maybe that is what he has in his mind. But we are entitled as Senators to have votes on bills. Hopefully, we will move forward with some good legislation that will work.

Mr. SPECTER. Mr. President, I seek recognition today to discuss the Accountability in Immigrant Repatriation Act of 2008, S. 2720.

This bill addresses the reality that aliens who have been ordered to be removed from this country are often released back onto U.S. streets due to the refusal of their home countries to repatriate them. Moreover, many of these aliens are criminals who have served time in our Federal, State, and local jails. As of February 11, 2008, eight countries—such as Vietnam, Jamaica, China, India, and Ethiopia—are refusing to repatriate a total of over 139,000 aliens. Over 18,000 of them are convicted criminals who have been released back into U.S. society. Secretary Chertoff testified this week that his counterparts in Europe are facing similar problems repatriating dangerous aliens.

We must increase the pressure on foreign countries to take back the aliens that have been ordered deported. The Supreme Court in two cases—Zadvydas v. Davis and Clark v. Martinez—adopted a presumption that it is only reasonable to continue to detain aliens ordered to be deported for up to 6 months. So at the end of that time, if the home country steadfastly refuses to repatriate, we are forced to release them.

This is of obvious concern to the citizens of this country, who are put at risk by criminal aliens who are released. In Pennsylvania, there are 700 to 1,000 undocumented criminal aliens that could end up out on our streets if their home countries refuse to take them back when we try to deport them. The recidivism rate among this population is extremely high. Studies show that the average criminal illegal alien was rearrested an estimated six to eight times—most often for drug crimes, robbery and assault, and, to a lesser degree, for murder and sexual offenses. Moreover, not only does refusal to repatriate often put convicted criminals with no right to be here out on the street, but drawn-out repatriation negotiations divert scarce Federal resources away from identifying and deporting other criminal aliens.

Therefore, this bill imposes sanctions on countries that refuse to repatriate aliens who have been ordered deported. First, the bill requires the Department of Homeland Security to report to Congress every 90 days on the countries which refuse or inhibit repatriation. The receipt of this report automatically triggers denial of foreign aid as well as suspension of visa issuances to the listed non-cooperative countries. This will send a clear signal to those countries unwilling to take responsibility for their citizens that they will no longer benefit from U.S. largess—in the form of money and visas.

It also grants standing to enforce the bill to victims of crimes committed by nonrepatriated criminal aliens. Current law, which gives the administration discretion to deny visas to uncooperative countries, has been sorely underutilized. This bill eliminates such discretion.

Section 243(d) of the Immigration and Nationality Act directs the State Department not to issue visas to nationals of countries identified by the Attorney General—now the Secretary of Homeland Security—as countries that deny or delay repatriation. Congressional intent was clear, and the remedy was potent when applied against Guyana several years ago. However, the Congressional Research Service has not identified any other instance in which Homeland Security elected to issue the triggering notification to the State Department.

On February 15, I wrote letters to the Secretaries of State and Homeland Security as well as to the Attorney General to find out why this authority is seemingly unutilized. On March 4, I reiterated my concerns to Secretary Chertoff in person, when he testified before the Appropriations Subcommittee. He committed to working with us to find ways to extend the 6-month detention in appropriate cases rather than simply releasing all deportable aliens. This is a welcome step—one that will complement the bill I am introducing

Foreign relations are complex and there is a need to balance competing interests; however, ensuring the public safety is a Government's primary duty and must be its first priority. Also, we must ensure that prolonged repatriation negotiations do not drain scarce resources. It makes little sense to continue admitting persons if we cannot be sure that their countries will take them back in the event they are ordered removed from this country. Similarly, it makes little sense to continue rewarding such countries with U.S. taxpayer dollars in the form of foreign aid.

This bill addresses the problem by imposing sanctions on non-repatriating countries that refuse to cooperate and take responsibility. I urge my colleagues to join me in supporting this bill.

I ask unanimous consent that the letters I referred to be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, February 15, 2008.

Hon. CONDOLEEZZA RICE,
Secretary of State, Department of State, Washington, DC.

DEAR SECRETARY RICE: I am troubled that thousands of deportable aliens who have been convicted of crimes in the United States, sometimes violent crimes, remain in the United States because their native countries refuse to repatriate them. Moreover, most of these aliens are released back into the population, as extended detention is untenable due to a lack of resources and the Supreme Court's Zadvydas decision.

Many of these recalcitrant nations receive substantial U.S. aid, and their citizens are regularly issued U.S. visas. The Congress has already attempted to address this problem, in section 243(d) of the Immigration and Naturalization Act, and I am curious as to why it is not utilized to greater effect. According to the statute, upon notification from the Attorney General that a country denies or unreasonably delays repatriation (such notification is now provided by the Secretary of Homeland Security), the Secretary of State ''shall'' suspend visa issuances until notified by the Attorney General that the country has accepted the alien.

This tactic is potent in theory, and was successful in practice when applied against Guyana several years ago. While I appreciate that foreign relations is a delicate affair involving balancing numerous interests, surely public safety in the United States is a priority of the highest order. Not only does refusal to repatriate often put convicted criminals with no right to be here back on the street, but drawn out repatriation negotiations divert scarce federal resources away from identifying and deporting other criminal aliens—as many as 300,000 of whom were incarcerated in 2007 and will be released rather than deported at the conclusion of their sentences.

It seems incongruous for the United States to continue admitting the citizens of an uncooperative country that refuses to take back those who are convicted criminals. Why then are we not more aggressive in our use of section 243(d) to ensure prompt repatriation, particularly of criminal undocumented aliens? I would appreciate your views on the efficacy of this provision and any obstacles to its utilization.

I look forward to your response and your thoughts on this important issue. To aid the analysis, I would appreciate it if you could include a list of the notifications you have forwarded to the State Department pursuant to section 243(d) in the last 5 years, any actions upon them (e.g., suspension of non-immigrant visas), and whether they were ultimately successful in securing repatriation.

Sincerely,

ARLEN SPECTER.

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, February 15, 2008.

Hon. MICHAEL CHERTOFF,
Department of Homeland Security, Washington, DC.

DEAR SECRETARY. CHERTOFF: I am troubled that thousands of deportable aliens who have been convicted of crimes in the United States, sometimes violent crimes, remain in the United States because their native countries refuse to repatriate them. Moreover, most of these aliens are released back into the population, as extended detention is untenable due to a lack of resources and the Supreme Court's Zadvydas decision.

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In a related development, this week, DHS noticed a proposed rule to prohibit H–2A visas for nationals of countries which refuse to repatriate. This is a welcome step, but why did DHS not instead dispense with time-consuming rulemaking, which ultimately will provide only limited leverage, and simply notify the State Department immediately of the non-cooperating countries?

I look forward to your response and your thoughts on this important issue. To aid the analysis, I would appreciate it if you could include a list of the notifications you have forwarded to the State Department pursuant to section 243(d) in the last 5 years, any actions upon them (e.g., suspension of non-immigrant visas), and whether they were ultimately successful in securing repatriation.

Sincerely,

ARLEN SPECTER.

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, February 15, 2008.

Hon. MICHAEL B. MUKASEY,
Attorney General, Department of Justice, Washington, DC.

DEAR ATTORNEY GENERAL: I am troubled that thousands of deportable aliens who have been convicted of crimes in the United States, sometimes violent crimes, remain in the United States because their native countries refuse to repatriate them. Moreover, most of these aliens are released back into the population, as extended detention is untenable due to a lack of resources and the Supreme Court's Zadvydas decision.

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Sincerely,

ARLEN SPECTER.

Mr. SESSIONS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSUMER PRODUCT SAFETY

Mr. PRYOR. Mr. President, again today, we hope it is going to be a short day for the Senate. We hope we will be able to pass the Consumer Product Safety Commission Reform Act on which we have all worked so hard. I thank my colleagues for the fact that every single amendment that has been offered has been germane. That is great. The fact that everybody stayed focused on the subject matter has helped.

I know Senator STEVENS, who is on the floor now, will concur that it has been exemplary how Senators have conducted themselves on this bill. We thank everyone, all the Senators and the staff, for keeping the amendments germane. It is very important to getting this bill done this week.

The other good news is, our staffs burned the midnight oil last night, Democrats and Republicans. We have been putting together a managers' package, to give a quick status report on that. We think there are about 12 or so amendments in that managers' package right now that have been agreed to. It looks as if maybe we have around eight amendments that are pending. We are hoping we can work out some issues on some of those amendments. We understand there may be a small number of amendments still coming, but we have run our traps here, so to speak.

Again, the good news is we think we have a manageable number of amendments. We know we are going to have a vote in about 15 minutes. It will be on an amendment that is pending. Again, that is great. We will try to dispense with that amendment, however it comes out. Then we will move on to have further amendments throughout the day.

We are very encouraged. I thank Senator STEVENS for his leadership and his staff. They have been great. We appreciate their efforts to try to shepherd this bill through.

I do not want to make a prediction because I don't know and I don't pretend to know how this is going to turn out, but it appears to me that it is possible we could easily finish this bill today. It is possible—I don't want to jinx myself—but maybe even this afternoon. Instead of going into the late evening hours tonight, it is conceivable we might be able to finish it this afternoon if we work hard and stay on task.

I wanted to give the Senate an update. We look forward to the collegial spirit everyone has shown so far. We hope it continues today. I thank everybody for their cooperation and assistance.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, it is my understanding we are scheduled for a vote at 11 o'clock; is that correct?

The PRESIDING OFFICER. There will be 15 minutes of debate once the Senate lays down the bill.

Mr. INHOFE. I ask unanimous consent that I be recognized for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. I do believe we have an agreement, Mr. President, to vote at a time certain. Does the Senator wish to postpone that vote?

Mr. INHOFE. I inquire of the Chair, is there a time certain for a vote?

CPSC REFORM ACT—RESUMED

Mr. STEVENS. Mr. President, I ask that the bill be laid before the Senate.

The PRESIDING OFFICER. The clerk will report the pending business.

The assistant legislative clerk read as follows:

A bill (S. 2663) to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.

Pending:

Pryor amendment No. 4090, of a technical nature.

Feinstein amendment No. 4104, to prohibit the manufacture, sale, or distribution in commerce of certain children's products and child care articles that contain specified phthalates.

Cornyn amendment No. 4108, to provide appropriate procedures for individual actions by whistleblowers, to provide for the appropriate assessment of costs and expenses in whistleblower cases.

Vitter amendment No. 4097, to allow the prevailing party in certain civil actions related to consumer product safety rules to recover attorney fees.

Casey amendment No. 4109, to require the Consumer Product Safety Commission to study the use of formaldehyde in the manufacturing of textiles and apparel articles and to prescribe consumer product safety standards with respect to such articles.

Dorgan amendment No. 4122, to strike the provision allowing the Commission to certify a proprietary laboratory for third party testing.

Dorgan amendment No. 4098, to ban the importation of toys made by companies that have a persistent pattern of violating consumer product safety standards.

Cardin amendment No. 4103, to require the Consumer Product Safety Commission to develop training standards for product safety inspectors.

DeMint amendment No. 4124, to strike section 31, relating to garage door opener standards.

AMENDMENT NO. 4097

The PRESIDING OFFICER. There is now 15 minutes equally divided on the Vitter amendment.

Mr. STEVENS. Mr. President, under the circumstances now, I control 7½ minutes?

The PRESIDING OFFICER. The time is divided between Senators VITTER and PRYOR.

Mr. STEVENS. I will be pleased to yield that time to the Senator from Oklahoma. I only control half of the time.

Mr. INHOFE. I will postpone my remarks until after the vote.

Mr. STEVENS. I thank the Senator.

The PRESIDING OFFICER. Who yields time?

The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise again today in strong support of my amendment No. 4097. My amendment is very simple and very straightforward and, in fact, it conforms to present law, as well as to provisions in the House bill, with regard to the awarding of reasonable costs and attorney's fees.

My amendment simply says that a judge can award reasonable costs and attorney's fees from the loser to the winner no matter which side wins and loses. So if an attorney general brings an action and prevails on that consumer product safety action, then it is in the judge's discretion to award costs and attorney's fees from the losing private party to the attorney general. But fairly, if the opposite happens, if the private party is vindicated, if the private party goes through this litigation, which is always significant, lengthy, and costly, and wins and is vindicated, then it is also within the discretion of the judge—it is not mandatory—it is within the discretion of the judge that the private party be awarded reasonable costs and attorney's fees from the losing side; in that case, the attorney general.

That, again, is essentially present law. It can go in either direction. It is up to the court. The words are a little different, but that is essentially the policy embodied by the House bill. I think that is even and that is fair. That does not create an undue push in either direction.

Unfortunately, the underlying bill, the bill before the Senate is very different. It says that only the attorney general in prevailing can get reasonable costs and attorney's fees. The private party, even if it goes through very lengthy, very protracted, and very expensive litigation and is completely vindicated, can never get reasonable costs and attorney's fees, even if the judge thinks that is appropriate.

I think that is wrong. I think it is imbalanced and unfair. It is very important that we act to promote consumer safety. It is very important that we pass some of the measures in this bill and many of the measures in the House bill which I supported as an alternative. In doing that, we need to not make certain problems worse, and one of the problems that has existed is a clog of activity before the Consumer Product Safety Commission and also in the courts.

I feel this underlying provision in the Senate bill, which is all in one direction, could make that clog worse, could

encourage lawsuits which are not thought through, and could encourage frivolous lawsuits. That adds to the workload of the courts and potentially the Consumer Product Safety Commission. We want to encourage lawsuits which are needed—not frivolous ones, ones which are fully thought through. The Vitter amendment will establish the even playing field that will encourage that rather than encourage lawsuits which have very dubious merits and could be frivolous.

It is very reasonable, common sense to say that we are going to leave this all up to the discretion of the court, nothing is mandatory, but the court can award reasonable costs and attorney's fees to either side that prevails and not only in one direction, so that a private party who is completely vindicated after a long, expensive, and protracted litigation, can never, even if the judge thinks it is appropriate, be awarded reasonable costs and attorney's fees.

I urge all of my colleagues to accept this very reasonable approach, the policy of which is embodied in both present law and the House bill, and reject creating the imbalance which I think would only clog our system with lawsuits of very questionable merit.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, we think—we are not sure—that the chairman of the Senate Judiciary Committee may be on his way. I know he has a hearing and some other pending business. I know he feels strongly about this amendment.

I rise, in his absence, in opposition to the Vitter amendment. I understand the rationale and the reasons Senator VITTER is offering for this amendment. In fact, when I saw this amendment, I hearkened back to my days in law school. This is a classic moot court competition exercise on who should pay the attorney's fees. The classic English system is that the loser pays, but the American system has been different. It has been different since the founding of our Republic. It has been a bedrock of the American judicial system for well over 200 years that each side pays their own attorney's fees.

There are a lot of reasons for that system. I don't have to go into the history of it. Again, this is a first-year law school topic. I do think it is important in this specific instance that the Senate not break with American jurisprudence, not break with American tradition, and not change this law. It is very important for several reasons. One is, in this case, if the loser has to pay the attorney's fees, we know who the loser is, don't we? It is the State taxpayers. It is not the Federal taxpayers. It is the State taxpayers, our people. Our people will have to pay these attorney's fees.

When you have a matter as important as the public safety and welfare of the people of your State, the attorney general should be allowed to pursue getting these dangerous products off the shelves, keeping their States safe for their people without having to be concerned about this change in the American legal system that Senator VITTER is recommending.

The other point we all need to remember is that there is something in the world of civil litigation called rule 11. Rule 11 is not only under the Federal Rules of Civil Procedure, but it is in almost every single State's rules of civil procedure I am aware of—maybe every State. I hate to say that without knowing exactly. I am sure it is in the vast majority of States. Rule 11 allows judges to penalize a lawyer for bringing a frivolous lawsuit. That is a very important balanced standard and balanced process, that the legal system has to make sure that no one brings a frivolous lawsuit, but most of all the attorney general.

We also have to remember, as we said yesterday, these attorneys general are not like some lawyer off the street. These are, by and large, elected officials. Mr. President, 42 or 44 State attorneys general are elected by the very same people who elect us. There are a handful who are appointed by a Governor, I think one or two by a legislature, and one by a State supreme court. Regardless, the vast majority are elected by the very same people who elect us. So let's allow the State attorneys general to have the discretion in their States to try to keep their States safe and free of dangerous products.

In closing, there is a compelling interest that these State attorneys general have the ability to get these dangerous products off the shelves. We have seen this, we have talked with a lot of people about this, and we all know that the Consumer Product Safety Commission is overworked. They work hard to do these recalls. Sometimes they take a long time to do them, but, nonetheless, they work very hard to do these recalls. It is beneficial for the whole system to allow the State attorneys general to get these dangerous products out of the marketplace in their States. With all due respect to the CPSC, they do not have the resources to do this, they do not have the people to do this, and they are focused on other issues. They are looking at present-day concerns, not what they dealt with yesterday.

It is very important that we have a strong attorney general enforcement mechanism. I would hate to see it weakened by changing this longstanding American rule of law. I ask all my colleagues to oppose the Vitter amendment.

Mr. President, I yield the floor.

Mr. LEAHY. Mr. President, Senator VITTER has submitted an amendment to the Consumer Product Safety Commission, CPSC, Reform Act that would discourage State attorneys general from bringing enforcement actions against those who violate consumer product safety regulations. This amendment goes even further than the Cornyn amendment that we voted on last night to gut the enforcement provisions in the bill. The Pryor-Stevens legislation wisely gives State attorneys general the power to protect their citizens from harmful products by pursuing such litigation. We should not gut that important enforcement power by adding a threat that could shift enforcement costs to taxpayers.

Senator VITTER's amendment would allow the prevailing party in a civil action to recover costs and attorney's fees. This means that the taxpayers would bear the costs and attorney's fees of corporations sued by a State attorney general if the suit is unsuccessful. Absent evidence that State attorneys general are pursuing frivolous litigation against corporations, this amendment is not only unnecessary, but it presents a departure from our established legal system. The measure would have a chilling effect on State attorneys general who would like to pursue possible violations of consumer product safety regulations but may fear incurring the legal costs of doing so.

The purpose of the CPSC Reform Act is to ensure that American consumers have access to the safest products. By allowing State attorneys general to bring enforcement actions against corporations that violate consumer safety laws, States are able to pursue those who threaten the safety of consumers, even when Federal regulators fail to do so. However, Senator VITTER's amendment would tie the hands of State attorneys general by making them choose between enforcing the law and potentially burdening the taxpayers with corporations' legal fees or doing nothing when faced with products that have the potential to harm consumers.

I will oppose this amendment because it discourages enforcement of consumer product safety measures.

Mr. FEINGOLD. Mr. President, the amendment offered by the Senator from Louisiana would permit parties sued by State attorneys general under authority of this bill to recover attorneys' fees and costs if they are successful. This amendment would undermine the purpose of giving those State officers that authority. We want their help in protecting the citizens of their States. To create the specter of a large cost to the taxpayer if a case is unsuccessful will only deter aggressive enforcement action.

There are, of course, situations where litigants against the government are given the chance to collect attorneys' fees if they prevail in a lawsuit. As both a State legislator in Wisconsin and a U.S. Senator I have supported legislation like the Equal Access to Justice Act, ''EAJA'', which gives this right to small businesses and individuals of modest means. I have even introduced a bill in several previous Congresses to amend EAJA to make it easier to collect attorneys' fees.

That EAJA statute, however, applies to a limited class of individuals and small businesses. Whether or not we should extend EAJA to apply in those cases where State attorneys general are acting on behalf of the Federal Government, we certainly should not impose a broader rule on the Attorneys General than we currently apply to Federal agencies. For these reasons, I oppose the Vitter amendment.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I ask unanimous consent, since I have yielded back my time, to have 30 additional seconds to clarify my point, and then I will ask for the yeas and nays.

The PRESIDING OFFICER. The Senator is recognized.

Mr. VITTER. Mr. President, I have one very quick point of clarification. My amendment does not mandate that the loser pays in every case. That would be a significant departure from tradition in American law. My amendment does not do that. My amendment gives the judge discretion to decide if the loser pays, only in both directions, not just in favor of the direction of the attorney general, as the underlying bill does. That is a very simple clarification. It is not a mandatory ''loser pays'' rule.

Mr. President, I yield back the remainder of my time and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. PRYOR. Reserving the right to object—

The PRESIDING OFFICER. At this time, there is not a sufficient second.

Mr. PRYOR. I yield back the remainder of my time. I move to table the Vitter amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from New York (Mrs. CLINTON), and the Senator from Illinois (Mr. OBAMA) are ncessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Nebraska (Mr. HAGEL) and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. BROWN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 39, as follows:

[Rollcall Vote No. 40 Leg.]

YEAS—56

Akaka	Cantwell	Dorgan
Baucus	Cardin	Durbin
Bayh	Carper	Feingold
Biden	Casey	Feinstein
Bingaman	Cochran	Harkin
Boxer	Conrad	Inouye
Brown	Dodd	Johnson
Kennedy	Menendez	Schumer
Kerry	Mikulski	Smith
Klobuchar	Murkowski	Snowe
Kohl	Murray	Specter
Landrieu	Nelson (FL)	Stabenow
Lautenberg	Nelson (NE)	Stevens
Leahy	Pryor	Tester
Levin	Reed	Warner
Lieberman	Reid	Webb
Lincoln	Rockefeller	Whitehouse
Martinez	Salazar	Wyden
McCaskill	Sanders	

NAYS—39

Alexander	Cornyn	Inhofe
Allard	Craig	Isakson
Barrasso	Crapo	Kyl
Bennett	DeMint	Lugar
Bond	Dole	McConnell
Brownback	Domenici	Roberts
Bunning	Ensign	Sessions
Burr	Enzi	Shelby
Chambliss	Graham	Sununu
Coburn	Grassley	Thune
Coleman	Gregg	Vitter
Collins	Hatch	Voinovich
Corker	Hutchison	Wicker

NOT VOTING—5

Byrd	Hagel	Obama
Clinton	McCain	

The motion was agreed to.

Mr. PRYOR. Mr. President, I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PRYOR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. 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. INHOFE. Mr. President, I ask unanimous consent that I be recognized for up to 10 minutes to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION

Mr. INHOFE. Mr. President, we have gone through a lot of activity and a lot of anguish on the floor concerning the immigration bills. There was a comprehensive immigration bill that did not work. It was something some people thought would be a good idea and, frankly, I opposed it.

But there is something that is happening right now that is a very good idea. There are 15 of us in the Senate who have taken different elements of concern having to do with illegal immigration, areas of specialty, if you will. It happens that 15 of us had a news conference yesterday, wherein we talked about approaching this differently—each one having his or her own legislation, and then you can support other legislation as you see fit.

It happens that there will be 15 bills that will be introduced. I will have one of those, and I will be supporting 14 of the other 15, or 13 of the other 14. So I think the way we are approaching this is good.

My area of specialty, that comes as no surprise, is in making English the national language. We have been talking about this for a long time. The approach we are talking about is a very simple approach. It is something that is popular.

I have had this on the floor of the Senate twice. In 2006, it was amendment No. 4064. It passed the Senate by a vote of 62 to 35. Again, in 2007, the support was even greater. That was amendment No. 1151. It passed—that was last year—by a vote of 64 to 33. So it is something that clearly is popular.

Let me explain the problem we have. One of the last things that was done in the Clinton administration was Executive Order 13166. This was an effort to make anyone who is receiving any kind of Government services to have the documentation in any language of his or her choice. It could be Swahili, it could be French, it could be any other language.

Now, the effort to make English the national language is not purely symbolic, as some of my colleagues might believe; rather, it will have a tangible impact.

After Executive Order No. 13166, there has been a high burden on Government agencies to provide translations for documents for services in virtually every language.

The cost is tremendous. It is quite a range. The U.S. Office of Management and Budget estimated the cost of providing these services to be between $1 and $2 billion each year.

The cost is not the only drawback of the entitlements of Executive Order No. 13166. It ultimately enables immigrants to avoid learning English which, regretfully, hurts their chances of effective assimilation into American culture. Historically, one of America's greatest attributes is the unity provided by having a language that is commonly used throughout the country. It is important for new legal immigrants to learn this language so they might communicate and achieve success.

As President Bush said in one of his messages, learning English ''allows newcomers to go from picking crops to opening a grocery [store] . . . from cleaning offices to running offices . . . from a life of low-paying jobs to a diploma, a career, and a home of their own.''

I can't think of any issue we have had before the Senate during the time I have been here that is more popular than this. A 2006 Zogby poll found that 84 percent of Americans, including 71 percent of Hispanics, believe English should be the national language of government operations. According to a 2002 Kaiser Foundation survey, 91 percent of foreign-born Latino immigrants agreed that learning English is essential to success. We have polling data going all the way back to 1996. In each case, 84 to 90 percent of the American people want this to take place.

I ask unanimous consent that these polls be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ENGLISH AMENDMENT POLLS

All types of pollsters of all groups, liberal and conservative, immigrant and non-immigrant, with all wordings show consistently high levels of support for making English the official language of the United States:

(1) An April 2007 McLaughlin & Associates poll showed 80% of all Americans indicated that they would support a proposal to make English the official language.

(2) A December 2006 Zogby International poll showed that 92% of Americans believe that preserving English as our language is vital to maintaining our unity.

(3) A June 2006 Rasmussen Reports poll showed that making English the nation's official language is favored by 85% of Americans; this figure includes 92% of Republicans, 79% of Democrats, and 86% of those not affiliated with either major political party.

(4) A March 2006 Zogby International Poll showed 84% of likely voters support making English the official language of government operations with common-sense exceptions.

(5) A 2004 Zogby poll showed 92% of Republicans, 76% of Democrats and 76% of Independents favor making English the official language.

(6) In 2000, Public Opinion Strategies showed 84% favored English as the official language with only 12% opposed and 4% not sure.

(7) A 1996 national survey by Luntz Research asked, ''Do you think English should be made the Official Language of the United States?'' 86% of Americans supported making English the official language with only 12% opposed and 2% not sure.

Latino immigrants support the concept of Official English:

(1) An April 2007 McLaughlin & Associates poll showed that 80% of all Americans, including 62% of Latinos, would support a proposal to make English the official language.

(2) A March 2006 Zogby poll found that 84% of Americans, including 71% of Hispanics, believe English should be the official language of government operations.

(3) My favorite poll is this one: In 2004 the National Council of LaRaza found that 97% strongly (86.4%) or somewhat (10.9%) agreed that ''The ability to speak English is important to succeed in this country.''

Mr. INHOFE. People need to understand the significance. When I brought this up before, there were three objections. They were really absurd. It is almost laughable. One was, we will have to change all the State flags because some of them have other languages.

This has nothing to do with that. This merely says it is not an entitlement. It has nothing to do with State flags.

Another Member said: Inhofe, you will not be able to speak Spanish on the Senate floor. I have given several speeches in Spanish on the Senate floor. I will not go into why that is good. It has been very helpful. This has nothing to do with that.

Another said: You will have the blood of Hispanics on your hands.

I said: How is that going to happen?

They said: There are some strong currents down there in the Potomac, and we would not have ''no swimming'' signs in Spanish, so they wouldn't be able to read those. So they will go in there and drown.

If we look back historically, we see that many Presidents had things to say about this matter, dating all the way back to Theodore Roosevelt, and as recently as a statement by Hillary Clinton in her campaign in Iowa in 2007, less than a year ago, where she said: ''You're going to have to learn English.''

This one goes back to 1916:

Let us say to the immigrant not that we hope [they] will learn English, but that [they have] to learn English.

Theodore Roosevelt was clear on this.

Bill Clinton said in 1999 in his State of the Union message:

We have a responsibility to make [our new immigrants] welcome here, and they have the responsibility to enter the mainstream of American life. That means learning English and learning about our democratic system of government.

So everyone is in agreement. I don't know of anyone, nor any past President, who doesn't believe we are doing a great disservice by not helping our immigrants learn the English language.

We will continue to promote this bill until it passes into law. It should be one of the easiest of the 15 bills that are going to approach the problem of illegal immigrants. It is my intention to continue.

One of the interesting things about this is, there are 52 countries throughout the world who have English as their national language, including Ghana in West Africa. All of these countries have it except us.

The bill is very simple. I can tell in one sentence what it does:

Unless specifically provided by statute, no person has a right, entitlement, or claim to have the Government of the United States or any of its officials or representatives act, communicate, perform or provide services, or provide materials in any language other than English.

This is the law of some 52 countries around the world, almost everywhere except in the United States. It would save ultimately somewhere between $1 and $2 billion. And there are the other logical reasons for doing this. We will be pursuing this as 1 of the 15 efforts to have not a comprehensive bill, but to address the problem of illegal immigration. I look around and I see others who have good programs too.

The Senator from Arizona, Mr. KYL, has one that would utilize electronic evidence for employers so employers don't find themselves breaking the law as would have been the case on the previous bill. There are others wanting to finish the bridge. We will have 15 bills that we will be introducing or we have already introduced. If we can get all 15, that would pretty much resolve the problem. But it does afford the opportunity for any Member of this body to object to any area of interest in terms of these 15 bills.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I ask unanimous consent to proceed as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION REFORM

Mr. SPECTER. Mr. President, I have sought recognition to follow the comments made by the distinguished Senator from Oklahoma concerning a group of Senators who met yesterday with a variety of proposals on immigration reform. One of those proposals was mine, S. 2720. This bill seeks to deal with a very serious public safety problem where illegal aliens who have been convicted of crimes of violence are permitted to walk free on the streets of America where their native country will not accept them for deportation.

This is the factual situation where the matter arises. A person is charged, for example, with aggravated robbery, serves 10 years in jail, is released from jail on the service of a maximum sentence, then is turned over to authorities from the immigration service for deportation. Then the efforts to deport the individual are not successful because his native country will not take him or her back. Under court rulings, the maximum that person can be held in detention is 180 days. That means after the service of the sentence, after being detained for 180 days, that person is then back on the streets of America where the statistics show a very high degree of recidivism or repeat offenses.

The legislation I am introducing would put pressure on native countries to take back for deportation their citizens under circumstances where they now refuse to do so by denying to those countries visas for their people who want to come to visit the United States.

There are currently some discretionary provisions on the books which, simply stated, have not worked. This would mandate that procedure. That kind of pressure is calculated to at least ameliorate the situation.

The second provision of the bill provides that foreign aid would be conditioned on countries accepting back their native citizens under the circumstances which I have just described. The United States has a tremendous foreign aid program where allocations are made for a variety of what we consider to be in our national interest or in humanitarian interest. Here again we have a potentially effective tool for dealing with countries who refuse to accept back their own citizens where they have been ordered deported by the United States.

In analyzing the problem further, no matter what we do under these circumstances, it is not possible to compel all foreign countries to accept their nationals back when they are subject to deportation. We are currently examining the possibilities of having some additional detention. Candidly, it is difficult to structure consistent with constitutional rights, which apply to these individuals, and consistent with due process of law. There are some provisions, for example, when someone is

arrested on a charge to be held in preventative detention, where there is reason to believe that individual will flee. So the presumption of innocence still applies, and detention can be held for a relatively brief period of time.

We are also looking at some possible alternatives under sexual predators, where some legislation has been passed, where even after the completion of a full sentence there is a form of civil commitment. We are examining the ramifications of that kind of legislation to be sure it comports with due process and with constitutional protections.

AMENDMENTS NOS. 4094 AND 4097

While I have the floor, I will comment about the vote we just had on the Vitter amendment and the vote we had yesterday on the Cornyn amendment. Both amendments raise similar issues.

The amendment offered by the Senator from Texas, Mr. CORNYN, would bar attorneys general from retaining outside counsel on a contingency fee basis. The amendment offered by the Senator from Louisiana, Mr. VITTER, would impose costs on State attorneys general who lose cases brought under the pending legislation. Both amendments have similar elements. I believe the underlying reason Senator CORNYN has advocated for his amendment is not sufficient for such a broad legislative change. Senator CORNYN's amendment arises from a case in Texas where the attorney general went to Federal prison for corruption when hiring a friend on a contingency fee basis. It may be that the Senator from Texas has a valid point. He served as the attorney general for the State of Texas and has considerable experience in the field.

I have had some experience as a prosecuting attorney myself with similar kinds of discretion. It is my view that before we undertake such a fundamental change in procedure, there ought to be some extensive consideration and deliberation.

The Senate is, by reputation, the world's greatest deliberative body. For those who may inadvertently be watching on C–SPAN, a short statement of the legislative process is in order. The way we function on legislation is that a Member has an idea and puts it in a bill and files it. The bill is then referred to a committee. In this case, legislation involving courts and attorneys would be referred to the Judiciary Committee. The Judiciary Committee holds hearings and hears from witnesses who are experienced in the field: attorneys general, defense lawyers, lawyers who have been retained by attorneys general, judges, and scholars. We listen at length, and we ask the witnesses questions.

Unfortunately, you can't see all of those hearings live because they are preempted. However, maybe you can see it on rerun on C–SPAN 3. But those are hearings which provide some basis for a judgment as to what should be done in the Senate.

The amendment offered by the Senator from Texas was not referred to committee. I think it is a matter which ought to be considered and analyzed. Under Senate procedure, any Senator may offer an amendment to the bill which he or she chooses. There is a brief time for argument—it could not have been more than several hours yesterday. I was involved in other matters and could not come to the floor. Following debate, a vote is called. The first time many of us in this body consider the issue is when we are en route from our offices to the Chamber to vote.

For those of you who watch C–SPAN2, you will notice that in the course of a 15-minute vote—which is extended by custom to 20 minutes, and sometimes beyond—most of the Senators do not arrive here until late in the process. Those watching will notice a big huddle by each desk. You may wonder, what is going on? Well, what is going on is that the Senator walks in the Chamber and takes a look at a yellow or white pad with a one-paragraph description of the bill or amendment.

There is some hasty discussion, sometimes by the proponent of the bill and sometimes by the opponent of the bill. There is hardly what you call deliberation and not what you have when the legislative process is followed. When the legislative process is followed the bill is introduced. Following introduction, there are hearings on the bill and there is what we call a markup. For example, at the Judiciary Committee markup, there have to be at least 10 of 19 members present in order to vote the bill out of committee. At the markup there is an opportunity for discussion, analysis, and even modification of the bill.

After consideration by the committee, the bill comes to the Senate floor with a committee report. The committee report describes the bill. Senators have a chance to read the committee report or, to be more candid, staff has a chance to read the committee report. It is not physically possible to read all the committee reports and all the materials that come across a Senator's desk—it just cannot be done. But at least you have a staffer who writes you a memorandum highlighting the essential points and have a chance to question the staffer. You then come to the floor on the debate with some notice about what the debate is about.

It seems to me on matters of importance that we ought to go through full Senate procedure. It is my view that Congress has to be very careful in what we do by way of mandates to the States. We also need to be careful when telling the States how to run their business and by telling attorneys general what is best for their State. There are some offices of attorneys general in the United States which are not elaborately staffed.

When I was DA of Philadelphia, I had 170 attorneys. I don't know how many attorneys general have limited staffs, nor do I understand their workload or their backlog. There is no reason for me to get involved in the business of state attorneys general. State attorneys general are elected by the people of their State or appointed under State constitutional provisions. It is up to them to make a decision as to how they run their offices. As a basic matter of federalism, we should leave it up to the state attorneys general. We ought to consider the most serious problems of national import. We cannot get into the details of all the State attorneys general offices.

The Senator from Texas talks about creative ways for lawyers to structure contingency fee agreements. Perhaps the amendment of the Senator from Texas would be improved if the attorney general had to go to court to get judicial approval to hire outside counsel on a contingency fee basis. At this time, the attorney general would inform the court of his office's resources and his reasons for needing to enter into a contingency fee contract. This would allow the matter to be decided on a case-by-case basis.

Now, moving to the amendment by the Senator from Louisiana, Mr. VITTER. There is an effort to have the losing party pay for the costs of litigation and costs of reasonable attorneys' fees. It is designed—as the brief one paragraph said—to avoid frivolous lawsuits. I think it is a very good idea to avoid frivolous lawsuits.

The existing rules in Federal court provide for the handling of frivolous lawsuits by imposing costs on the losing party. Following a motion by the party who is being sued, the judge determines whether to dismiss the case under Rule 11 of the Federal Rules of Civil Procedure.

Senator VITTER wants to impose a blanket rule, where in every case, the loser pays. It may be that the United States ought to go to the British system, which is a ''loser pays'' system. However, that would be a very drastic change in our court procedure. It is even possible that we ought to go to a ''loser pays'' system in the conditions contemplated under the pending legislation. But that would be a very material change if we were to make that sort of a shift at this time.

Again, we ought to be following the regular Senate procedures. Let Senator VITTER introduce the bill. Let it be referred to the Judiciary Committee. There will be hearings and thorough analysis. Following hearings, there will be a markup and the bill will come to the floor with a committee report. The appropriate deliberation would take place.

If Senator VITTER's amendment were to be adopted, perhaps it ought to be modified on a discretionary basis. The court could impose costs on the losing party if the judge determines that the case is frivolous.

You might have a meritorious case with a very close question. That is

what we do in America with our differences of views between parties. Different sides are presented in court and a determination is made. There is a necessity for a lot of room.

The Senate wisely defeated both of these amendments. On their surface, there is a great deal to commend Senator CORNYN's amendment to eliminate contingency fee arrangements. There is the situation where the Texas State Attorney General went to jail for corruption. Of course, it is more than contingency fees in that case. People who read an abbreviated statement in the newspapers might think the Senate made a mistake in rejecting the Cornyn amendment. We need to examine the issue closer.

Here again, on the surface, you might think the amendment by Senator VITTER has merit to impose costs on the losing party. After all, if they lost, why shouldn't they pay for it? But you have to go beyond that and examine the issue further.

I am prepared to consider both amendments. I am prepared to consider the ideas of my colleagues in the Senate. But I want to do that in the course of the legislative process, where we follow regular order: a bill is introduced, goes to committee, the committee has hearings, the committee hears witnesses, the committee sits down with a majority of its members, and the bill comes to the floor with a committee report.

I know the votes have already been cast on the amendments I have spoken about, but I thought it might be useful to take the floor and give the public a fuller understanding of what we do in the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, I am here today to talk about the bill that is pending on the floor. I am very pleased this bill is advancing, the Consumer Product Safety Commission bill, that involves so many important provisions.

But in my State, I will tell you this: We are very focused on the provision dealing with the toxic toys. I can tell you, after being in the Senate for only a year, it is truly an inspiration to see we were able to get a bill through our committee—thanks to the leadership of Senator PRYOR and Senator INOUYE and Senator STEVENS—and get it to the floor.

The reason it is so important in our State is we had a little boy who died, a 4-year-old boy who swallowed a charm that was given to him with a pair of tennis shoes. He did not die from choking on the charm. He did not die from his airway being blocked. He died when the lead went into his bloodstream day after day after day. When that charm was tested, it was 99 percent lead. It was from China. His own blood, when he died, had three times the normal amount of lead.

It is a very sad story. But it is some solace to the people in our State that after only being here a year, and as a member of the Commerce Committee, I was able to work to make sure we have a Federal lead standard in this bill. It is rewarding, indeed, that it looks like today we may be completing our work.

I say to the Presiding Officer, I know you have seen this in Ohio. We have seen toy after toy recalled in this country. In fact, 29 million toys—look at this chart—were recalled in 2007 alone. Look at this: This is a calendar of the various dates with the various toys that were recalled in the year 2007 and into January and February of 2008.

We saw the Thomas the Trains that were recalled. We saw Dora the Explorer, we saw SpongeBob SquarePants being recalled—these toys that are so near and dear to people's hearts. You get a sense of it with the calendar, but this list is an actual documentation of all the toys that have been recalled in the last year and 3 months.

You have things such as necklaces, Rachael Rose Kidz rings. You have the trains, the Cub Scout badges, ugly teeth that you put in your mouth for Halloween, of course, the Aqua Dots that morphed into the date rape drug. You can go on and on and on.

I think it is stunning at this time in our history we would still have something such as this happening. I think many people thought in the 1970s—when we got our act together in this country about consumer protection and we strengthened the laws and we realized kids were dying from problems, with everything from cribs to dangerous toys, to flammable pajamas—this country got its act together.

Well, look what happened instead. We have seen a record number of imports coming in from other countries that do not have the safety standards we do.

This was brought home to us—and it was more than toy recalls and numbers—when a few days ago Senator PRYOR and I met with the families of two children who almost died from toxic toys.

The first is Jacob—or Jack, as his family knows him. His mother Shelby came from Arkansas to the Capitol. She told her story in a way I will never do justice to—a very touching story—where she talked about the fear she had on this day. It was a normal day. Any parent can imagine this. You start out. You are in the kitchen. It was October 30, 2007. Jack was 20 months old at the time.

What happened was, his older sister had these Aqua Dots that you put in water and they transform into an animal or something like that. He swallowed some of them. All of a sudden, this little boy was standing there, throwing up and stumbling around. She immediately took him to Arkansas Children's Hospital, where he was treated by a doctor, Dr. Jaeger.

Suddenly, this little boy, Jacob—Jack—went into a coma. They had no idea what caused it. Kids swallow things, as we know, all the time. They will swallow a penny. They will swallow something. It is not a good thing, but they do not immediately go into a coma. He was in a coma for about 6 hours. They thought they were going to lose him because no one could figure out what happened.

Well, she said, just like this, he came out of the coma and he was fine. The doctor was in shock. The doctor said if he had not been there, he would not have even believed it had happened.

So they got him home. No one figured out what happened. She got on the Web site herself—the mom did—trying to figure out what was in Aqua Dots. She called the company. Everyone was trying to figure it out.

Finally, they did some testing in the next few days, and they found out the coating that was put on these particular Aqua Dots metabolized into a chemical compound known as the date rape drug. As a former prosecutor, I can tell you we have handled cases involving date rape drugs. This is not a little thing. These are used to knock people out for hours so crimes can occur, and they take vulnerable victims and try to put them to sleep. That is what happened with these Aqua Dots.

These simple little toys—that are supposed to be pet pals—morphed into a date rape drug right in this little boy's stomach. So she came and told us this story.

On November 7, Spin Master—the company that makes Aqua Dots—recalled the product. The chemical that is in these little beads could cause children—they figured out—to become comatose, develop respiratory depression or have seizures. Luckily, this little boy survived. This is what we were dealing with.

Then, another family came and talked to Senator PRYOR and me. This is Colton, also a little boy. He is a little older than Jacob. Their family lives in Oregon. The mom told us this story:

In 2003, when Colton was only 4 years old, he swallowed a little trinket they had gotten out of a gumball machine. It was later determined—they couldn't figure out why he was so sick. He was having trouble. He was not himself. They took him to the doctor. They figured out he swallowed this lead. They got the toy out of him, but they figured out later that this toy was 39 percent lead. His lead levels—this little boy, Colton—at the time were considered fatal, but he survived. This led, actually, to the recall of 150 million pieces of gumball machine jewelry.

Now, this is not that different from the story I told you about Jarnell. This mom told me when we met earlier in the week that when she heard about Jarnell, it all came back to her. She spent the last 2 years trying to be an advocate, all by herself—Colton's mom—to get something done on this, and then imagine how she felt when she read that this little boy, Jarnell, in Indianapolis had died from exactly the same kind of charm, these lead charms;

something like that went into his system. The one Jarnell had was 99 percent lead. Luckily for little Colton, the piece he had was only 39 percent lead. But now, even today, Colton's lead levels, even when he is much older, are at 17. They are not where they should be, and they are constantly on alert for what might go wrong. If he has a growth spurt or if he breaks his bones, his lead levels will increase, and they don't know the effect that will have. We all know it is very dangerous, the brain damage in children and other things it does.

The other thing about these charms—and we are very focused on little kids swallowing them, but the other thing about them is that necklaces can also affect teenage girls because they put these necklaces on, and then they are sitting in class or they are with their friends, and they chew on them. I have seen little girls actually do this—teenage girls. They are cheaper jewelry charms, and they start to chew on them. Well, in January 2007, 114,000 necklaces were recalled because the pendants contained high levels of lead, these kinds of pendants that continue to be recalled throughout this year.

Another example: In February of 2007, almost 300,000 Rachael Rose rings, which were worn by very young kids who wanted to try on a ring and have a ring on, were recalled.

In June of 2007, we had the Thomas & Friends, which was the first batch of 1.5 million recalls. This story is one that is worth noting. The Presiding Officer will be interested in this one.

These were toys that were manufactured and painted in China. The RC2 Company, when they found out about it, called for a recall. They were very embarrassed about the safety record. They appropriately apologized to their customers, saying they would make every effort to ensure this wouldn't happen again, and to help encourage customer loyalty and to prompt customers to return the trains, they actually said: You know what, we will give you a bonus gift. We are going to replace the toys, and we will send you a bonus gift if you send in your toys that have been recalled. So all of these parents sent in their recalled toys. As you can imagine, they are trying to figure out which toy is recalled and which isn't. Is it the caboose or the boxcar? They end up sending it back to get this bonus gift. Guess what. This bonus gift backfired in a big way. It was discovered that 2,000 of these bonus gift items contained lead paint levels 4 times higher than legally allowed, leaving the parents of these toddlers to deal with what we call the double recall.

Then, in August 2007, almost 1 million Sesame Street and Dora the Explorer toys were recalled by Fisher-Price. In October 2007, 1,600,000 Cub Scout badges were recalled for extremely high lead levels. Just this last Halloween, just a few days before Halloween, 43,000 Ugly Teeth toys were recalled that kids put in their mouths for Halloween.

This is just what I call the ''greatest hit list.'' There were over 9 million toys recalled by hundreds of different companies in 2007, with a total of 27 million toys recalled.

Yet we have known about this danger for 30 years. That is what is so shocking about this. As we advance in this country with technology, with BlackBerrys and cell phones, it is unbelievable that we would be stepping back. The science is clear. It is an undisputed fact that lead poisons children. It should not have taken us this long to take lead out of the hands of our children, out of their mouths.

It is the Consumer Product Safety Commission's job to do this. When they started seeing all of these imports coming in, they should have done something. They should have come to Congress and said: We think we see a problem here. We are going to need more people. We are going to need more toy inspectors. It was Congress that had to take the lead to get this moving. The burden should not fall on parents or kids to tell if a toy train is coated with lead paint. Who is going to be able to figure that out? You figure that if you buy a toy from a reputable store, it is going to be OK. I think it is shocking for most parents when they realize there has never been a mandatory ban on lead in kids' toys in this country—never. Until this legislation, there has never been a mandatory ban.

In response to a series of letters I wrote to Chairwoman Nord in August about the dangers of lead in children's products, the Chairwoman responded on September 11. In this letter, Chairwoman Nord acknowledged that:

> The CPSC does not have the authority to ban lead in all children's products without considering exposures and risks on a product-by-product basis.

Chairwoman Nord went on to say that were the CPSC—the Consumer Product Safety Commission—to attempt banning lead in all children's products:

> It would likely take several years and millions of dollars in staff and other resources.

This response makes it clear that Congress cannot wait for the Consumer Product Safety Commission to act. They have had years. They have known this was increasing, these imports and what was going on for years, and they didn't act. That is why we need this bill. According to them, to give them the benefit of the doubt, they didn't have the tools or the resources to do their job. Now, it would have been nice if they had come earlier than this year to act, but they didn't have the tools on the books. So that is what this bill is about.

To talk a little bit more about the specifics, this legislation effectively bans lead in all children's products by classifying lead as a banned hazardous substance under the Federal Hazardous Substance Act. This was a part of the bill that incorporates the bill we wrote out of our office. The reason I, of course, was so focused on this was because of the fact that this little boy died in our State.

The bill sets a ceiling for a trace level of allowable lead at .03 percent of the total weight of a part of children's products, or 300 parts per million. Some States across the country have put these in because of inaction by the Federal Government. Some are set at .04. California has .04 for toys and .02 for jewelry. We decided the best way to do this is to set it at .03 for the first year, a year after the bill takes effect, and then, actually within a few years, go down to .01 because the science supports that we should be able to get it down to .01 percent of the total weight of kids' toys for lead. The idea is that, in fact, as some of the pediatrician groups believe, we can do this and we can maybe go lower than that, to trace levels of lead, and we allow the Consumer Product Safety Commission to do a rulemaking so that if they would like, and the science supports it, they can actually go down to zero or go lower if they would like. But these are trace levels of lead that are actually more aggressive than you see in some of the States.

The legislation also sets an even lower threshold for paint. Under this bill, the allowable level of lead paint would drop immediately to 90 parts per million. This lower threshold is critical because science has shown that as children put products in their mouths, it is the painted coatings which are the most easily accessible to kids. Every parent of a toddler knows this to be true. On these lead-tainted Thomas trains, you can always see, on the ones I have seen that have been brought into my office by parents who are worried, those little teeth marks of kids who are chewing on these toys.

I will tell my colleagues that people say: Well, what is the Consumer Product Safety Commission doing now? They have a voluntary standard at .06. So the standard is higher. The key is that it is voluntary, so they have to call and negotiate with the companies if they want to do a recall. A lot of our retailers in Minnesota, including Target and Toys ''R'' Us, have been very frustrated by this because they are negotiating with the manufacturer, so it is not clear. They want to get the products off their shelves, but they haven't been recalled yet. So this makes it much simpler because it is a mandatory Federal lead standard.

The other part of the bill that came out of a bill we drafted and which is very important to me—and I think it comes from being a mom, and it is practical—is making it easier when there is a recall to be able to identify the toys.

Now, when I talk to my friends, they say: What am I supposed to do? I hear about this recall. I go to the Consumer Product Safety Commission Web site. I can't tell which caboose, which train. Is it the boxcars? Is it the caboose?

Which brunette Barbie? Which blond Barbie?

Big surprise: They don't keep the packaging. I don't think anyone but my mother-in-law keeps packaging for toys, because she saves everything.

What our bill does is basically says the batch numbers, when practical, should be on the toys. They won't be on Pick-Up Sticks, obviously, but they can be on the foot of a Barbie or on the bottom of these little toys which actually say on the bottom ''caboose'' or ''boxcar,'' and there can be a batch number. So it will be easier for parents to identify which toy they can get out of their kid's box.

We also have put in this bill a requirement that the numbers be on the actual packaging. Even though parents will throw the packaging away, we think that is important because the mom-and-pop retail stores, the little retail stores, and also the Internet—people will still have the packaging. So Target, Toys ''R'' Us, and Wal-Mart are going to be able to put into their computer system when a toy is recalled immediately so you can't sell it through the line. That is not as easy for smaller stores. It may not be as easy for a little drugstore or grocery store and also certainly not easy for people buying on eBay or selling on eBay. So we also require that the batch numbers be on the packaging.

As we all know, the Consumer Product Safety Commission's last authorization expired in 1992, and its statutes have not been updated since 1990. That is why what Senator PRYOR has done as the chair of the consumer subcommittee—and I am proud to be a member of that subcommittee and to have worked with him on this bill—is so significant.

You think about how the marketplace has changed in these 16 years and what we have seen in the growth for imports from countries that don't have our same standards. Yet, at the same time, the Commission is a shadow of its former self. Although the number of imports has tripled—tripled—in recent years and the number of recalls, as I noted earlier, has been increasing by the millions, the number of Commission staff and inspectors at the Consumer Product Safety Commission has dropped by more than half, falling from a high in 1980—as my colleagues can see right here—falling from a high of 978 to 393 today. Look at that change. Maybe that wouldn't have mattered if we suddenly had fewer toys in this country, maybe if we had a third of the imports coming in. In fact, we have seen a tripling of imports from countries that do not have the same safety standards as we do. In total, the Consumer Product Safety Commission has only about 100 field investigators and compliance personnel nationwide.

What this legislation does—and we already started, actually, back in December, where we gave the Consumer Product Safety Commission, through our omnibus budget bill, some funds to hire more inspectors—this legislation more than doubles the Consumer Product Safety Commission's budget so that they can get those toy inspectors on board.

This bill provides some needed help to increase the inspection, the research, and regulation staff. It puts 50 more staff at U.S. ports of entry in the next 2 years. Some were announced just yesterday as a result of the work of this Congress.

Not only does this bill give the necessary funding and staff to the Consumer Product Safety Commission, but it gives the Commission the ability to enforce violations of consumer product safety laws. This bill finally makes it criminal—criminal—to sell recalled products.

We have seen too many headlines this year to sit around and think this problem is going to solve itself. As a Senator, I feel strongly that it is important to take this step to protect the safety of our children. When I think about that little 4-year-old boy's parents back in Minnesota and I think about the children all over this country who have been hurt and the parents who have lost sleep just trying to figure out if what they are doing is right or what are they going to buy their kids for Christmas or what are they going to do about this problem—they shouldn't be thinking about those things in this day and age. We can beef up this agency that has been languishing for years. We can put the rules in place and make it easier for them to do their jobs.

So this isn't just a matter of banning lead in children's toys. This bill is a matter of implementing consumer safety laws and regulations. It is a matter of protecting kids from more harmful products. It is a matter of helping parents to understand what to do when something has been recalled. It is a matter of keeping customers informed and safe when purchasing products in the United States. And it is a matter of bringing the CPSC back into the 21st century. As I said, all of the toys were overseen by a guy named Bob, with a back office full of toys. He would be dropping them to see what happened and what didn't. He is retired now.

We are moving into the next century. This is a matter of getting serious about consumer safety. We have to say Congress cares about the families in this country. People get mad about the Congress because it takes so long to get things done. This is a bread-and-butter bill, about helping families.

With the bipartisan help of our Senate colleagues, we can pass this meaningful bill that gives the CPSC the tools they need to do their job, and it also sets clear and unequivocal standards of what is safe and what is not in this country.

The current system has been broken by years of neglect, by an agency that hasn't told the truth about its problems, and by an administration that has closed its eyes to what has been going on. This Congress can fix this. The Consumer Product Safety Commission Reform Act represents some of the most sweeping reforms we have seen in 16 years for consumer safety.

The Wall Street Journal said:

> The Consumer Product Safety Act is the most significant consumer safety legislation in a generation.

We can pass this legislation today, Madam President.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, I ask unanimous consent that I be recognized for up to 10 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PATH ACT

Mr. INHOFE. Madam President, about an hour ago, I was presenting a bill that we had introduced as part of 15 bills to resolve the illegal immigration problem. It is one that I have done many times before, which is making English the official language, or national language, for the United States. I think it is one that has enjoyed a great deal of popularity. It has passed this body before by almost a 2-to-1 margin, in 2006 and in 2007.

At the conclusion of my presentation on this legislation, I neglected to ask that a copy of the bill, S. 2715, be printed in the RECORD following my remarks. I will soon ask that it be printed in the RECORD.

Madam President, I am joined by several colleagues, including Senators COCHRAN, WICKER, DOMENICI, SHELBY, and others, in introducing the Preserving Access to Hospice Act, a bill to ensure that America's terminally ill seniors have access to hospice care by providing immediate relief for hospices that are impacted by the Medicare hospice cap, through the establishment of a moratorium on the calculation and collection of the hospice cap for fiscal 2006, 2007, and 2008, and the authorization of a MedPAC study on the cap issue.

My fellow Oklahoman in the House of Representatives, JOHN SULLIVAN, today introduced the same companion bill on the House side.

Because of a flawed law, the Federal Government is requiring hospices to repay the Centers for Medicare and Medicaid Services, CMS, for serving eligible patients in prior years. Many small family and community-owned hospices will be forced to close, patients will lose access to hospice care, and local jobs will be lost. In Oklahoma especially, hospice care companies of all sizes service a large number of Oklahomans.

In 1982, Congress initiated hospice as a Medicare benefit for terminally ill patients. In the 1980s and 1990s, Congress worked to broaden hospice coverage to ensure each eligible beneficiary has access to unlimited days of hospice care, regardless of their diagnosis.

Medicare pays hospice a flat fee per patient per day regardless of the actual cost. The hospice is then responsible for all costs related to the care of its patient until their death, regardless of how long they remain under their care. However, under the hospice Medicare benefit, Medicare caps the number of days they will pay per patient. Hospices cannot manage this cap without rationing access of care to these terminally ill patients who elect the hospice benefit for however long they remain eligible.

I have to say at this time that some of the best spent money in this type of care is the hospices.

At the end of the care, CMS has been recalculating how much they have paid the hospice per patient and what the eligible cap days were for each patient. This is something done after the patient has already received care. If they paid the hospice more than was allowed under the cap, the hospice is required to repay Medicare. Therefore, hospices are being contacted by CMS and asked to repay millions of dollars used to care for these dying patients. In 1999, very few hospices were hitting the cap because Medicare had strict restrictions on who was eligible for the benefits. As the eligibility and longevity has increased, hospices started to go over the cap.

In 2005, 41 percent of the hospices providing care in my State of Oklahoma received letters from CMS demanding repayment. Obviously, the recalculation is unfair and will result in patients being denied hospice care, and many Oklahoma hospices are going bankrupt. As Congress and CMS examine this issue, temporary relief is needed so that the patients can continue to have access to hospice care and hospice providers do not face bankruptcy. My legislation provides immediate relief for impacted hospices by establishing a moratorium on the calculation and collection of the hospice cap for fiscal years 2006, 2007, and 2008, and authorizing a MedPAC study to determine the best way to address this hospice cap issue.

I have been working since early 2007 to help small community hospices in Oklahoma as they face repayment letters from CMS for millions of dollars. Without a moratorium, these Oklahoma hospices, as well as hospices in numerous other States, will be unable to meet demands for repayment. As a result, hospices will be forced to close and discharge significant numbers of terminally ill patients, possibly into more expensive care.

So I ask you to join me in supporting this legislation that will protect our terminally ill seniors' access to hospice care.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2715

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 ''National Language Act of 2008''.

SEC. 2. AMENDMENT TO TITLE 4.

Title 4, United States Code, is amended by adding at the end the following:

''CHAPTER 6—LANGUAGE OF THE GOVERNMENT

''Sec.
''161. Declaration of national language.
''162. Preserving and enhancing the role of the national language.
''163. Use of language other than English.

''§ 161. Declaration of national language

''English shall be the national language of the Government of the United States.

''§ 162. Preserving and enhancing the role of the national language

''(a) IN GENERAL.—The Government of the United States shall preserve and enhance the role of English as the national language of the United States of America.

''(b) EXCEPTION.—Unless specifically provided by statute, no person has a right, entitlement, or claim to have the Government of the United States or any of its officials or representatives act, communicate, perform or provide services, or provide materials in any language other than English. If an exception is made with respect to the use of a language other than English, the exception does not create a legal entitlement to additional services in that language or any language other than English.

''(c) FORMS.—If any form is issued by the Federal Government in a language other than English (or such form is completed in a language other than English), the English language version of the form is the sole authority for all legal purposes.

''§ 163. Use of language other than English

''Nothing in this chapter shall prohibit the use of a language other than English.''.

SEC. 3. CONFORMING AMENDMENT.

The table of chapters for title 4, United States Code, is amended by adding at the end the following new item:

''6. Language of the Government ..... 161''.

Mr. INHOFE. 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. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Madam President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORAL HEALTH

Mr. BROWN. Madam President, around this time last year, we heard the news story of Deamonte Driver. He was a 12-year-old living in Prince George's County, MD, a short driving distance from this building.

Deamonte had a toothache. His family was poor and they didn't have health insurance. They could not afford to pay out of pocket for dental care. Although in the past they had Medicaid coverage, it was nearly impossible, as it is in most places—Missouri, Ohio, Arkansas, and most places—to find a dentist who took Medicaid patients. The infection from Deamonte's tooth spread to his brain. His family took him to the hospital, only to find out that his Medicaid coverage had lapsed because the paperwork to confirm eligibility was mailed to a homeless shelter where the family had spent some time. Deamonte died after surgery, after 2 weeks in the hospital and $200,000 in medical bills.

Deamonte's death was tragic and needless and that is unconscionable. Families across the country were shocked by this story.

This story illustrates what is wrong with our health care system. Several years ago in Cleveland, an 11-year-old girl was missing. She had disappeared for some time. When they discovered her body, they could not check her dental records because she had never been to a dentist. It took some time to identify who she was.

The story of the girl in Cleveland and the story of Deamonte in Prince George's County, MD, illustrates what is wrong with our health care system. It also provides a map for how we can make it better.

This week, with a Congressman from Maryland, I am introducing the Deamonte Driver Dental Care Access Improvement Act. The goal of the bill is simple: to increase access to dental care for the underserved in our country and to tackle access problems for dental care from multiple angles.

This bill strengthens our system of care by providing grants to community health centers—they give terrific care in communities that are underserved all over the country—so they can expand the dental services they provide—not all of them do at this point—including mobile dentistry and teledentistry services.

The bill also provides grants to create dental health professionals whose mission is to work with communities to provide care for the underserved. People who are not dentists get some training, significant training, so they can help dentists and dental hygienists do their job.

To create incentives for dentists, the bill provides tax credits to dentists who serve Medicaid, the Children's Health Insurance Program, and uninsured populations.

The bill invests also in prevention. Half of the battle will be to increase dental health promotion activities among families.

Other provisions address maternal health and Medicaid reimbursement.

In Ohio, dental care is the No. 1 unmet health care need among children, unequivocally. In the last year, as I have traveled around the State, I held 85 roundtables where I sat down with 20 or 25 people from the community and asked them questions about their community and what we can do together in this community with the Senate office. I have done it in about 55

counties. I hear stories about how families are struggling with dental problems. A lot of these stories are similar to that of Deamonte Driver.

Recently, I learned about the story of Tyler Panko, a 5-year-old with autism who lives in rural Ohio. His father is self-employed. He took Tyler to four dentists to try to get care for his son who suffered from debilitating tooth decay and poor weight gain. No dentist within a 100-mile radius would accept Tyler as a patient due to his medical condition and Medicaid coverage.

Tyler was ultimately referred to the Ohio State College of Dentistry where he was treated under general anesthesia due to the severity of his disease.

Tyler's parents were so distraught about their son's well-being that they wanted to stay in Columbus the night before the surgery so as to not miss the appointment. They live in a trailer in rural Ohio. They could not afford both transportation and lodging, so the pediatric dentistry faculty at OSU College of Dentistry covered the family's lodging costs.

Since then, Tyler has been eating, gaining weight, and no longer wakes up crying, holding his mouth. Imagine that. The parents of a child cannot do anything for their child, and the child wakes up crying at night holding his mouth.

Tyler's story ended well. But how many other children and adults in my State and around the country are suffering from lack of dental care.

Yet it is typically overlooked when policymakers turn to the issue of health care access. People often think of health care in terms of the physical body from the neck down, and they overlook the importance of dental health.

It is almost as if including dental health in the health care debate is a luxury or an afterthought, a minor concern that doesn't merit our time. It is a foolish, and sometimes even deadly, misperception.

Addressing dental care also helps our workforce.

It is not obvious to most of us in most of our lives most of the time, but dental health is an indicator of socioeconomic status in our society. Those with beautiful teeth, those who have had the luxury of braces, those who have gone to regular dental appointments because their families can afford it or their families have dental insurance can have the confidence of smiling at a potential employer at a job interview.

For people with missing teeth, many of them at amazingly young ages, or crooked teeth or other problems related to the lack of access to dental care, their economic struggle shows, and it causes them to be treated differently from those who can go to the dentist regularly.

Again, think about a job interview: You are 24 years old; you are looking for a job; you have bad teeth; you know how that makes everything much harder.

People with painful dental problems are also more likely to miss school and later on miss work. We need to remove barriers to care for every American. We need to address the entrenched racial and economic disparities that exist in dental health. I want to keep families from relying on emergency rooms for dental care. There is simply no reason for that to happen. I want people to know how to prevent cavities and gum disease. I want to find ways to encourage dentists to accept Medicaid and CHIP and uninsured people. I don't want anyone to be held back from their ambitions because of their dental problems.

I hope my colleagues will help me in reaching these goals by supporting this bill. I thank the senior Senator from Mississippi, Mr. COCHRAN, for his cosponsorship of this bill. It is bipartisan. It is legislation whose time has come. It is legislation for those whom we pretty often ignore in this Chamber.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PRYOR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRYOR. Madam President, I wish to give my colleagues a sense of where we are on the bill. Generally, we have good news. I mentioned an hour or so ago, maybe 2 hours ago, the fact that Senator STEVENS and his staff and my staff have worked through a series of amendments. There are 12 or more amendments in a managers' package. There is language that is being worked on now to maybe add more to the managers' package. Various Senators on both sides of the aisle have had constructive amendments, and all amendments have been germane. That is great news. We thank all Senators and their staffs for keeping every single amendment germane. That is very constructive and very positive.

At the moment, we are waiting on some language on some amendments that maybe can be agreed to further without rollcall votes. We would love to set up some rollcall votes at some point in the next few hours.

As I said earlier, I do not want to say this and regret it, but the way things are going, certainly this has the feel that we could possibly finish this bill this afternoon rather than this evening. If we have to work into the night or even into tomorrow, we will do that. Given the cooperative spirit and the nature of the amendments and the collegiality of Senators on this legislation, I think we can definitely finish today. As I said, I know a lot of Senators who would love to be able to wrap this up and get out of here earlier than they expected. That would be great news if we could pull that off. We are working very hard for that result.

Again, I thank the staff of all the Senators who have been working on these amendments with us. I thank the Senators because it has been a very productive week and a very constructive process.

I wish to talk about one of the issues that is outstanding. We may have a vote on it later today. We don't know yet. It is a whistleblower provision. I wish to inform my colleagues of the goal we had of writing into the bill whistleblower protection. We want to make sure that when people come across a safety violation and they tell the Consumer Product Safety Commission about it, they not be punished for doing the right thing.

We tried to find a balance in this issue. This provision has changed quite a bit throughout the course of the life of this bill. We have to remember there is a compelling Government interest in the public's safety and welfare. So we are trying to find that balance. We are certainly trying to protect the public's safety and welfare. We want to keep these dangerous products out of the stream of commerce, but at the same time, we have heard the concerns and the objections mostly by the business community.

Let me say this about whistleblower protection: I know this has been a source of much debate and many votes in the Senate over the last several Congresses. I remind my colleagues that whistleblower protection is not a novel idea. This is not a new concept. We actually see whistleblower protection in many Federal laws this Congress has passed.

Since the year 2000, Congress has passed several whistleblower laws that have been very similar to what we have drafted in S. 2663, including Air 21, for airline workers; Sarbanes-Oxley, for employees of publicly traded corporations; the Pipeline Safety Act, for oil pipeline employees; the Energy Policy Act, for nuclear workers; the Implementing Recommendations of the 9/11 Commission Act, for railroad and public transportation workers; and even as recently as this year in the Defense Authorization Act.

We have drafted our provision based on existing law. The Surface Transportation Assistance Act is the model we use to try to extend whistleblower protection under narrow circumstances in this act.

I will give a few examples. I will limit it to two real-life examples. In 2002, a product designer for a lighting manufacturer was fired after he informed management about the dangerous conditions of certain lighting products, and he refused to violate the law by passing the products on to the customers before they were thoroughly tested. That person did not have any recourse when he was terminated by his company.

We understand, we are very sensitive to a company's desire to have employees who can follow instructions and can be productive, but at the same

time, there is a compelling public interest in the fact that we are talking about the safety of our citizens in this country.

Another example from 1995: An employee of a wire and cable company reported there was a shipment of defective wire. He reported that to a customer because he was concerned the wire would be used in fire alarms in hotels, residences, and high-rise buildings. The employee refused the company's directive to ignore the problems with that wire, and he was fired.

Not to get into the details of that case, but we see that whistleblower protection, if we build in the right parameters, might make sense. What we did through this process is we tried to listen to the business community's concern. There has been a myth floating out there that if this law passes, then a business will never be able to fire a disruptive employee. That is not true. Certainly, we are trying to find that balance. Whistleblower protections would not protect an employee who is going to be fired anyway. It would not protect a disruptive employee who is not a good employee. The employee has the burden of proof of establishing a prima facie showing. They have to make a prima facie case that they were terminated because they had told the CPSC about a problem. The employer has an affirmative defense of showing they would have done the same thing with this employee regardless of the fact that he or she informed the CPSC of a violation.

Also, there is a provision in the bill that if the employee files a frivolous claim and tries to hide behind this whistleblower protection, that employee may have to pay up to a $1,000 penalty throughout the course of the whistleblower process.

We have tried to listen to the concerns of the business community. We are trying to get the proper information to the CPSC to make sure that if there is a problem out there, it is brought to their attention as early as possible. And if an employee wants to do the right thing, with these safeguards built in place, he or she will not be terminated because they are trying to make sure these products are safe in the U.S. marketplace.

Senator STEVENS has walked into the Chamber. So far the news today has been good. We are disposing of matters. We encourage any Senator who wants to come down and speak on their amendment or any Senator who wants a vote to please let us know. So far it has been a very constructive process. I thank all my colleagues for their spirit of cooperation today.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 4132

Mr. BROWN. Madam President, I ask unanimous consent to call up amendment No. 4132 and to set it aside.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Hearing no objection, the clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Ohio [Mr. BROWN], for himself and Mr. CASEY, proposes an amendment numbered 4132.

The amendment is as follows:

(Purpose: To authorize the temporary refusal of admission into the customs territory of the United States of consumer products manufactured by companies that have violated consumer product safety rules)

On page 103, after line 12, add the following:

SEC. 40. TEMPORARY REFUSAL OF ADMISSION INTO CUSTOMS TERRITORY OF THE UNITED STATES OF CONSUMER PRODUCTS MANUFACTURED BY COMPANIES THAT HAVE VIOLATED CONSUMER PRODUCT SAFETY RULES.

(a) IN GENERAL.—Section 17 (15 U.S.C. 2066), as amended by section 38(e) of this Act, is amended by adding at the end the following:

''(j) TEMPORARY REFUSAL OF ADMISSION.—

''(1) IN GENERAL.—A consumer product offered for importation into the customs territory of the United States (as defined in general note 2 of the Harmonized Tariff Schedule of the United States) may be refused admission into such customs territory until the Commission makes a determination of admissibility under paragraph (2)(A) with respect to such product if—

''(A) such product is manufactured by a manufacturer that has, in the previous 18 months—

''(i) violated a consumer product safety rule; or

''(ii) manufactured a product that has been the subject of an order under section 15(d); or

''(B) is offered for importation into such customs territory by a manufacturer, distributor, shipper, or retailer that has, in the previous 18 months—

''(i) offered for importation into such customs territory a product that was refused under subsection (a) with respect to any of paragraphs (1) through (4); or

''(ii) imported into such customs territory a product that has been the subject of an order under section 15(d).

''(2) DETERMINATION OF ADMISSIBILITY.—

''(A) IN GENERAL.—The Commission makes a determination of admissibility under this subparagraph with respect to a consumer product that has been refused under paragraph (1) if the Commission finds that the consumer product is in compliance with all applicable consumer product safety rules.

''(B) REQUEST FOR DETERMINATION OF ADMISSIBILITY.—

''(i) IN GENERAL.—An interested party may submit a request to the Commission for a determination of admissibility under subparagraph (A) with respect to a consumer product that has been refused under paragraph (1).

''(ii) SUPPORTING EVIDENCE.—A request submitted under clause (i) shall be accompanied by evidence that the consumer product is in compliance with all applicable consumer product safety rules.

''(iii) ACTIONS.—Not later than 90 days after submission of a request under clause (i) with respect to a consumer product, the Commission shall take action on such request. Such action may include—

''(I) making a determination of admissibility under subparagraph (A) with respect to such consumer product; or

''(II) requesting information from the manufacturer, distributor, shipper, or retailer of such consumer product.

''(iv) FAILURE TO ACT.—If the Commission does not take action on a request under clause (iii) with respect to a consumer product on or before the date that is 90 days after the date of the submission of such request under clause (i), a determination of admissibility under subparagraph (A) with respect to such consumer product shall be deemed to have been made by the Commission on the 91st day after the date of such submission.

''(3) COMPLIANCE WITH TRADE AGREEMENTS.—The Commission shall ensure that a refusal to admit into the customs territory of the United States a consumer product under this subsection is done in a manner consistent with bilateral, regional, and multilateral trade agreements and the rights and obligations of the United States.''.

(b) RULEMAKING.—

(1) NOTICE.—Not later than 90 days after the date of the enactment of this Act, the Consumer Product Safety Commission shall issue a notice of proposed rulemaking with respect to the regulations required by paragraph (2).

(2) REGULATIONS.—Not later than 120 days after the date of the publication of notice under paragraph (1), the Consumer Product Safety Commission shall prescribe regulations to carry out the provisions of the amendment made by subsection (a).

(c) CONSULTATION WITH SECRETARY OF HOMELAND SECURITY.—The Consumer Product Safety Commission shall consult with the Secretary of Homeland Security in carrying out the provisions of this section and the amendment made by subsection (a).

Mr. BROWN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PRYOR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRYOR. Madam President, I ask unanimous consent that Senator WICKER be recognized at 2 p.m. today to speak for up to 20 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRYOR. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

Mr. WICKER. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the Senator from Mississippi is recognized for

up to 20 minutes for his maiden Senate speech.

REBUILDING THE MISSISSIPPI GULF COAST

Mr. WICKER. Mr. President, as I address the Senate for the first time today, I could not be prouder of the people I represent. From the northeast Mississippi hills and De Soto County suburbs, down through the Delta, and from metro Jackson, across to east central Mississippi, and down through the Piney Woods, from southwest Mississippi to the Gulf of Mexico, my native State of Mississippi is on the move, having added over 50,000 jobs in the past 4 years. But we are also in the process of recovering from the most devastating natural disaster ever to hit North America—Hurricane Katrina. With its nearly 30-foot storm surge, its winds of over 125 miles per hour, and an eye that stretched the entire coastline of Mississippi, Hurricane Katrina reshaped not just the landscape of our Gulf Coast; Katrina reshaped how our public officials must approach every quality of life issue in our State, be it housing, insurance, economic development, education, health care, or public safety.

While there are a number of issues, accomplishments and challenges facing my constituents, today I will speak about the most pressing issue facing my State, the rebuilding and renewal of the Mississippi Gulf Coast and the ongoing need for this Congress to follow through until recovery is indeed a reality.

Steady progress has been made, but great challenges remain that cannot be overcome without a partnership from the Federal Government. Continued Federal resources are needed before our State can truly recover.

For most citizens on the Mississippi Gulf Coast, Katrina is not just one issue; it is virtually every issue.

Every Mississippian remembers what they were doing on August 29, 2005. My wife, Gayle, and I were at home in Tupelo, in the path of a storm that would cause damage 300 miles inland and in the path of thousands of Mississippians and Louisianans fleeing Katrina. Like citizens across the country, we joined our community in opening arenas and churches, preparing Red Cross shelters and organizing gifts of clothing and supplies. Our family and friends were among the foot soldiers in the army of compassion that responded to the devastation in south Mississippi.

Days after Katrina's landfall, Gayle and I had the opportunity to deliver an 18-wheeler full of supplies to Jackson County. What we saw was indescribable to those who had seen the coverage only on television. Tens of thousands of homes obliterated. Businesses and schools destroyed with no trace of previous existence. Bridges wiped away, cutting cities off from one another. And an eerie silence because of the lack of electricity for hundreds of miles.

The Federal Government's response to this disaster has come under an immense amount of criticism, much of which is justified. But it would be irresponsible for us to ignore what went right.

The night of the storm, Coast Guard helicopter crews saved hundreds of my fellow Mississippians.

Katrina generated twice as much debris as any hurricane in history, but it was picked up in half the time.

Our school superintendents, principals, teachers, and parents led the effort to get every one of Mississippi's public schools open as quickly as possible.

Our business community responded, reopening shops, restaurants, and manufacturing plants so our people could get back to work.

And our citizen volunteers and the faith community shined. Mr. President, 500,000 volunteers have offered help to Mississippi since Katrina, and that number continues to climb.

Over the last 2½ years, a lot of progress has been made. South Mississippi is not just recovering; south Mississippi is on its way to building back from the worst natural disaster in American history bigger and better than ever before.

As a Member of the other body, I was glad to be a part of the team that worked to produce much needed appropriations and economic development incentives for our State and others impacted by Hurricane Katrina. Our governor, Haley Barbour, our senior Senator, THAD COCHRAN, my predecessor in this body, Senator Trent Lott, and our entire congressional delegation—Republican and Democrat—were a part of this effort. Katrina was not a partisan storm and in Mississippi, we are working in a bipartisan way to rebuild our communities.

On behalf of a grateful State, I thank the Senate for its support of our rebuilding efforts. In return, Senators—and the taxpayers—deserve a report on our progress.

Housing is still being rebuilt, as evidenced by the shrinking number of families in FEMA-provided temporary housing.

The CDC recently announced that those still living in FEMA trailers could be exposed to formaldehyde levels 40 times the normal level. This news only serves to underscore the fact that while FEMA trailers were necessary immediately following the storm, we must redouble our efforts to move the remaining citizens from them.

The State of Mississippi is deploying ''Mississippi cottages,'' which are real homes built to HUD standards that are free of formaldehyde contamination.

It is imperative that FEMA work with the State of Mississippi to purchase and deploy Mississippi cottages for all individuals along the gulf coast who live in FEMA trailers.

We are also rebuilding our infrastructure. The bridges connecting Bay St. Louis to Pass Christian, and Biloxi to Ocean Springs have been rebuilt, literally and spiritually reconnecting communities to one another.

The GO Zone economic development incentives have been an essential boost to our job creation initiatives. Our State's largest employer, Northrop Grumman, has made great progress and is working to get back to pre-Katrina employment levels; Chevron has announced an expansion of its refinery in Pascagoula; PSL has announced its first plant in North America in Hancock County where they will manufacture steel pipe; and Trinity Yachts has a new facility in Gulfport.

Much has been done, but there is much left to do.

Chairman Donald Powell, the Federal coordinator for the Office of Gulf Coast Rebuilding, acknowledged these challenges last week when he announced he was stepping down. He said it would be ''some time before the area recovered.''

I say this to my colleagues in the Senate: Katrina is not over. There are tall hurdles still to overcome. And there is more the U.S. Congress must do.

The most urgent issue facing the Mississippi Gulf Coast is insurance. If you can't insure it, you can't build it or finance it. The rising cost of insurance cripples the efforts of small businesses, increases the cost of home ownership, and drives rental rates beyond affordability.

This is not just an issue for Mississippi. From Bar Harbor, ME, to Brownsville, TX, millions of Americans live near the coastline, in the path of a future hurricane. For many years, insurance companies have refused to offer insurance protection for water damage caused by hurricanes; this led to the creation of the National Flood Insurance Program, which is up for reauthorization soon. After Katrina, the most important question for a homeowner or a small business person was ''wind or water?''

Wind versus water. That is the debate which still occurs today in courtrooms on the Mississippi Gulf Coast between insurance companies and storm victims.

This debate is what necessitated the multibillion-dollar supplemental appropriations package this body approved after Katrina, and unless Congress changes the law, the wind versus water debate will result in a multibillion-dollar supplemental appropriations package after the next big hurricane—wherever it may land.

Even worse, since Katrina, it is also common practice for insurance companies to not offer wind insurance at a rate that is even close to affordable. This is driving more and more homeowners and business owners into a State-sponsored wind pool, which acts as an insurer of last resort. But this is not a reasonable long-term solution, because too much risk is being placed in a too small of a pool.

The best solution available is to allow homeowners to purchase wind

and flood insurance coverage in the same policy.

This will not only help the storm victims so they can know their hurricane damage will be covered; it also will protect the U.S. taxpayer. The American people are the most generous in the world, and their elected representatives will continue to respond to natural disasters, whether it is a hurricane on the east coast or an earthquake in California, with supplemental disaster appropriations packages. But the size of these packages will be smaller if more people have insurance.

As a Member of the House, I voted for Congressman GENE TAYLOR's multiperil insurance legislation when it passed last September. I am committed to achieving the same success here in the Senate.

Another key initiative we must focus on in order for the gulf coast to continue rebuilding is the extension of tax provisions included in the GO Zone legislation. I mentioned earlier the boost this legislation has given the gulf coast, and I want to ensure this body that it has provided much-needed help.

However, in order for the legislation to be fully utilized by families and small businesses who have not yet been able to begin rebuilding, these important tax provisions should be extended.

Other issues remain, especially at Katrina's ''Ground Zero.'' Hancock County, and the cities of Pass Christian and Long Beach in Harrison County, bore a direct hit from Katrina, and their issues are not the same as the rest of the gulf coast.

With their property tax base decimated, basic government operations are still run out of trailers. Hancock County has no jail, an essential part of maintaining public safety. Mayors, supervisors, and other community leaders now are forced to completely rethink their economic development and planning strategies because the new FEMA flood plain maps will make rebuilding next-to-impossible in many areas.

Ground Zero needs extra help. In many cases, Congress has provided the necessary resources, but the Federal Government's current rules and regulations do not recognize the reality on the ground. The Federal Government needs to be flexible, and if it can't or won't, Congress needs to step in. At some point, as Chairman Powell stated, ''commonsense has to come to the fore.''

My Senate office has been in existence for only a few weeks, but we are already at work trying to help constituents wade through the bureaucratic process to receive the permits from Federal agencies, such as the U.S. Army Corps of Engineers, that are necessary to rebuild.

This is, obviously, not the first time the Federal Government redtape has needlessly caused real problems, and it will not be the last. But that does not make the problems any easier, particularly when people are hurting. For example, affordable housing initiatives developed by the State are being delayed needlessly because Congress has refused to give the U.S. Department of Housing and Urban Development the authority to waive environmental regulations which require an archaeological dig for remnants on each piece of property, property that already had a home on it before Katrina. Such redtape does not make sense.

In this case and in others like it, Congress and the Federal Government's bureaucracy needs to get out of the way so the States, cities, and counties can use the resources already provided to them. But there are other cases where this Congress needs to provide more resources.

Off the coast of Mississippi lies a chain of barrier islands and coastal wetlands which provide a first line of defense against the storm surge of a hurricane. According to the Corps of Engineers, a storm surge is reduced by 1 foot for every 1 acre of wetland. Without the barrier islands, the storm surges would be 8 to 12 feet high.

Hurricanes such as Katrina and Camille before it, two of the most powerful storms ever recorded, have caused significant damage to Mississippi's natural defense systems. If they are not restored, this problem will only get worse, putting more people and property at risk during future storms.

Gulf coast ecosystems are also threatened. The barrier islands and wetlands provide a natural regulator of salinity levels, which is vital for shellfish and other marine life to have a vibrant habitat.

I do not hail from Louisiana, but I strongly support the restoration of levees in New Orleans. These levees are necessary for the restoration and protection of a great American city. Our barrier islands provide the same purpose to the Mississippi gulf coast as the levees do to New Orleans.

In the coming months, I look forward to working with my colleagues in the gulf region to provide the funding necessary to restore the natural habitats that protect not just the environment and its ecosystems but also protect our citizens who are in harm's way.

Through the leadership of many in this body today, the Congress has stepped up to the plate and time and again provided assistance to the people of the Gulf States after Katrina. It is appreciated, but I must simply remind my fellow Senators that we are not finished. We should celebrate our progress but keep our eyes on the work that needs to be done. When there is a clear and compelling case for additional Federal involvement, I will be persistent in making that case. The people of the Mississippi gulf coast, who have demonstrated such untiring resilience and strength over the last 2½ years, deserve no less.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, I wish to take a moment to commend our new Senator from Mississippi for what we typically refer to around here as his maiden speech. He obviously has chosen a topic that is at the top of the list of concerns for the people of Mississippi and addressed them very effectively.

I also wish to say not only to the Senator from Mississippi but to his constituents, what a spectacular start he has gotten off to in the Senate. He is an active and an aggressive member of both the Armed Services Committee, which is important to his State, and the Commerce Committee as well.

I commend him for that outstanding speech today and thank him for all he is doing for the people of Mississippi.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I join the leader in commending my colleague for an excellent statement about the challenges faced by our State of Mississippi in the aftermath of Hurricane Katrina. There could be no greater need of any State than to confront the realities of the challenge we face to rebuild and recover fully from Hurricane Katrina.

We have had a tremendous amount of support from the Federal level. We have the approval of appropriations bills, seeing the leaders of both Houses—the House and the Senate—coming together, joining with the administration in crafting a recovery package of changes in laws, as well as the appropriation of funds that will help speed the recovery. But it has been very frustrating to see how long it has taken to truly get back on the road to foreseeable recovery. Many of the communities are still without Federal, State, and county services that existed before the hurricane.

Although every effort is being made to overcome these challenges, the path ahead is filled with many new challenges. I am very confident that the presence in the Senate of my friend ROGER WICKER will help us identify and succeed in meeting this enormous challenge. I congratulate him on his remarks and thank him for his strong effort in meeting this very important challenge our State faces.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PRYOR. 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. PRYOR. Mr. President, I join my colleagues in welcoming officially the new Senator from Mississippi and thank him for his service in the House and his service in the Senate. Certainly, it was great to hear his maiden speech today.

One of the aspects that is so true about the Senate is every Senator can

make a difference. That is one of the challenges I think all 100 of us carry with us every day—to go out there and make a positive difference for this country and for the world.

I welcome Senator WICKER to the Senate.

Mr. President, I will give a very brief status report on the consumer product safety bill. Right now, we have been working through amendments all day. There have been several agreements. The managers' package is growing, which is good news. We are hopeful that we can have just a few amendments to be voted on and then have final passage. We do not have an agreement on that, but we are trying to reach an agreement right now. I wanted to alert Senators and their staffs that we would love to wrap this up, again, this afternoon. If we have to go into this evening, we can. But the sense right now on the floor, in talking with everyone who has been on the floor, Senators and staff who have been working through amendments, working through issues, we are still hopeful we can finish this bill this afternoon. We hope that is good news for Senators.

We, once again, encourage any Senator who wants to come to the Chamber and speak on this bill to try to come down as soon as they can because hopefully we will get to final passage this afternoon at some point.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON of Nebraska.) Without objection, it is so ordered.

Mr. PRYOR. Mr. President, I want to again inform Senate colleagues and staff on the Hill that we are making great progress. I know we have been in a quorum call for some time, but the truth is, we have been making very steady and solid progress.

We are hoping to get this bill to final passage this afternoon. There are a couple of amendments that we are still working through. We would love to reach an agreement with both sides to have a specific time to start a series of votes to get us out of here this afternoon. Again, for all of the staff and the Senators who are watching, now is the time, if you want to make one last pitch for either an amendment or a change in something, because everybody has been working very hard today and this week to get this done.

So we do not have anything locked in, but certainly we would love to start this last series of votes sooner rather than later. I have talked with several Senators and they have worked very hard. They would love to see us wrap this up as quickly as possible. I think we are very close to doing that.

Again, we are talking cloakroom to cloakroom, manager to manager, staff to staff, trying to get the last details worked out. So we are very hopeful we will have good news very shortly. We are very proud of the work that all of the Senators and staff have done to get us to this point on this important piece of legislation.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 4130

Ms. KLOBUCHAR. Mr. Chairman, I rise today in support of the Nelson-Snowe-Klobuchar amendment to S. 2636. I commend the good work of my colleague, Senator NELSON, that we have done on the bill as a whole, with Senator PRYOR's leadership. The three of us as members of the Consumer Subcommittee have worked together to make this as strong a bill as possible. I especially applaud Senator NELSON's efforts to make sure the strong third party testing requirements were included in this bill.

As we have seen over and over again in the past year with the issuance of each new recall, independent testing plays a critical role in ensuring that the products on our shores and in our stores are safe. So I commend Senator NELSON for his good work in making sure independent third party testing will now be done using a more systematic approach under the bill.

The amendment we are sponsoring that will be brought to the Senate floor today would further strengthen the Consumer Product Safety Commission Reform Act by addressing very real dangers that infants and toddlers face with durable goods. To clarify, when you hear the words ''durable goods,'' what does than mean in a mom's or parent's or kid's life?

Well, durable goods are nursery products that are those products that no new parent can go without: cribs, car seats and strollers and high chairs, the most basic of all children's products.

Unfortunately, what we have seen in recent years, in this past year in particular, is that these nursery products are leading to the most severe and the greatest number of product-related injuries for children.

In 2007, 48 percent, almost half, of nursery product recalls were initiated because the use of the product has led to some type of child injury or even death.

According to the Consumer Product Safety Commission, an estimated 64,000 children, 64,000 children under the age of 5 were treated in emergency rooms across the country for injuries associated with nursery products in 2003, at a cost of $2.5 billion. That is $2.5 billion.

This figure has certainly risen over the last 5 years. And even more tragically, more than 50 children under the age of 5 have died since that time in incidents associated with nursery products.

I would like to take a moment and talk about one of the too many children who died tragically as a result of a defective crib, and that is 16-month-old Daniel Keysar. In May of 1998, little Danny was strangled to death in his licensed childcare facility when a Playskool Travel-Lite portable crib collapsed trapping his neck in the V of the rail.

Danny was the fifth child to die while sleeping in the Playskool Travel-Lite crib from 1990 to 1997. More than 1.5 million portable cribs with similar dangerous designs were manufactured. A total of 16 children have been killed by this type of crib. This is just a crib, a crib that you would put up in your house, and that many children have died in. And while these cribs were all eventually recalled, in 2007, we saw the largest recall of cribs in our Nation's history. You can see right here this is one of the more than 1 million cribs that were recalled last year; 1 million cribs recalled in 2007.

But these cribs never should have been brought to the market in the first place. It is not just cribs. Last year, when recalling the Evenflo Embrace infant car seat, the Consumer Product Safety Commission revealed that 160 infants were injured as a result of using this product. Many of these injuries were quite severe, ranging from skull fractures to concussions to lacerations.

Let me be clear: 160 babies were seriously hurt by a product that their parents bought for the sole intention of keeping them safe. That is why you get a car seat. I still remember. My daughter is 12, and I would never admit she had ever been in a car seat, but we all buy car seats to keep our kids safe. Just to think, for 160 households, it was the car seat that injured their baby. It is clear we must strengthen our safety standards and make them stronger for nursery products. Right now the safety of the Nation's nursery products depends on a system of voluntary standards. And while voluntary standards are a good first step, we have seen over and over again that they are not enough. The amendment Senators NELSON, SNOWE, and I are offering would direct the CPSC to evaluate and revamp these safety standards and give them the force of law. It is telling the CPSC, you have to do your job. Revamp these standards and make them better.

This amendment directs the CPSC to work with consumer groups, child product manufacturers and engineers and safety experts to examine and assess the effectiveness of our current system of voluntary safety standards for nursery products. We had voluntary guidelines for lead and look where that got us. The amendment then directs the CPSC to issue regulations aimed at reducing injuries and deaths from these kinds of nursery products.

This amendment is not controversial. Strengthening safety standards for nursery products is a winning proposition for everyone. This language was included in the House-passed bill by an overwhelming majority. It is my understanding that this amendment will be adopted in the manager's package. I thank Senators PRYOR and STEVENS for accepting this amendment.

I thank the Senate for their support for the amendment I offered with Senator MENENDEZ to ban industry trade travel. Industries the Consumer Product Safety Commission is supposed to be regulating should not be paying for Consumer Product Safety Commission personnel to fly all around the world. I was glad we had bipartisan support for our amendment. We look forward to working on this bill through the day and getting this bill passed. It is incredibly important, the most sweeping consumer product safety reform in 16 years.

Mrs. BOXER. Mr. President, I rise to speak about an amendment to this bill that would ban certain uses of a chemical that poses serious health risks to the lungs of consumers and workers.

In recent years, scientific evidence has mounted that this chemical, called diacetyl, seriously harms the lungs of workers in the factories making microwave popcorn. It causes an awful disease called ''popcorn lung'' in which the tissue inside of the lungs gets clogged with scar tissue and inflammation, leaving the victims struggling to breathe. There is now evidence that it also may pose risks to consumers.

According to the Centers for Disease Control and Prevention, or CDC, the effects of popcorn lung include:

POPCORN LUNG

(Bronchiolitis Obliterans)

The main respiratory symptoms experienced by workers affected by bronchiolitis obliterans include cough (usually without phlegm), wheezing, and worsening shortness of breath on exertion.

The severity of the lung symptoms can range from only a mild cough to severe cough and shortness of breath on exertion.

These symptoms typically do not improve when the worker goes home at the end of the workday or on weekends or vacations.

Usually these symptoms are gradual in onset and progressive, but severe symptoms can occur suddenly.

Some workers may experience fever, night sweats, and weight loss.

Before arriving at a final diagnosis, doctors of affected workers initially thought that the symptoms might be due to asthma, chronic bronchitis, emphysema, pneumonia, or smoking.

Last year, Dr. Cecile Rose, the head of environmental and occupational health sciences at National Jewish Medical and Research Center, one of the most respected lung disease hospitals in the country, wrote to the Consumer Product Safety Commission, the Food and Drug Administration, EPA, and the Occupational Safety and Health Administration regarding the possible risk of popcorn lung for heavy consumers of microwave popcorn as well as for workers.

Dr. Rose informed the agencies that she had a patient ''with significant lung disease whose clinical findings are similar to those described in affected [popcorn lung] workers, but whose only inhalational exposure is as a heavy, daily consumer of butter flavored microwave popcorn.''

Dr. Rose concluded that while we ''cannot be sure'' that heavy inhalation exposure to butter-flavored microwave popcorn caused the patient's popcorn lung, ''we have no other plausible explanation.''

This report by Dr. Rose, a leading lung disease expert, caused a stir in the health community and the public because previously the concern had been focused primarily on the workers, not consumers.

Many of the major manufacturers of microwave popcorn have responded. According to published accounts, four of the leading makers and sellers of microwave popcorn—Con Agra, General Mills, American Pop Corn Company, and Pop Weaver—have said they will stop using diacetyl in their microwave popcorn. Their brands include Jolly Time, Orville Redenbacher, Pop Secret, Act II, and Pop Weaver.

However, there is no enforceable requirement that these or other popcorn makers stop using this chemical in their butter flavoring.

My amendment would simply level the playing field for all microwave popcorn makers, including importers and small manufacturers, by banning the intentional addition of diacetyl to microwave popcorn.

I urge my colleagues to support my amendment, in order to protect Americans from this unnecessary risk. We should be able to regularly enjoy the simple pleasure of watching movies at home and eating a bag of popcorn without having to worry about whether we are harming our lungs.

I ask unanimous consent to have a letter in support of this amendment printed in the RECORD.

MARCH 5, 2008.

Hon. BARBARA BOXER,
Hart Senate Office Building, Washington, DC.

DEAR SENATOR BOXER: The undersigned consumer organizations write in support of your amendment to the Consumer Product Safety Commission Reform Act bill, S. 2663, to ban the use of the butter-flavoring chemical diacetyl in the production of microwave popcorn.

Our groups believe that both workers and consumers should be protected from harmful and even deadly exposure to diacetyl, a chemical found in thousands of food products containing added flavorings, including microwave butter-flavored popcorn.

Exposure to airborne diacetyl has been linked to the disease bronchiolitis obliterans, also known as ''popcorn lung.'' Problems with diacetyl first surfaced in 2000. Eight years later workers have become ill and died from exposure to this chemical. Last fall, the first case of a consumer contracting ''popcorn lung'' surfaced. This man developed lung disease after making microwave popcorn multiple times every day for a number of years. Further testing indicated that levels of airborne diacetyl in his home were comparable to levels found in microwave popcorn facilities where workers were diagnosed with ''popcorn lung.'' Diacetyl clearly poses a serious health hazard and must be banned.

We understand that several leading manufacturers of microwave popcorn have voluntarily pledged to discontinue the use of diacetyl in their popcorn production. While we are supportive of these actions, it is essential that Congress act more formally to ensure that the comprehensive elimination of the use of this chemical happens immediately. Your amendment would accomplish this by making the ban on diacetyl in all microwave popcorn mandatory for all manufacturers.

Thank you for your support for this important amendment.

Sincerely,

SALLY GREENBERG,
Executive Director, National Consumers League.
EDMUND MIERZWINSKI,
Consumer Program Director, U.S. Public Interest Research Group.
RACHEL WEINTRAUB,
Director of Product Safety and Senior Counsel, Consumer Federation of America.
ELLEN BLOOM,
Director, Federal Policy, Consumers Union.
AMI GADHIA,
Policy Counsel, Consumers Union.

Mr. INOUYE. Mr. President, I wish today to support S. 2663, the Consumer Product Safety Commission Reform Act. The leadership of Senators PRYOR and STEVENS in negotiating this bipartisan compromise bill allows the legislation before the Senate today to move an important but beleaguered agency in the right direction. S. 2663 authorizes the appropriate level of resources and provides the new authorities necessary for the agency to do the job it was created to do: protect consumers.

Mr. President, today the CPSC is broken. It is broken from years of neglect coupled with growth in volume and complexity of products and from a dysfunctional commission. Year after year, this agency is subjected to budget cuts and forced attrition of personnel. Today, it has less than half the budget and half the staff it had in its inaugural year of 1973. As a result, the CPSC is no longer properly equipped to carry out its essential mission of monitoring the marketplace and enforcing product safety standards. Making matters even more difficult, the number of products under its jurisdiction has grown exponentially in size and complexity.

The commission is responsible for the safety of more than 15,000 products, including everything from infant cribs to computer components. Most of these products are safe. However, those that are not safe can be deadly. Each year, more than 28,000 Americans die and an additional 33 million are injured by

consumer products. To say these numbers are much too high is an understatement. We must have an effective CPSC, one with increased funding, staff, and authority, to reduce these losses.

This bill addresses the weaknesses of our Nation's product safety system in several ways, but I would like to highlight some of the essential changes. S. 2663 puts the responsibilities of product safety squarely on the Government's shoulders. First, the act authorizes needed resources over a 7-year period to provide the agency the manpower and the technology it needs to police a complex global marketplace. The act would restore the CPSC to a full complement of five commissioners to maintain continuity and to avoid the losses of quorum that have plagued the agency in recent years.

To help buttress the resources needed to monitor the market and keep consumers safe, the act would authorize State attorneys general to bring civil actions to seek injunctive relief for clear violations of statutes enforced by the CPSC. Creating a joint enforcement relationship with the States has proven to be successful in the area of consumer protection, and this collaboration would provide the CPSC a partner to protect American families in a meaningful way.

S. 2663 also would require manufacturers to use independent labs to test children's products and to certify their compliance with mandatory safety standards, including the mandatory toy safety standard established in the act. This new toy standard would provide the CPSC and industry with a fast, flexible way to address emerging hazards. It will serve to protect children from dangers such as strangulation, intestinal perforation, or blockage hazards.

While new authority and regulatory structure is needed for this agency, providing accurate and up-to-date information about product hazards to Americans would allow consumers to help themselves and make better decisions about the products they buy. In order to help consumers, S. 2663 would create a database of information from nonindustry sources, such as hospitals, childcare providers, public safety agencies, as well as consumer reports about product hazards collected by the CPSC itself. This database would provide consumers with potentially lifesaving information, in an organized fashion, which would better equip them to assess product safety risks and hazards.

Finally, this legislation would allow the CPSC to share product information with governments around the world. Since our economy is global, faulty products do not just end up in our homes but in homes around the world. By reaching out to and coordinating with other countries, the ability of the CPSC to interdict and keep unsafe products off of store shelves would be improved.

Mr. President, unfortunately, some Members in this Chamber believe that regardless of the dire picture supporters of this bill have painted as it relates to the lack of resources and existing authorities, last year's ''summer of recalls'' proves that the commission is working just fine.

These members may cite statistics showing that in 2007, the agency announced 231 children's product recalls, of which 58 were toys. They will point out that last year set a record for the most toy recalls in a single year. However, anyone who understands the agency and the work that it does will know that in fact, this statistic is further evidence of the need to reform the CPSC.

Specifically, the slow nature of the current recall process left more than 46 million recalled items in the stream of commerce, including millions of toys sitting on store shelves, waiting to be sold to unsuspecting parents. I think it is safe to say that in the opinion of parents, this is a system failure. Unfortunately, the prospects for 2008 look much the same.

The agency has already announced 40 voluntary toy recalls. At this pace, the number of recalls announced this year will surpass all records. However, these recalls are voluntary, not mandatory.

Further, many of the recalls were not the result of a proactive agency; rather, they were the response of a reactive agency to an investigation conducted by members of the press. That is not how Government should work.

S. 2663 reflects a good bipartisan compromise led by Senators PRYOR and STEVENS. Children are dying and suffering grievous injuries because of unsafe products. This bipartisan bill is a good step forward in our effort to keep harmful products off of store shelves.

For America's families, and especially for America's children, I urge my colleagues to support this meaningful consumer safety legislation.

Mr. LEVIN. Mr. President, I am pleased to support S. 2662, the Consumer Product Safety Commission Reform Act. The reforms that this bill makes to the Consumer Product Safety Commission are long overdue.

S. 2663 takes important steps to shore up a weak and ineffective Consumer Products Safety Commission, CPSC. As a grandfather and consumer, I am appalled at the lack of resources and enforcement authority of the CPSC and its inability to adequately protect our children, our food supply, and the general public from harmful or contaminated products.

We can and should be doing much more to protect the American consumer. As was recently underscored by the alarming number of children's products with high lead content, contaminated pet food, and defective imported tires, there are a lot of cracks in the systems that were supposed to be watching out for consumers.

We need to know our children's and grandchildren's toys are safe. We need to know that the food we import is not tainted with harmful chemicals. We need to know the products we buy will not harm us or our children. I believe it is the Government's basic responsibility to protect the public.

Those who work for the companies that make these products may often be in a position to detect and prevent serious problems or injuries before they occur. I am pleased that this bill includes important protections for corporate whistleblowers that will encourage employees to come forward about violations and defective products without the fear of retaliation by their employer.

Many of the defective and contaminated products are imported. Even with its current limited resources and reach, CPSC recalled approximately 150 tainted products from China in 2007, including tires, toys, baby cribs, candles, bicycles, remote controls, hair dryers, and lamps. Imagine how many more contaminated or defective products are slipping through the cracks and reaching American consumers without being detected.

We are being deluged by cheap imports from China and elsewhere. We should at least be making sure the products we import are not contaminated or dangerous. In this vein, last summer I wrote to President Bush requesting that his administration investigate dangerous products that have been imported from China. We need to strengthen our agencies and laws so that products that do not meet our health and safety standards are stopped at our borders. To do this we need to give the CPSC the necessary tools and resources, including more manpower to adequately inspect imports.

Like most of my colleagues, I was shocked by CPSC Acting Chair Nancy Nord's claims that no additional funding was needed for her agency. To me this claim implied there was no desire by this administration to do more to protect American consumers. That is absurd given the recent and alarming incidents of contaminated products reaching consumers. The Senate's consideration of S. 2663 and the House passage of a similar bill is proof that Congress strongly disagrees with this point of view and will make the legislative changes needed to give the CPSC the necessary tools to improve on its past poor performance and reassure consumers that there will be more oversight of the marketplace in the future.

This bill will increase overall funding for the CPSC by 50 percent over 7 years, increase CPSC staffing to at least 500 employees over the next 5 years, streamline product safety rulemaking procedures, ban lead in children's products and require certification and labeling, increase inspection of imported products so we are not allowing recalled or banned products to cross our borders, increase penalties for violating our product safety laws, strengthen and improve recall procedures, and ban the sale of recalled products.

The legislation has the support of the following, among others: Thomas H. Moore, Consumer Product Safety Commissioner; Alliance for Patient Safety; American Academy of Pediatrics; American Association of Law Libraries; American Association of University Professors, AZ Conference; American Library Association; Circumpolar Conservation Union; Coalition for Civil Rights and Democratic Liberties; Consumers Union; Consumer Federation of America; Doctors for Open Government; DoorTech Industries, Inc;. Ethics in Government Group, EGG; Federation of American Scientists; Federal Employees Against Discrimination; Focus On Indiana; Fund for Constitutional Government; Georgians for Open Government; Government Accountability Project; HALT, Inc.—An Organization of Americans for Legal Reform; Health Integrity Project; Information Trust; Integrity International; Kids in Danger; Liberty Coalition; National Consumers League; National Association of State Fire Marshals; National Employment Lawyers Association; National Judicial Conduct and Disability Law Project, Inc.; National Research Center for Women & Families; National Whistleblower Center; No Fear Coalition; OMB Watch; OpenTheGovernment.org; Parentadvocates.org; Patrick Henry Center; Project on Government Oversight; Public Citizen; Public Employees for Environmental Responsibility; Sustainable Energy and Economy Network; Taxpayers Against Fraud; the 3.5.7 Commission; the New Grady Coalition; the Semmelweis Society International, SSI; the Student Health Integrity Project, SHIP; Truckers Justice Center; Union of Concerned Scientists; U.S. Bill of Rights Foundation; U.S. Public Interest Research Group; and Whistleblowers USA.

I support this bipartisan legislation and I hope that it will quickly become law.

Mr. KOHL. Mr. President, I rise today to talk about the bill to reform the Consumer Product Safety Commission, CPSC. Over the last 7 years, the Bush administration has weakened the CPSC by cutting its budget and staff. In fact, the CPSC has hired just one full-time product tester since 2001. This led to fewer inspectors and more toxic toys and products on store shelves. This is unacceptable.

The CPSC legislation that passed the Senate today provides much needed resources and enforcement powers to the CPSC so that more staff can be hired and oversight can be more vigorous. The CPSC legislation creates a consumer database for recalled products so that consumers can learn about potentially unsafe products without waiting for a public recall that can take months. Further, this bill would create new safeguards on lead in toys and other products and require mandatory independent testing of goods before they go to market.

This bill also prohibits CPSC Commissioners and staff members from accepting trips paid for by industries and lobbyists with business before the Commission. Taken together, CPSC legislation will improve our product safety system and ensure that children's toys, household appliances, and other consumer products that contain lead will never reach consumers.

Ms. SNOWE. Mr. President, I rise today to speak on my amendment to the Consumer Products Safety Commission, CPSC, bill that the full Senate is now debating. I applaud the steadfast efforts and leadership of Chairman INOUYE, Ranking Member STEVENS, and Senator PRYOR in moving this critically vital bill to the Senate floor and to passage—and for including my amendment by unanimous consent as part of this bill.

My amendment would perfect this bipartisan measure by ensuring that the CPSC fully considers potential small business impacts when it establishes through a rulemaking, as it is required to do under the bill, criteria for imposition of penalties. As ranking member of the Senate Committee on Small Business and Entrepreneurship, I have long worked to ensure that the Federal Government takes measures and precautions to protect the interests and viability of small businesses, while at the same time rigorously enforcing our Nation's consumer protection laws.

Under the bill that we are now considering, the maximum civil penalties for violations would be increased from $8,000 to $250,000 for individual violations; and up to $20 million for aggregate violations. Within 1 year after enactment, the Commission would establish, through a Federal rulemaking, the criteria for imposition of civil penalties.

Mr. President, my amendment would make clear that the Commission consider the size of a small business when establishing a penalty criteria through a rulemaking. My staff has discussed this issue with the Commission, which has raised an issue with Section 16(c)—''Civil Penalty Criteria''—of the bill. This section does not specifically reference the size of a small business as a criteria.

The Commission's attorneys suggested that a minor change—adding the word ''additional''—would resolve ambiguity to ensure that the Commission considers the size of a small business—as it is required to do under section 20 of the Consumer Product Safety Act. This would help to ensure that this new penalty provision remains consistent in how the Commission factors in small business size in proportion to penalties.

My amendment would also ensure that the Commission appropriately considers, during its rulemaking, ''how to mitigate undue adverse economic impacts on small businesses.'' I firmly believe that requiring the Commission to consider undue adverse economic impacts when establishing the new penalty criteria, would help to ensure that small businesses can remain viable while at the same time increasing penalties for violations under the act—a win-win.

In closing, my amendment would help to ensure the continued viability and competitiveness of our Nation's small businesses—while protecting the strong regulatory enforcement included in this bill.

Mr. President, I request unanimous consent that the text of my remarks be included in the CONGRESSIONAL RECORD.

Thank you, Mr. President. I yield the floor.

Mr. SCHUMER. Mr. President, I am proud to be a cosponsor of S. 2663, the CPSC Reform Act, and I would like to thank Chairman INOUYE and Vice Chairman STEVENS for their leadership on this important and groundbreaking bill. I also want to thank Senator PRYOR for his extraordinary work in crafting this outstanding bill which has strong bipartisan support.

The CPSC Reform Act will provide the Consumer Product Safety Commission with the authority and resources it needs to be more effective in its critical mission to protect consumers. Quite frankly, the current product safety system is broken, and the CPSC is in desperate need of reform. Too many unsafe goods are reaching the shores of the United States. Too many dangerous products are finding their way into the hands of American consumers, and all too often, young children.

It seems that over the past year, nearly every week we have had to frantically pull Chinese and other imported goods off store shelves as we learn of each new tainted product. The bottom line is that our safeguards are failing and we need to act fast to fix them. We worry about our kids when they are in class, when they are walking or driving home alone, even when they surfing the Internet. We should not have to worry that the toys they play with might be hazardous to their health or even fatal. From children's costume jewelry to toy trains, these recalls call in to question our ability to keep dangerous toys out of the hands of our kids.

For years, CPSC has been starved of funding and plagued by budget and personnel cuts. As a result, the effectiveness of the CPSC has been severely undermined and the agency, despite its efforts, has been unable to keep up with globalization of the marketplace. This bill will reverse those trends and give the CPSC the budget and the tools it desperately needs to again become an effective force for consumer protection. These important tools include $40 million to upgrade CPSC's laboratories and 50 additional personnel to inspect goods at U.S. ports and overseas product facilities. The bill will also give consumers better access to vital safety information by creating a searchable database that has information including reports of injuries, illness, and death related to the use of consumer products.

It is essential that we take strong steps to protect all consumers, but especially our children. This bipartisan bill takes a tough approach to cracking down tainted products and seeks to restore America's faith in the mechanisms we have in place to safeguard our kids against these dangerous products. First, the bill prohibits importing untested children's products. Second, it also requires tracking labels for children's products that will help parents tie safety recalls and alerts to their prior purchases. Third, the bill prohibits the sale of recalled products so that as parents and consumers, we don't continue to see these hazardous products on the shelves. Finally, this legislation bans all children's products containing lead.

The CPSC must do a better job of getting hazardous products off the shelves and out of consumers' reach, and these provisions will give the CPSC the tools to do just that. It is essential that manufacturers, importers, and retailers do their part to ensure product safety and keep tainted products out the market. This bill seeks to hold companies accountable by increasing criminal and civil penalties for those who knowingly and willingly violate product safety laws. It also gives State attorneys general the power to crack down on companies by enforcing Federal safety standards and provides them with the authority to get dangerous products off the shelf. Furthermore, the bill gives protection to whistleblowers so that employees who identify dangerous products along the supply chain can come forward with vital health and safety information without fear of reprisal.

As you can see, these are important commonsense solutions that will keep consumers informed and safe from dangerous products. Passage of this bill is vital if we hope to rebuild, reform, and revitalize the CPSC and restore America's faith in the agency's ability to protect consumers and their children from unsafe products. I urge my colleagues to support this critical legislation that restores the CPSC and gives it the much needed authority to put an end to the alarming trend in tainted products faced by this country in recent months.

PROPOSITION 65

Mrs. BOXER. Mr. President, over 20 years ago, the people of California enacted a landmark ballot measure known as proposition 65. Proposition 65 prohibits exposures to chemicals like lead that are known to cause cancer or reproductive harm without a clear and reasonable warning. Proposition 65 enforcement actions by the State and by private attorney generals have played a crucial role in reducing childhood exposure to harmful chemicals, such as lead. For example, the California attorney general recently brought a proposition 65 case arising from unsafe levels of lead in children's toys. It is my understanding that nothing in this bill is intended to preempt or otherwise diminish the protections of proposition 65. I would like to ask the distinguished Senator from Arkansas and lead author of this legislation: is my understanding correct?

Mr. PRYOR. Yes, it is. Compliance with proposition 65's warning requirements would only complement the CPSC Reform Act.

Mrs. BOXER. Is it the intent of this bill or the rules promulgated there under by the Consumer Product Safety Commission to preempt proposition 65?

Mr. PRYOR. No. First, the CPSC Reform Act bans lead in children's products beyond trace amounts. Under section 22, any children's product that contains lead ''shall be treated as a banned hazardous substance under the Federal Hazardous Substances Act.'' While the Commission is directed to examine whether it is possible to lower the trace levels permitted under the bill, no action is required with respect to labeling requirements that might inadvertently trigger a preemption of proposition 65. It is the intent of the CPSC Reform Act to get rid of lead from children's products, not to inadvertently preempt a consumer-friendly and valuable law such as proposition 65.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. I ask unanimous consent that Senator KERRY be added as a cosponsor to the Feinstein amendment No. 4104.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRYOR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MENENDEZ. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

Mr. MENENDEZ. Madam President, I rise to support the legislation we are debating. I congratulate the distinguished Senator from Arkansas who has led this effort and has done so with such aplomb on a bill that will, I hope, pass on a strong bipartisan vote later today because it is a bill America needs. Americans don't need to be convinced that we need stronger protections to keep dangerous products from entering our homes.

Abigail Hartung, a 13-month old girl from New Jersey whose crib collapsed on her one night, doesn't need to be convinced. Her parents who awoke to the terrifying sound of a child in screaming pain do not need to be convinced either.

I know even many of my colleagues who do not like Government intervention on the other side of the aisle do not need to be convinced the meager measures we have in place to protect consumers from hazardous products are not enough.

That is why I rise today in strong support of the Consumer Product Safety Commission Reform Act. It is long past time for us to act.

Madam President, 2007 was a disastrous year for product safety. There was a record number of safety recalls. Over 400 different products had to be pulled, and more than half—more than half—of those 400 products were for children. That adds up to an astonishing number of dangerous items—almost 46 million items.

Now, we saw toxic toys shipped in from China laced with lead paint that could cause permanent neurological damage or death. We saw car seats dump out the kids who sat in them. We saw beads that contained a chemical that could put children into a coma if swallowed.

Too often, the recalls were too late. Last year, recalled products killed 6 children, they injured 657 more, and they destroyed the confidence of the entire Nation.

So the question is, can they trust the Consumer Product Safety Commission as it exists today? I think the answer to that is no.

Issues of product safety are not going away by themselves. In January, there was a recall of toys with magnets that could cause fatal intestinal blockages if swallowed. Last month, we had a scare about children's sketchbooks coated with potentially fatal—fatal—levels of lead paint.

When dangerous products keep getting introduced, when 46 million items so unsafe that they have to be recalled are allowed to reach consumers' hands in 1 year, we have to believe those are not 46 million coincidences. We have to think there is at least one Government watchdog agency that is falling far short of what it needs to be. That agency is the Consumer Product Safety Commission.

Now, sadly, the Consumer Product Safety Commission is nothing more than a hollow shell at this point. We talked about those 46 million unsafe products recalled last year. If you had a robust commission, as the bill will provide for, with all of the pertinent powers and resources, then we should not see that reality.

Years of budget and personnel cuts have left it badly equipped for the job we are counting on it to do. Poor leadership and unethical behavior have undermined what little power and authority the Commission has.

No watchdog can effectively regulate if they cozy up to the industry they are supposed to be regulating. That is why I am proud the Senate agreed to the amendment the Presiding Officer, Senator KLOBUCHAR, and I offered to prohibit members of the Consumer Product Safety Commission from accepting travel paid for the industries they regulate.

It seemed to us—and I am so glad an overwhelming vote of the Senate said the same—how is it that you can accept such travel paid for by the very

entities you seek to regulate, who, in that travel, ultimately are trying to influence you so that those regulations are not as prescriptive and as onerous as they need to be in pursuit of the interests of consumers?

It was a great first step. Now we have to finish the job.

It is time to reform the Consumer Product Safety Commission so it can strongly enforce safety standards, prevent deadly imports from entering our Nation's borders, and restore confidence to parents that it is OK to do something as simple as give a toy to their child.

Again, let me thank my distinguished colleague, Senator PRYOR, for his tremendous leadership on this issue. And right by his side has been Chairman INOUYE and Ranking Member STEVENS, along with Senator COLLINS, and many Senators from both sides of the aisle.

The effort to keep consumers safe should be a truly bipartisan effort. I am confident the bill we have before us is going to win some very broad-based support.

Here is what the bill finally does.

First, it gives the Consumer Product Safety Commission the resources it needs to do its job, boosting its budget, and expanding its staff.

Second, when it has the staff and resources it needs, the Commission is going to have a greater presence at our Nation's ports. For the Senator from New Jersey, which has the Port of Elizabeth in Newark, the megaport of the east coast that sees the incredible amount, the billions of tons that come through from all over the world, I understand very clearly how this element is so critically important—to stop deadly imports from coming in and enforce a comprehensive ban of lead in children's products.

Children's products will have to be independently tested and verified to be safe. Toys will have tracking labels, so if there is a problem, we will know who is responsible.

The bill gets tough on violators. Not only does it ban the sale of recalled products, it makes sure companies face the possibility of real financial consequences if they break the law, so they don't simply see the fines for hawking dangerous products to our families as another cost of doing business.

Right now, I am sure there are those companies that say: Well, that is fine. I will just bring this in because I am going to make more than the consequence of a fine. That is fundamentally wrong.

The bill protects employees who report violations of safety standards so people will not be afraid to come forward with information that could save lives.

Not only will employees be better able to speak out, consumers will be better able to speak out and listen to each other. For the first time, the bill would create an online product safety database, so we do not have to wait until tragedy strikes close to home to hear about safety concerns other consumers have already discovered.

So if I know about that crib, and I go on line, and I put it on, and now another family looks and says: Let me figure this out, let me find out if this is the type of product that has any problems, and they see that information, it is a warning and preventive measure that is powerful because information is powerful. This bill will give that information to consumers in our country.

Those are just a few of the specifics. But the bottom line is, this bill is about keeping our children safe and bringing us all a little peace of mind.

When a parent puts a toy in the hands of a child, it is a beautiful moment—a moment we should never allow to be undermined by fear. If we take action today, if we sign this pledge, to look out for American families as conscientiously as we should, then we will be helping to see to it that nothing takes the joy of that moment away.

So I urge strong support of the measure.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. SALAZAR. Madam President, I come to the floor this afternoon to first speak to my support for the Consumer Product Safety Commission bill which is before us. I want to also honor my colleague from Arkansas, who has led these efforts on behalf of the Commerce Committee in the Senate. He understands from his background as the attorney general for the State of Arkansas that it is important to protect consumers.

Attorneys general are known across the country for their role in serving as protectors of the people. This legislation is in fact a ''protector of the people'' because what it will do is it will allow us to deal with those unsafe products that are finding their way into the homes of Americans, into the hands of children, and into the hands of all Americans in a way sometimes today which is unsafe.

There are many stories that have been untold about young people who have been victimized by a lack of oversight with respect to all these imports that are coming in at levels we have never seen before, from places such as China and other places around the world, which are causing significant damage to young people.

Last year alone, 27,000 Americans died because of some illness that was related to an unsafe product. That is 27,000 Americans who lost their lives. Yet when we look at CPSC today, the Commission which is in charge of enforcing consumer protection standards and measures to protect Americans, there is one inspector on the job to get this all done on behalf of 300 million Americans.

I think that is woefully inadequate. It is an inadequacy which this Senate and this Congress has a responsibility to address.

In my own home State of Colorado, there was a young man by the name of Tegan Leisy. Tegan is only 4 years old. But because of a defective toy that was brought into his household, he ended up going to the doctor with a pain in his stomach. Three days later, it was discovered there were six magnets that had come off this toy which had got into his intestines and had created a problem, which required his intestines to be torn apart in order for the young man to undergo the operation.

So we need to make sure we have the right consumer protection standards. We need to make sure we have the ability to enforce those standards. The CPSC legislation which is before us will allow us to do that. So I strongly urge my colleagues to vote in support of this legislation when, hopefully, we get to it in the next several minutes. It is important for us as Americans. It is imperative for us to make sure we are protecting the consumers of our country.

Madam President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOUSING CRISIS

Mr. SALAZAR. Madam President, I come to the floor today to address the issue of our economy and the need for us in Washington, DC, to understand the pain that Americans are feeling across the board, especially when it comes to the issue of housing.

Last week, Majority Leader REID brought to the Senate floor the 2008 Foreclosure Prevention Act, which was filibustered on this floor. It should not have been because the pain that people are feeling across America with respect to this housing crisis is a pain that goes across all of America. It is not a Democrat or a Republican or an Independent issue. The housing crisis is a problem which is creating pain for a lot of people in our country.

I want to demonstrate how, in my view, this is an issue that ought to continue to be at the top of the totem poll for us to consider in the Senate and for the Congress to act upon and for the President and the executive branch to show leadership in addressing this problem.

This is a chart I have in the Chamber which we have brought to the Senate floor on other occasions, which indicates what Moody's sees as the possible future outcome with respect to what is happening with this unprecedented housing downturn. This unprecedented housing downturn is the worst the United States of America has seen since the Great Depression.

We look at the first graph on this chart, which shows that housing prices are expected to decline by almost 16 percent. That amount of decline is not just related to those homes that are going into foreclosure. They are related to homes in neighborhoods where

we are seeing this foreclosure crisis spread across the country. It is kind of like a disease; it hits one home, and all of a sudden it creates a major downturn in terms of the value of homes throughout that neighborhood, throughout that block, and throughout those communities.

Now, when we talk about this as being a foreclosure issue, it is an issue that creates pain for those families who are being forced out of their homes because they cannot afford to make mortgage payments, but it is a pain that spreads to all of American households, as we see this huge decline in American values.

Another figure, another metric that demonstrates the extent of this problem: When you look at housing starts, housing starts are projected to go down, with a 60-percent decline in housing starts, with no end in sight. The economists cannot even predict how far down we will go in housing starts before we hit the trough of this problem.

When you compare that to other housing crises which we have had in the past—in the 1980s and the 1990s and last year—we are looking at a problem which is much more extensive, much more prolonged, much deeper than we ever had. So that, from my point of view, at the national level, shows we ought to be doing a lot more to address this issue.

Today, in some of the television and newspaper reports we are seeing around the country—we have one out of CNN where they are reporting that foreclosures have hit an all-time high. The report says over 900,000 households are now in foreclosure, which is up 71 percent from a year ago, according to this news article. There are 900,000 households in foreclosure, up 71 percent from a year ago.

According to this, it also says that it represents over 2 percent of all mortgages. That is a higher rate of mortgages in foreclosure than at any time in the 36-year history of the reports provided by the Mortgage Bankers Association. There is no end in sight to the problem we are seeing. These problems we are seeing with respect to foreclosures hitting an all-time high are especially acute in States such as the States of Florida and California, Nevada, Arizona, Ohio, and Michigan.

In addition to what is happening with these high levels of foreclosures is that we also know we have these declining home values, and we end up seeing a tremendous slip in the amount of home equity people have in their homes. According to the Federal Reserve, homeowners' debt on their houses exceeds their equity for the first time since 1945. For the first time since 1945, homeowners' debt on their houses exceeds their equity.

Now, in my State of Colorado, when I try to bring this back home to the 5 million people whom I represent in the Senate every day, I see the same problem we are seeing all across the country. Between this time in 2008 and next year, 2009, there is a projection from the Center for Responsible Lending that we will see almost 50,000 homes in foreclosure. That is 49,923 homes in foreclosure in the State of Colorado.

As I have said before, it is not just the pain that is felt by people who are losing their homes through foreclosure; it also is the spillover effect that occurs when you have massive foreclosures taking place in my State. The spillover effect means that surrounding home values will decline in 748,000 homes. Almost half the homes in the State of Colorado are going to see a significant decline in their value, because we are going to have about 50,000 homes that are going to go into foreclosure in the years 2007 and 2008. As my colleagues see, when you have that kind of decline in individual home values and you aggregate those home values, there is a huge decline in the aggregate equity people will have in their homes throughout my State of Colorado—some $3.2 billion.

Those are the facts. Those are the facts. There ought to be a wake-up call, it seems to me, not only to the White House but also to the Congress, that we need to move forward with legislation that addresses this issue.

Senator REID came to the floor of the Senate a week, 10 days, ago and set forth the components of the Mortgage Foreclosure Prevention Act, and it was based on the input he had from the chairs of many committees, including Senator LEAHY and Senator BAUCUS and others who have jurisdiction over these issues. I think he put his finger on the right button. He put his finger on the button that is of great concern to the people of America, and that is what is happening with the housing crisis today.

I am hopeful as we move forward to do our work in the Senate, as we are doing it so well today on consumer protection, we are then able soon to pivot back to addressing the housing crisis we face here in America today.

Madam President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. I ask unanimous consent that I be permitted to speak for 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. DOMENICI pertaining to the introduction of S. 2730 are located in today's RECORD under ''Statements on Introduced bills and Joint Resolutions.'')

Mr. DOMENICI. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Madam President, it has come to my attention that the Senator from Minnesota who sits in the chair right now was very kind in her comments a few minutes ago about one of the additions to this overall consumer products bill that this Senator had a little hand in. We are going to add another, because it is my understanding that we now have it accepted on both sides—it is in the managers' package—another major component of the bill to address the fact—and this is surprising. Last year, we had the largest crib recall in history—almost 1 million baby cribs—because three infant deaths were noted in the recall announcement. After the announcement, even more came to light.

Most of us would be shocked to learn that most of the safety guidelines for durable infant and toddler products are not set by the Consumer Product Safety Commission, but they are only voluntary standards that are set by manufacturers making the products. So, for example, full-sized cribs, half-sized cribs, rattles, and bottles are the only infant and toddler products that have required safety standards.

Well, it is time to change that. Happily, we are going to change that right here with this bill. Through the kind of comments made by the Presiding Officer, and thanks to the chairman of our subcommittee, the Senator from Arkansas, it has been included in the managers' package. What it requires is that all infant and toddler durable products be tested and certified according to mandatory safety standards before they are put out on the market.

I thank Senator OLYMPIA SNOWE of Maine. She has come on as a cosponsor of this amendment. The minute she saw this, she said: I want to be a part of that. Because infant and durable products subject to this requirement include such a wide array of products such as cribs, toddler beds, high chairs, booster chairs, hook-on chairs, bath seats, gates, play yards, stationary activity centers, child carriers, strollers, walkers, swings, bassinets, cradles—all things that when we buy them, we assume they have been checked for safety. Yet it has been up to the manufacturers to check for the safety.

What we are going to do in this bill when it becomes law, it is going to be as a result of safety guidelines that they are going to have to conform to independent testing. Standards would be established through a consensus process involving the Consumer Product Safety Commission, consumer groups, juvenile product manufacturers, and experts in the field. The standards will be promulgated on a rolling basis, with no less than two sets of durable product rules per year. This timeframe would allow for input by all of the interested parties.

It is time to put a stop to these senseless deaths from unsafe products such as unsafe cribs. I am very grateful

that the managers of this legislation have now included this as a part of the bill.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Madam President, I know we are in the midst of considering the Consumer Product Safety Commission Reauthorization Act. I thank Senator PRYOR, Senator COLLINS, Senator STEVENS, Senator INOUYE, and so many others for their efforts to bring us to this point. We hope to pass it very soon this afternoon. We are waiting for a little paperwork to be finished.

I am going to use this opportunity to speak as in morning business, and I ask unanimous consent to do so.

The PRESIDING OFFICER. Without objection, it is so ordered.

PEACE IN SUDAN

Mr. DURBIN. Madam President, I rise at this moment to discuss a resolution that the Senate enacted last night by unanimous consent relating to the situation in Darfur. Darfur is a region of Sudan that has been in the newspaper for years because of the genocide that has been sadly unfolding in that part of the world.

I introduced this resolution because I think we have reached a critical point where we must act to stop this genocide in Sudan. I am proud that 40 Senators from both sides agree it is time to say ''no more.''

For more than 4 years, the world has watched this humanitarian crisis unfold—thousands have been murdered, tortured, raped, and displaced. Thousands more are languishing in refugee camps.

Leaders from around the world—including President Bush, Prime Minister Gordon Brown, U.N. Secretary General Ban Ki-moon, former U.N. Secretary General Kofi Annan, former President Jimmy Carter, Bangladesh microfinance champion Muhammed Yunus, and Archbishop Desmond Tutu—have all called for an end to this violence.

Here at home—and it has been gratifying as I traveled around my State to find this—thousands of people, including many high school and college students, are well aware of this genocide. Church leaders and other activists have helped raise awareness of the horrible human suffering that has occurred in Darfur. Senators on both sides of the aisle have spoken out passionately about this crisis.

Last year, the U.N. Security Council voted to deploy a historic peacekeeping mission to Darfur, but that was last year. Under significant international pressure, the Sudanese Government agreed at that time to the deployment. The 26,000-member U.N. African Union peacekeeping force is to be deployed to Darfur to halt the violence and create conditions for peace and a long-term political settlement.

There was speculation about whether we can get the peacekeeping force in place before the end of last year. Sadly, despite all of the promises of last year, the Sudanese Government has done everything they can to stop the deployment of the peacekeeping force. It has brazenly obstructed this full deployment. I will give you an example: Sudan's leaders balked at the deployment of non-African forces. Last month, government forces in Sudan actually fired upon a peacekeeping convoy.

In recent months, the regime has even appointed notorious figures who were knowingly complicit in this genocide in Darfur—including two accused of war crimes—to senior government positions. It is almost a brazen defiance to the rest of the world that Sudan, on one hand, would agree to a peacekeeping force, and on the other hand, shoot at those who come and try to bring peace to their country, and then exalt to the highest levels some of the worst characters in their country.

Many of you have seen the article on the front page of last Sunday's New York Times about the latest devastating violence in Sudan. This isn't yesterday's genocide or yesterday's moral challenge; this challenge goes on today. The article in the New York Times highlighted how the Sudanese Government continues to defy the international community and murder its own people.

I am going to show you an aerial photograph that appeared in the New York Times, which shows the torched Sudanese village of Suleia. Government forces and allied militias burned the village only a few weeks ago. As you can see, there is nothing left. I don't know if a long view of this, for those observing it, will do it justice. But those who have flown over the area say it looks like cigarette burns across the landscape. Each of these so-called cigarette burns reflects a fire that was lit to a small thatch hut where people were living, people who were forced out, some who were captured, tortured, mutilated, and raped, and some who were taken away. Many had to run away, leaving behind this blighted landscape as a stark reminder that despite all of the speeches and resolutions and all of the determination, genocide in Darfur continues, sadly, to this day.

Witnesses said militiamen in that town laid waste to the town, burning huts, pillaging shops, carrying off any loot they could find, and shooting anyone who stood in their way—men, women, or children.

The attack included aerial bombing and Sudanese Government army ground forces. That the Sudanese Government has returned to these brutal coordinated attacks shows its utter contempt for the international community and its own people.

Rich Williamson is an attorney in Chicago who has served in a capacity with the Department of State in previous years and now has taken the place of Andrew Natzios as a special envoy to deal with this situation in Darfur. We certainly have different political views, but when he came to visit my office, we found that we are of the same mind about this particular crisis and the need for an urgent response to the Sudanese Government. We cannot allow Darfur to slide back into the horrible situation that we know took place over the last several years.

While much of the world's attention has been on Darfur, the comprehensive peace agreement between north and south Sudan has also become increasingly at risk. This agreement, signed in 2005 with the strong support of the United States, brought an end to two decades of civil war between north and south Sudan that had left 2 million dead. Yet the government in Khartoum appears to be backing away from its commitment to this agreement and instead preparing once again for war.

Remember what fuels this war: Oil fuels this war—oil sold by the Sudanese to the Chinese, to the Indians, and to a handful of other nationalized oil companies. It is the profit of those sales that is fueling this war that is killing so many innocent people.

We cannot allow the agreement to bring peace in Sudan to be undermined, and we cannot ignore what is happening again in Darfur. It is time to bring an end to this violence and time to set conditions for a long-term peace. I salute Senator BIDEN for leading a resolution last month calling on the President to immediately address any equipment shortcomings with the peacekeeping force. I completely agree with Senator BIDEN. The White House must not allow a modest shortage of equipment to prolong the suffering in Darfur.

Last night, the Senate passed my resolution, with the support of 40 Senators from both sides of the aisle, to call for an immediate halt to this violence and a commitment from both sides to participate in a new round of peace talks.

The resolution also calls upon the Government of Sudan to facilitate the immediate and unfettered deployment of the U.N.-African Union peacekeeping force, including any and all non-African peacekeepers. Sudan and Khartoum gave their agreement last year. They must be held to their promise. It calls upon the diverse rebel movements to set aside their difference and start to work together in order to better represent the people of Darfur. It condemns any action by any party—government or rebel—that undermines or delays the peace process. It calls upon the Government of Sudan to enable humanitarian organizations to have full unfettered access to populations in need, and it calls upon all parties to

the comprehensive peace agreement between north and south Sudan to support and respect all terms of the agreement.

We have allowed the genocide in Darfur to continue for too long. We have allowed a brutal regime to repeatedly obstruct and ignore the international community. It is time, once and for all, to bring an end to this violence in Sudan.

It was my high honor to serve as the successor to Paul Simon, from Illinois, who served in this body for 12 years. He was my closest friend in politics and my mentor, and he helped me along to win this Senate seat and to represent this great State. Paul Simon was at a critical place at that moment in history. He was chairman of the African Subcommittee of the Foreign Relations Committee when the genocide in Rwanda broke out. His ranking Republican member was Jim Jeffords of Vermont. The two of them, when they noted what was happening in Rwanda, decided to step up and try to persuade the Clinton administration to send even a small peacekeeping force in to stop the killing in Rwanda. They reached out directly to the President, as well as the Secretary of State and other officials in the Clinton administration, with no results. The net impact, of course, was we did nothing and 800,000 people died.

I was in Rwanda a year or two ago with Senator BROWNBACK. We stayed at the hotel made famous by the movie ''Hotel Rwanda.'' Don Cheadle played the actor's role of the hero, the manager who stepped up and saved so many innocent lives by making his hotel a refuge. We stayed in that same hotel. I was haunted walking through the hallways and corridors of that almost-empty hotel. I think of the thousands of people who wondered if they were going to be attacked or killed as they waited there, hoping the genocide would end.

At the end of the day, after weeks of bloodshed, over 800,000 people were murdered in the streets of Rwanda—innocent people murdered simply because of their tribal affiliation.

President Clinton did many good things, and he now reflects on his service and said this is one thing he did not do well; he could have done better. He has returned to Africa and visited Rwanda and has said as much. I think it is courageous of him to make that admission and to realize a little effort could have made a difference.

How many speeches have we heard in this Chamber and in this town about Darfur, over and over again. Yet the simple reality is, despite all the speeches by the President, by Senators, by Members of Congress, little or nothing has been done. This genocide has unfolded on our watch. When we are critical of previous generations for not doing enough during the Nazi Holocaust or during some of the other horrendous events that occurred around the world—certainly the Rwanda genocide—we say: How could they have been blind to the reality of what is happening here?

We still cannot be blinded to the reality of what is happening in Darfur, and each of us, either by our church groups or schools or Members of Congress making a statement on the floor or calling in the appropriate ambassadors or calling in the U.N. General Secretary, have to urge them to take action now to bring an end to this genocide.

I wish to make certain this Senate is on record, and I thank all those who helped last night to pass this resolution, but it is not enough, and it will not be enough until we make significant strides to end this bloodshed in Darfur.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, in response to the widely publicized product recalls of last year, the Congress appropriated $80 million for fiscal year 2008 to the Consumer Product Safety Commission, which was an increase of 28 percent. The CPSC was instructed to use the additional money to increase staff, workspace, and information technology resources. In December, the House of Representatives passed the Consumer Product Safety Modernization Act, H.R. 4040, by an overwhelming vote of 407 to 0. It seems like that would have been a reasonable place to start. In fact, during this debate, a number of us voted in favor of Senator DEMINT's amendment to completely substitute the bill we are now considering with the House-passed bill. H.R. 4040 incrementally increases CPSC's budget to $100 million for fiscal year 2011, requires third-party and premarket testing of many children's product for lead and other hazards, and creates new lead standards for products.

However, instead of focusing on product safety, we are now focusing on legislation seeming to simply benefit lawyers. Lawyers who, under this legislation, would have higher civil penalties and new punitive damages to pursue in whistleblower claims.

The bill also allows State attorneys general to file lawsuits and enforce rules against manufacturers, conceivably creating 50 different standards of product safety laws; in other words, lawsuits as far as the eye can see. In fact, this week, a Wall Street Journal editorial referred to the Senate bill as ''Lawyers 'R' Us.''

We have tried to amend this bill and improve the problematic aspects of it, and have achieved very few positive changes. I will miss the vote on final passage. However, since I would be opposing it anyway, it would make no difference in the outcome.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. PRYOR. Madam President, once again, I hope I have good news. I am hoping the next time I address the Senate on this microphone that we will be asking unanimous consent for votes or a vote, maybe in this case, on final passage.

I again alert Hill staff and Senators that we are very close. I thank all my colleagues. I could go through a long list. While I have just a moment while they are literally wrapping up the final i's and t's on this document, I thank Senator STEVENS for his great leadership in helping shepherd this bill through; Senator INOUYE, of course, for his leadership and what he brings to the table and how he runs his committee is fantastic; Senator COLLINS—I mentioned her yesterday—came in at a critical time and made the bill better; Senator BILL NELSON of Florida who spoke a few moments ago—Senator BILL NELSON in some ways started this whole process. He filed a bill over the summer—June, July, September, I am not quite sure. He filed a bill about third-party testing for toys. We had already been working on a bill. He went ahead and put his bill out there publicly and spurred a lot of interest. And Senator KLOBUCHAR, who is presiding right now, has been working on this bill every step of the way. Senator DURBIN, of course, has made a lot of improvements. Senator SCHUMER has played a vital role in trying to get this bill shaped and ready to go.

I again thank all my colleagues for their hard work. There are too many to go through right now because almost all 100 Senators had some role in this bill and have helped in some way or another. I wished to acknowledge them and hopefully the next time I stand up here, we will be propounding a unanimous consent request on votes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Madam President, I understand we are working toward final passage on the bill. I congratulate the Senator from Arkansas for the tremendous job he has done on this legislation. While everybody is putting together the last of this bill, I ask unanimous consent to speak as in morning business for 8 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

OUTSOURCING AEROSPACE TECHNOLOGY

Mrs. MURRAY. Madam President, I have come to the floor this afternoon because we have to wake up the country. We are at risk of losing a major part of our aerospace industry to the Europeans forever.

I am outraged the Pentagon is not only going to stand by and let it happen, but it is the Pentagon itself that made the decision in the first place. I am referring, of course, to the Air Force's decision last Friday to award one of the largest military contracts in history to the French company Airbus over the American company Boeing. With this $40 billion contract, our Air Force is beginning the process of rebuilding our aerial refueling tanker

fleet, and the planes we are purchasing are going to be used for the next 30 years or more.

As we learn more about this decision, I have to say I grow more and more astounded at the shortsightedness. As I speak today, Airbus does not actually supply this military capacity to any government. The tanker that the administration wants Airbus to build is unproven. In fact, in my home State of Washington, the machinists call it a paper airplane because it only exists on paper. Right now, the company that supplies those real planes is Boeing, and it has built them for almost 50 years. Up until now, we have in this country controlled our own military refueling capabilities, but with this decision we are now handing Airbus that control.

What makes this so disturbing is we are now outsourcing those jobs to a company that has spent years blatantly working to dismantle our American aerospace companies. Airbus is controlled by foreign governments which follow the social welfare model. Those countries subsidize Airbus, allowing it to sell planes at discounted rates, as long as it creates jobs for European workers.

Our Government is concerned enough about that practice that we have a WTO case pending at the EU, but apparently that does not matter to the administration, because by giving Airbus this contract, we are laying out the welcome mat to walk all over our military production capability. What is the incentive to buy an American tanker if they can get an import at fire-sale prices? With this contract, we are allowing Airbus to take over our military technology, and we are actually paying them to do it.

Airbus has now launched a very slick marketing campaign to try to convince us in Congress and the public that this decision will actually be good for the United States. I spoke on the floor at length yesterday about Airbus's long history of exaggerating the number of jobs it has produced, and it is very interesting that while Airbus has put its supporters on radio and TV over here—and you have heard them—to talk about how excited they are about the number of U.S. jobs this deal is going to create, the news in Europe is about 180 degrees different. Reuters ran an article, the dateline out of Paris yesterday, reporting that Airbus's parent company, EADS, was scrambling over there to clarify that no jobs would be relocated from Europe to the United States. And a British publication earlier this week reported that almost all of the construction work will be done in Europe and then Airbus will fly that plane to the United States for ''finishing.''

If Boeing had won the contract, it would have created 44,000 real United States jobs. By awarding this contract to Airbus, the U.S. Government is leading those jobs to the guillotine.

The most frustrating part about all of this is the Air Force has insisted on defending their decision. Yesterday, according to the Associated Press and other news outlets, one official testified in the House that the Pentagon did not have to consider the location of assembly and manufacturing facilities for those planes; all it needed was a promise by Airbus that it would team with Northrop Grumman and U.S. suppliers. In other words, the Air Force did not consider at all Airbus's record of playing unfair on trade. It did not consider at all the number of jobs we will certainly lose because of this contract. And it did not consider at all what this would mean for our ability to produce our own military technology.

When we are at war across the globe, we should at least consider what it means to give a company owned by a foreign government control over our military technology, and I think we should do it before we finalize this deal.

Airbus and EADS have already given us plenty of reason to worry about how hard they will work to protect our security interests. Let me give a couple of examples. Back in 2005, EADS, the parent company of Airbus, was caught trying to sell military helicopters to Iran. And in 2006, EADS tried to sell transport and patrol planes to Venezuela. That is a circumvention of U.S. law.

Suppose in the future that Europe and the United States have a major disagreement over foreign policy. Do we want France or any other country to have the ability to slow down our military capacity because it does not like our policies?

That is a serious question we should consider. With one contract, we could wipe out 50 years of experience of aerospace in the United States, and once it is gone we are not going to get it back. It is not going to come back. Shouldn't we in Congress at least have a serious debate about this before we give it all away?

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OBSTRUCTION AND FILIBUSTERS

Mr. CORNYN. Madam President, this morning, our colleague, the distinguished Senator from New York, Mr. SCHUMER, came to talk about the Republican obstruction and filibusters, and I guess I have been around here just a few years now, but I have learned that a charge that is unrebutted is a charge that is believed. In the interest of making sure people understand what the facts are, I would like to address his allegations.

This morning, Senator SCHUMER repeated a myth, which is the allegation that there have been 73 Republican filibusters in the 110th Congress. He said, ''This Republican minority can only obstruct.'' Based on what I believe is a complete distortion of the facts, he said the Republicans ''will be held accountable in November.''

Well, I might note that Senator SCHUMER, in addition to being the distinguished Senator from New York, is also the chairman of the Democratic Senatorial Campaign Committee. And I would hope we would have better things to do than to use the floor of the Senate for partisan attacks when we have so much important work that needs to be done.

He said he wished we could ''go back to the good old days when filibusters were used for issues of major import but not used routinely to block every single piece of legislation.'' Well, it is evidence enough that is an overstatement and I think just a downright exaggeration, in that we are working right now on a bipartisan piece of legislation on the consumer protection issue to make sure American consumers are protected from dangerous products, particularly those that may be imported from abroad. But let me just say what the facts are.

Under the definition that Senator SCHUMER—and the majority leader before him—calls a filibuster, Republicans would be obstructing multiple times in 1 day on many occasions. What they are actually referring to is a record number of times that the majority leader has attempted to prevent debate and block Senators from offering amendments. What happens is he will come to the floor and he will call up a bill and then he will fill the amendment tree, which is a procedural device designed to block the offering of amendments. It basically imposes a ''my way or the highway'' approach to legislating in the Senate. You don't have to be around here very long to know that nothing happens around here unless there is some bipartisan agreement and work, and this bill we are on today is a perfect example of how it can work and how it should work.

Now, I would say that the majority leader is setting a record of his own, moving to cut off debate the first day a bill or resolution reaches the floor more than any other majority leader, whether they be Republican or Democrat. During the first session of the 110th Congress, Senator REID filed cloture—that is, he filed to cut off debate—on the same day a bill or resolution was introduced on nine separate occasions. Before we have had a chance to even talk about it, before anybody has even had a chance to offer amendments, he filed to cut off debate, cut off amendments, nine times. That is three times more than Majority Leaders Frist, Daschle, Lott, Mitchell, or BYRD ever did in the first session of Congress and nine times more than in the first session of the 109th Congress.

Among these 73 Republican filibusters, so-called, Democrats include

times when members of their own party actually filibustered issues of great importance to the American people. Here are a couple of examples.

Senator DODD, from Connecticut, filibustered the Foreign Intelligence Surveillance Act, which allows us the authority to listen to terrorists who are conspiring to harm the American people; the so-called filibuster by our Democratic friends of the McConnell-Stevens troop funding bill last November, which was designed to provide funds to our troops in harm's way, which had been delayed for far too long; and then, of course, the filibuster of Judge Leslie Southwick, a circuit court nominee.

Cloture motions that were filed by Republicans in an effort to avoid obstruction were also included.

Of the more than 73 so-called filibusters, Senate Democrats either voted to ''filibuster'' or voted with Republicans, and the vote was unanimous on five occasions.

Well, let me just say that I know sometimes the nomenclature and the procedures get awfully confusing here on the Senate floor, but the American people clearly would like to see us work together more to solve problems. We are not talking about people giving or taking leave of their principles or their firmly held convictions, but everybody who works here on the Senate floor knows that the only way things happen is by bipartisan cooperation because neither side has the 60 votes to cut off debate and get what they want, as you could if you had a majority in the House of Representatives.

I even read today that the distinguished majority leader compared so-called filibusters to aggravated assaults. He said: It doesn't make any difference whether it is 72 or 65 stabbings, it is still the fact you have been assaulted. Well, I just think that kind of rhetoric is over the top.

What we need to do is, rather than make false charges about obstruction, we need to come together and try to solve problems. I believe that is what the American people want us to do.

So rather than have this unrebutted allegation out there, lest people believe it, because it is being repeated over and over, I think it is important to set the record straight.

I think everybody in this body knows what the deal is; that is, if we are going to solve problems, we are going to have to work together. This CPSC bill is the perfect example. The majority leader did not have to file cloture in order to bring us to conclusion. We sat down and we have negotiated amendments, we have offered amendments, and we have had votes. That is the way this place works.

But I think what is fair is fair, and we need to make sure the story is accurately told. As Senator MCCONNELL said earlier—quoting Daniel Patrick Moynihan—everyone is entitled to their own opinions, but nobody is entitled to their own set of facts.

Facts being what they are, people can then decide what their opinion is. But it is clear this is not a case of obstruction—unless, of course, you are talking about blocking tax increases on the American people, and I will be honest, we did block those tax increases because they are bad for the economy, bad for the American people. But by and large, when we have been met halfway, we have worked together to try to solve problems.

I thank the chair very much for the time that I have had to respond. I think it is important that the full context of the record be clear.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I happened to pass by, and I am glad I did because my friend, the Senator from Texas, the junior Senator from Texas, is talking about facts that do not exist.

The comment about the 72 stabbings came from me. The fact is, in looking very closely at this, it appears that there were not 72 Republican-led filibusters but only 65. I used an illustration that someone who is charged with a crime—I know the distinguished Presiding Officer was a prosecuting attorney—comes in after having stabbed someone 72 times and says: No, I only did it 65 times.

The American people know what is going on. The American people know what is going on. Every step of the way, we have had to work around procedural obstructions put up by the Republicans—every step of the way. The result of that has taken a lot of time. We have spent 76 days of Senate time on filibusters led by Senate Republicans.

Now, the American people have seen what is going on. They have had more than a year to look and see what is going on. They are going to continue to see. But what I said last Friday, I say today: The Republicans in the Senate should enjoy their time because they are not going to be able to do this after November 4. The American people have seen what they have tried to do and been able to accomplish on many occasions. And we are going to continue to do the best we can in spite of the obstacles put up by the Republicans.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I could not disagree more with the distinguished majority leader. But I will tell you that when it comes to increasing taxes, bigger Government, and higher spending, sure, we are going to stand our ground. We are going to try to block the increased rates on the taxpayers' check and growing the size of Government beyond our capacity to sustain it and failing to meet the obligations we have to pay for things such as Medicare and Social Security and passing those down to our children and grandchildren.

We are on the verge of the debate on the 2009 Federal budget. One of the problems we need to work on together rather than merely accuse each other of malfeasance or misfeasance is $66 trillion in unfunded obligations we are passing on to our children and grandchildren.

I am on the Budget Committee. We had a vote on the budget that will come to the floor next week. There is nothing in the budget—nothing in this budget—that addresses the concerns I know we have on a bipartisan basis about this unsustainable growth of entitlement spending.

So that is the kind of thing we ought to be working on on a bipartisan basis—how can we protect the family's budget rather than wreck the Federal budget. But instead of that, we find there is this back-and-forth for partisan gain.

The majority leader said: Wait until the election day in November. Well, people know what this is about. This is about partisan politics. This is not about trying to solve problems. I hope we can do so.

Again, I compliment the Senator from Arkansas and the Senator from Alaska for addressing on a bipartisan basis consumer safety in this bill. This is a good example of what we ought to be doing, not engaging in partisan sniping that I think does nothing but continue to bring public opinion of Congress to the lowest levels in recent history.

That is why the approval rating of this Congress is at the 18-percentage rate.

So we ought to try to find ways to work together, not engage in this sort of partisan sniping in an effort to gain advantage, electoral advantage, in November. It does not work, for one thing. I think the American people listening to this say: A pox on both your houses. What they want to do is see us work together to solve the problems.

We are going to have a chance on the budget to try to keep spending down, to try to make sure we do not raise taxes and we deal with the obligation we have to meet on unfunded liabilities that will be passed on to our children and grandchildren. That is what I hope we spend our time doing rather than partisan politics.

I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The majority leader.

Mr. REID. Mr. President, any time we have a President as unpopular as our President, the numbers of all people who serve in Government are down, and Congress is part of that.

I would say that the facts are what they are. We have been obstructed on virtually everything we have tried to do.

These are just a few of the motions to proceed that we have had to waste up to 48 hours on, 2 days for cloture to ripen, 30 hours after that. Those are just a few of them. Now, look how they passed: 90 to 0; 94 to 3; 93 to 3; 89 to 7; 91 to 0; 80 to 0; 80 to 4; 86 to 1. It was only an effort to stall what we do here.

Recommendations of the 9/11 Commission, we had to file a motion to invoke cloture on the motion to go to that. The Intelligence authorization bill, intelligence authorization, to give our intelligence agencies the tools they need to go after all the bad guys around the world, we had to file cloture on the motion to proceed to that. The court security bill, that was important to me because we had some vicious man, at 200 yards, shoot through the judge's window and kill him after he had slit his wife's throat. We need court security. In Georgia, we had a situation there where a number of people were killed. We had to invoke a motion to proceed to that issue. The water resources bill, the chairman of the Environmental and Public Works Committee is here. She worked on a bipartisan basis. That bill had overwhelming support, Democrats and Republicans. We had to file cloture on a motion to proceed to it; Clean Energy Act, 91 to 0; Children's Health Initiative, to reauthorize that, 80 to 0. Just a stall. That is all it was about.

Economic stimulus package, and then housing, a stimulus package on housing, having five simple issues in it. One is transparency on documents that you have to fill out when you buy a home. No. 2, we wanted to make sure the homebuilders all across the country get what they want—tax provisions for loss carryback. That is in our bill; something the President called for in his State of the Union Message calling for issuance of bonds to buy homes that are in foreclosure, used homes—now it is you can only buy new homes. We have a CDBG provision in that bill to allow people from all over the country to work through their Government to renovate some of the neighborhoods that are devastated by these foreclosures. And then we had a provision in the bill dealing with bankruptcy.

Now, the Republicans have cried volumes that they want to do something about the housing crisis. They would not let us legislate on that. We cannot do that. We cannot get 60 votes. But they say they want to legislate on it.

I told Senator MCCONNELL long before we got on the bill: Let's do amendments. If you want to look at our amendments, fine, look at them; we will look at yours. They said they did not like the bankruptcy provision. Offer an amendment to strike it. I know there are some Democrats who do not like it. Maybe they could get enough votes to get rid of that. They are not willing to legislate. They are stalling. This has been going on all year.

So I have great respect for my friend from Texas, but I do not need to be lectured on what is procedurally obstructionism. We can bring out chart after chart to show what they have done. And do not suggest to me that there has not been obstructionism. They have broken all records of this Congress. They have broken all records of any Congress. They broke in 1 year how many filibusters were filed in a normal 2-year period.

So I extend my appreciation to the Senator from Arkansas, Mr. PRYOR. He is a great Senator. He takes right after his dad. I had the good fortune of serving with his father. I said in an interview I had recently: Who is the Senator you admire most for his legislative capabilities? ''David Pryor of Arkansas,'' I said, ''because he was a wonderful man and a great Senator.'' His son is doing just the same thing his dad did. This bill is a result of tremendous participation.

The Senator from Texas is right, the Senator from Alaska, the Senator from Hawaii have worked on this. This is a bipartisan piece of legislation led by Senator PRYOR. Senator PRYOR is a great public servant. He has had significant experience as attorney general in the State of Arkansas. He was one of the instrumental members of the Gang of 14 who stopped the use of the filibusters in the Senate, as is the Presiding Officer.

So I want the Senator from Arkansas to know how much I appreciate the example he has set in working through the process here. Everyone here should understand that legislating is a compromise. ''Compromise'' is not a bad word, it is consensus building, and MARK PRYOR has done a wonderful job working on this piece of legislation.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, just briefly, roughly half the votes on this chart that the distinguished majority leader has described as filibusters were actually successful votes where cloture was invoked once the majority worked with us, allowed full consideration of the bills, and those bills actually moved forward and became law.

On roughly half of the instances—I have not looked at the entire chart; this is the first time I have seen it here. But that is a perfect example of how we ought to be working together and not an example of obstruction, but it is actually a means that the Senate has been allowed to do what the Senate does, and that is to have full debate, a fair opportunity to offer amendments and then up-or-down votes on amendments and then pass legislation that goes to the President and is signed for the benefit of the American people.

So I disagree with his characterization on at least half of those votes. They resulted in successfully passed legislation, not an example of obstructionism but of this Senate actually working the way the Senate should.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, this is another example of the Orwellian language we get from the White House and this administration, and now obviously some of my friends have picked it up on the Republican side.

These were efforts to stall what we were trying to do. You can say whatever you want. Sure, these passed. That is the whole point. We have chart after chart that shows this whole thing. Of course they passed. How could you, in good conscience, not vote for the 9/11 Commission recommendations? They stalled us going to it because as long as they are here on a 30-hour postcloture do-nothing, it means we cannot go to other things, we cannot go to patent reform, to energy reform—all these things that need to be done.

This Republican President and his Republican Senators want the status quo. They are fighting for the status quo. It is very clear they are fighting for the status quo. They want us to stay the way we are.

We want change to take place. The country needs change. The American people demand change. That is what is going on with the Presidential election out there. That is why you get crowds on the Democratic side, our candidates, tens of thousands of people, 15,000 in Boise, ID. People are looking for change. That is what we are going to bring, and we are going to see that in November. The American people know what the Republicans have done to us, but we are going to continue to work hard. We are going to continue to work hard in spite of that to get things done for this country.

It is my understanding we have a vote set up, and we are getting close. We know a number of people have things to do. We thought we would be able to have it at 4:30. We have been unable to do so. We are getting close, I have been told. Whether we finish this in 10 minutes or tomorrow sometime, congratulations are in order for my friend from Arkansas. He has done a great job.

Mr. PRYOR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRYOR. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 4104

Mr. PRYOR. Mr. President, I do have good news. This is similar to the old Bob Dylan song, ''Slow Train Coming.'' It has been a slow afternoon, seemingly, but there has been a lot of activity.

I ask unanimous consent to agree to the Feinstein amendment by voice vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to amendment No. 4104.

The amendment (No. 4104) was agreed to.

AMENDMENTS NOS. 4088; 4092, AS MODIFIED; 4101; 4112; 4120; 4123; 4128; 4130, AS MODIFIED; 4113; 4114; 4141; 4136; 4137; 4138; 4143; 4116, AS MODIFIED; 4118, AS MODIFIED; 4090; 4103; 4098; 4109, AS MODIFIED; AND 4108, AS MODIFIED EN BLOC

Mr. PRYOR. I ask unanimous consent to set aside the pending amendment so I may call up the following

amendments en bloc: Klobuchar No. 4088; Dodd No. 4092, with modifications at the desk; McCaskill No. 4101; Boxer No. 4112; Landrieu No. 4120; Collins No. 4123; Klobuchar No. 4128; Nelson No. 4130, with modifications at the desk; Obama No. 4113; Obama No. 4114; Durbin-Hatch No. 4141; Inouye No. 4136; Inouye No. 4137; Inouye No. 4138; Snowe No. 4143; Kyl No. 4116, with modifications at the desk; and Kyl No. 4118, with modifications at the desk; the following pending amendments also be considered en bloc: Pryor No. 4090; Cardin No. 4103; Dorgan No. 4098; Casey No. 4109, with modifications at the desk; and Cornyn No. 4108, with modifications at the desk; the amendments be agreed to en bloc and the motion to reconsider be laid upon the table with no intervening action or debate; that cloture be withdrawn; any remaining pending amendments be withdrawn; the Senate proceed to third reading of the bill; the Senate then proceed to the consideration of Calendar No. 562, H.R. 4040, strike all after the enacting clause and insert the text of S. 2663, as amended; the Senate proceed to a vote on passage of H.R. 4040, as amended, and S. 2663 be returned to the calendar.

Mr. STEVENS. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 4088

(Purpose: To authorize the Commission by rule to exempt lead crystal from the ban on lead in children's products if the Commission determines that the lead content is not absorbable and does not have an adverse impact on public safety)

On page 69, between lines 4 and 5, insert the following:

(3) LEAD CRYSTAL.—The Commission may by rule provide that subsection (a) does not apply to lead crystal if the Commission determines, after notice and a hearing, that the lead content in lead crystal will neither—

(A) result in the absorption of lead into the human body; nor

(B) have an adverse impact on public health and safety.

AMENDMENT NO. 4092, AS MODIFIED

On page 103, after line 12, add the following:

SEC. 40. EQUESTRIAN HELMETS.

(a) STANDARDS.—

(1) IN GENERAL.—Every equestrian helmet manufactured on or after the date that is 9 months after the date of the enactment of this Act shall meet—

(A) the interim standard specified in paragraph (2), pending the establishment of a final standard pursuant to paragraph (3); and

(B) the final standard, once that standard has been established under paragraph (3).

(2) INTERIM STANDARD.—The interim standard for equestrian helmets is the American Society for Testing and Materials (ASTM) standard designated as F 1163.

(3) FINAL STANDARD.—

(A) REQUIREMENT.—Not later than 60 days after the date of the enactment of this Act, the Consumer Product Safety Commission shall begin a proceeding under section 553 of title 5, United States Code—

(i) to establish a final standard for equestrian helmets that incorporates all the requirements of the interim standard specified in paragraph (2);

(ii) to provide in the final standard a mandate that all approved equestrian helmets be certified to the requirements promulgated under the final standard by an organization that is accredited to certify personal protection equipment in accordance with ISO Guide 65; and

(iii) to include in the final standard any additional provisions that the Commission considers appropriate.

(B) INAPPLICABILITY OF CERTAIN LAWS.—Sections 7, 9, and 30(d) of the Consumer Product Safety Act (15 U.S.C. 2056, 2058, and 2079(d)) shall not apply to the proceeding under this subsection, and section 11 of such Act (15 U.S.C. 2060) shall not apply with respect to any standard issued under such proceeding.

(C) EFFECTIVE DATE.—The final standard shall take effect not later than 1 year after the date it is issued.

(4) FAILURE TO MEET STANDARDS.—

(A) FAILURE TO MEET INTERIM STANDARD.—Until the final standard takes effect, an equestrian helmet that does not meet the interim standard, required under paragraph (1)(A), shall be considered in violation of a consumer product safety standard promulgated under the Consumer Product Safety Act.

(B) STATUS OF FINAL STANDARD.—The final standard developed under paragraph (3) shall be considered a consumer product safety standard promulgated under the Consumer Product Safety Act.

(b) DEFINITIONS.—In this section:

(1) APPROVED EQUESTRIAN HELMET.—The term ''approved equestrian helmet'' means an equestrian helmet that meets—

(A) the interim standard specified in subsection (a)(2), pending establishment of a final standard under subsection (a)(3); and

(B) the final standard, once it is effective under subsection (a)(3).

(2) EQUESTRIAN HELMET.—The term ''equestrian helmet'' means a hard shell head covering intended to be worn while participating in an equestrian event or activity.

AMENDMENT NO. 4101

(Purpose: To revise the section on Inspector General reports)

On page 72, beginning with line 6, strike through line 8 on page 75 and insert the following:

SEC. 26. INSPECTOR GENERAL REPORTS.

(a) IMPLEMENTATION BY THE COMMISSION.—

(1) IN GENERAL.—The Inspector General of the Consumer Product Safety Commission shall conduct reviews and audits of implementation of the Consumer Product Safety Act by the Commission, including—

(A) an assessment of the ability of the Commission to enforce subsections (a)(2) and (d) of section 14 of the Act (15 U.S.C. 2063), as amended by section 10 of this Act, including the ability of the Commission to enforce the prohibition on imports of children's products without third party testing certification under section 17(a)(6) of the Act (15 U.S.C.2066)(a)(6), as added by section 10 of this Act;

(B) an assessment of the ability of the Commission to enforce section 14(a)(6) of the Act (15 U.S.C. 2063(a)(6)), as added by section 11 of this Act, and section 16(c) of the Act, as added by section 14 of this Act; and(C) an audit of the Commission's capital improvement efforts, including construction of a new testing facility.

(2) ANNUAL REPORT.—The Inspector General shall submit an annual report, setting forth the Inspector General's findings, conclusions, and recommendations from the reviews and audits under paragraph (1), for each of fiscal years 2009 through 2015 to the Commission, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Energy and Commerce.

(b) EMPLOYEE COMPLAINTS.—

(1) IN GENERAL.—Within 1 year after the date of enactment of this Act, the Inspector General shall conduct a review of—

(A) complaints received by the Inspector General from employees of the Commission about failures of other employees to properly enforce the rules or regulations of the Consumer Product Safety Act or any other Act enforced by the Commission, including the negotiation of corrective action plans in the recall process; and

(B) the process by which corrective action plans are negotiated by the Commission, including an assessment of the length of time for these negotiations and the effectiveness of the plans.

(2) REPORT.—The Inspector General shall submit a report, setting forth the Inspector General's findings, conclusions, and recommendations, to the Commission, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Energy and Commerce.

(c) LEAKS.—

(1) IN GENERAL.—Within 1 year after the date of enactment of this Act, the Inspector General shall—

(A) conduct a review of whether, and to what extent, there have been unauthorized and unlawful disclosures of information by Members, officers, or employees of the Commission to persons regulated by the Commission that are not authorized to receive such information; and

(B) to the extent that such unauthorized and unlawful disclosures have occurred, determine—

(i) what class or kind of information was most frequently involved in such disclosures; and

(ii) how frequently such disclosures have occurred.

(2) REPORT.—The Inspector General shall submit a report, setting forth the Inspector General's findings, conclusions, and recommendations, to the Commission, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Energy and Commerce.

AMENDMENT NO. 4112

(Purpose: To clarify the requirement to include cautionary statements on advertisements)

On page 32, line 2, insert ''that provides a direct means of purchase'' before ''posted by a manufacturer''.

AMENDMENT NO. 4120

(Purpose: To authorize the Consumer Product Safety Commission to identify and validate alternative technologies for the facilitation of recalls of durable infant or toddler products)

On page 92, between lines 9 and 10, insert the following:

(c) USE OF ALTERNATIVE RECALL NOTIFICATION TECHNOLOGY.—

(1) IN GENERAL.—If the Commission determines that a recall notification technology can be used by a manufacturer of durable infant or toddler products and such technology is as effective or more effective in facilitating recalls of durable infant or toddler products as the registration forms required by subsection (a)—

(A) the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on such determination; and

(B) a manufacturer of durable infant or toddler products that uses such technology

in lieu of such registration forms to facilitate recalls of durable infant or toddler products shall be considered in compliance with the regulations promulgated under such subsection with respect to subparagraphs (A) and (B) of paragraph (1) of such subsection.

(2) STUDY AND REPORT.—Not later than 1 year after the date of the enactment of this Act and periodically thereafter as the Commission considers appropriate, the Commission shall—

(A) for a period of not less than 6 months and not more than 1 year—

(i) conduct a review of recall notification technology; and

(ii) assess, through testing and empirical study, the effectiveness of such technology in facilitating recalls of durable infant or toddler products; and

(B) submit to the committees described in paragraph (1)(A) a report on the review and assessment required by subparagraph (A).

(3) REGULATIONS.—The Commission shall prescribe regulations to carry out this subsection.

AMENDMENT NO. 4123

(Purpose: To provide that Federal employees shall be limited to the remedies available under chapters 12 and 23 of title 5, United States Code, for any violation of the whistleblower provisions)

On page 65, between lines 17 and 18, insert the following:

''(8) Notwithstanding paragraphs (1) through (7), a Federal employee shall be limited to the remedies available under chapters 12 and 23 of title 5, United States Code, for any violation of this section.

AMENDMENT NO. 4128

(Purpose: To revise the inaccessible component rule for children's products)

On page 68, strike lines 4 through 16, and insert the following:

(1) INACCESSIBLE COMPONENTS.—

(A) IN GENERAL.—Subsection (a) does not apply to a component of a children's product that is not accessible to a child because it is not physically exposed by reason of a sealed covering or casing and will not become physically exposed through normal and reasonably foreseeable use and abuse of the product.

(B) INACCESSIBILITY PROCEEDING.—Within 2 years after the date of enactment of this Act, the Commission shall promulgate a rule providing guidance with respect to what product components, or classes of components, will be considered to be inaccessible for purposes of subparagraph (A).

(C) APPLICATION PENDING CPSC GUIDANCE.—Until the Commission promulgates a rule pursuant to subparagraph (B), the determination of whether a product component is inaccessible to a child shall be made in accordance with the requirements of subparagraph (A) for considering a component to be inaccessible to a child.

(D) CERTAIN BARRIERS DISQUALIFIED.—For purposes of this paragraph, paint, coatings, or electroplating may not be considered to be a barrier that would render lead in the substrate inaccessible to a child through normal and reasonably foreseeable use and abuse of the product.

AMENDMENT NO. 4130, AS MODIFIED

On page 87, strike line 15 and insert the following:

SEC. 34. CONSUMER PRODUCT REGISTRATION FORMS AND STANDARDS FOR DURABLE INFANT OR TODDLER PRODUCTS.

(a) SHORT TITLE.—This section may be cited as the ''Danny Keysar Child Product Safety Notification Act''.

(b) SAFETY STANDARDS.—

(1) IN GENERAL.—The Commission shall—

(A) in consultation with representatives of consumer groups, juvenile product manufacturers, and independent child product engineers and experts, examine and assess the effectiveness of any voluntary consumer product safety standards for durable infant or toddler product; and

(B) in accordance with section 553 of title 5, United States Code, promulgate consumer product safety rules that—

(i) are substantially the same as such voluntary standards; or

(ii) are more stringent than such voluntary standards, if the Commission determines that more stringent standards would further reduce the risk of injury associated with such products.

(C) REQUIREMENTS FOR CRIBS.—

(1) MANUFACTURE, SALE, RESALE AND LEASE OF CRIBS.—It shall be unlawful for any commercial user to manufacture, sell, contract to sell or resell, lease, sublet, offer or provide for use or otherwise place in the stream of commerce any new or used full-size or non-full-size crib, including a portable crib and a crib-pen, that is not in compliance with the mandatory rule promulgated in section (b)(1) and (b)(2).

(2) Commercial users include but are not limited to hotel, motel or similar transient lodging facilities and day care centers.

(iii) DEFINITION OF COMMERCIAL USER.—

(A) IN GENERAL.—In this subsection, the term ''commercial user'' means—

(i) any person that manufactures, sells, or contracts to sell full-size cribs or non-full-size cribs; or

(ii) any person that deals in full-size or non-full-size cribs that are not new or that otherwise, based on the person's occupation, holds oneself out as having knowledge or skill peculiar to full-size cribs or non-full-size cribs, including child care facilities and family child care homes; or

(iii) is in the business of contracting to sell or resell, lease, sublet, or otherwise placing in the stream of commerce full-size cribs or non-full-size cribs that are not new.

(2) TIMETABLE FOR RULEMAKING.—Not later than 1 year after the date of the enactment of this Act, the Commission shall commence the rulemaking required under paragraph (1) and shall promulgate rules for no fewer than 2 categories of durable infant or toddler products every 6 months thereafter, beginning with the product categories that the Commission determines to be of highest priority, until the Commission has promulgated standards for all such product categories. Thereafter, the Commission shall periodically review and revise the rules set forth under this subsection to ensure that such rules provide the highest level of safety for such products that is feasible.

AMENDMENT NO. 4113

(Purpose: To clarify and expand requirements with respect to information in recall notices)

On page 103, after line 12, insert the following:

SEC. 40. REQUIREMENTS FOR RECALL NOTICES.

(a) IN GENERAL.—Section 15 (15 U.S.C. 2064) is amended by adding at the end the following:

''(i) REQUIREMENTS FOR RECALL NOTICES.—

''(1) IN GENERAL.—If the Commission determines that a product distributed in commerce presents a substantial product hazard and that action under subsection (d) is in the public interest, the Commission may order the manufacturer or any distributor or retailer of the product to distribute notice of the action to the public. The notice shall include the following:

''(A) A description of the product, including—

''(i) the model number or stock keeping unit (SKU) number of the product;

''(ii) the names by which the product is commonly known; and

''(iii) a photograph of the product.

''(B) A description of the action being taken with respect to the product.

''(C) The number of units of the product with respect to which the action is being taken.

''(D) A description of the substantial product hazard and the reasons for the action.

''(E) An identification of the manufacturers, importers, distributers, and retailers of the product.

''(F) The locations where, and Internet websites from which, the product was sold.

''(G) The name and location of the factory at which the product was produced.

''(H) The dates between which the product was manufactured and sold.

''(I) The number and a description of any injuries or deaths associated with the product, the ages of any individuals injured or killed, and the dates on which the Commission received information about such injuries or deaths.

''(J) A description of—

''(i) any remedy available to a consumer;

''(ii) any action a consumer must take to obtain a remedy; and

''(iii) any information a consumer needs to take to obtain a remedy or information about a remedy, such as mailing addresses, telephone numbers, fax numbers, and email addresses.

''(K) Any other information the Commission determines necessary.

''(2) NOTICES IN LANGUAGES OTHER THAN ENGLISH.—The Commission may require a notice described in paragraph (1) to be distributed in a language other than English if the Commission determines that doing so is necessary to adequately protect the public.''.

(b) PUBLICATION OF INFORMATION ON RECALLED PRODUCTS.—Beginning not later than 1 year after the date of the enactment of this Act, the Consumer Product Safety Commission shall make the following information available to the public as the information becomes available to the Commission:

(1) Progress reports and incident updates with respect to action plans implemented under section 15(d) of the Consumer Product Safety Act (15 U.S.C. 2064(d)).

(2) Statistics with respect to injuries and deaths associated with products that the Commission determines present a substantial product hazard under section 15(c) of the Consumer Product Safety Act (15 U.S.C. 2064(c)).

(3) The number and type of communication from consumers to the Commission with respect to each product with respect to which the Commission takes action under section 15(d) of the Consumer Product Safety Act (15 U.S.C. 2064(d)).

AMENDMENT NO. 4114

(Purpose: To require the Comptroller General of the United States conduct a study and report on the effectiveness of authorities relating to the safety of imported consumer products)

On page 103, after line 12, add the following:

SEC. 40. STUDY AND REPORT ON EFFECTIVENESS OF AUTHORITIES RELATING TO SAFETY OF IMPORTED CONSUMER PRODUCTS.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study of the authorities and provisions of the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) to assess the effectiveness of such authorities and provisions in preventing unsafe consumer products from entering the customs territory of the United States;

(2) develop a plan to improve the effectiveness of the Consumer Product Safety Commission in preventing unsafe consumer products from entering such customs territory; and

(3) submit to Congress a report on the findings of the Comptroller General with respect to paragraphs (1) through (3), including legislative recommendations related to—

(A) inspection of foreign manufacturing plants by the Consumer Product Safety Commission; and

(B) requiring foreign manufacturers to consent to the jurisdiction of United States courts with respect to enforcement actions by the Consumer Product Safety Commission.

AMENDMENT NO. 4141

(Purpose: To modify the automatic residential garage door operators standards requirements)

On page 85, beginning with line 22, strike through line 8 on page 86 and insert the following:

SEC. 31. GARAGE DOOR OPENER STANDARD.

(a) IN GENERAL.—Notwithstanding section 203(b) of the Consumer Product Safety Improvement Act of 1990 (15 U.S.C. 2056 note) or any amendment by the American National Standards Institute and Underwriters Laboratories, Inc. of its Standards for Safety–UL 325, all automatic residential garage door operators that directly drive the door in the closing direction that are manufactured more than 6 months after the date of enactment of this Act shall include an external secondary entrapment protection device that does not require contact with a person or object for the garage door to reverse.

(b) EXCEPTION.—Except as provided in subsection (c), subsection (a) does not apply to the manufacture of an automatic residential garage door operator without a secondary external entrapment protection device that does not require contact by a company that manufactured such an operator before the date of enactment of this Act if Underwriters Laboratory, Inc., certified that automatic residential garage door operator as meeting its Standards for Safety–UL 325 before the date of enactment of this Act.

(c) REVIEW AND REVISION.—

(1) IN GENERAL.—Within 1 year after the date of enactment of this Act, the Consumer Product Safety Commission shall review, and if necessary revise, its automatic residential garage door operator safety standard, including the requirement established by subsection (a), to ensure that the standard provides maximum protection for public health and safety.

(2) REVISED STANDARD.—The exception provided by subsection (b) shall not apply to automatic residential garage door operators manufactured after the effective date of any such revised standard if that standard adopts the requirement established by subsection (a).

AMENDMENT NO. 4136

On page 24, beginning in line 17, strike ''product (other than a medication, drug, or food)'' and insert ''consumer product''.

AMENDMENT NO. 4137

(Purpose: To modify the scope of products to which section 15(b) applies)

On page 36, line 1, strike ''Act)'' and insert ''Act, except for motor vehicle equipment as defined in section 30102(a)(7) of title 49, United States Code)''.

AMENDMENT NO. 4138

(Purpose: To revise the section requiring a study of preventable injuries and deaths of minority children related to certain consumer products)

On page 70, beginning with line 13, strike through line 20 on page 71, and insert the following:

SEC. 24. STUDY OF PREVENTABLE INJURIES AND DEATHS OF MINORITY CHILDREN RELATED TO CERTAIN CONSUMER PRODUCTS.

(a) IN GENERAL.—Within 90 days after the date of enactment of this Act, the Government Accountability Office shall initiate a study to assess disparities in the risks and incidence of preventable injuries and deaths among children of minority populations, including Black, Hispanic, American Indian, Alaskan Native, Native Hawaiian, and Asian/Pacific Islander children in the United States.

(b) REQUIREMENTS.—The study shall examine the racial disparities of the rates of preventable injuries and deaths related to suffocation, poisonings, and drowning including those associated with the use of cribs, mattresses and bedding materials, swimming pools and spas, and toys and other products intended for use by children.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall report the findings to the Senate Commerce, Science, and Transportation Committee and the House of Representatives Energy and Commerce Committee. The report shall include—

(1) the Government Accountability Office's findings on the incidence of preventable risks of injury and death among children of minority populations and recommendations for minimizing such increased risks;

(2) recommendations for public outreach, awareness, and prevention campaigns specifically aimed at racial minority populations; and

(3) recommendations for education initiatives that may reduce current statistical disparities.

AMENDMENT NO. 4143

(Purpose: To ensure that the Commission appropriately addresses impacts on small businesses of the revised civil penalties provisions)

On page 49, strike lines 8 through 15 and insert the following:

establish additional criteria for the imposition of civil penalties under section 20 of the Consumer Product Safety Act (15 U.S.C. 2069) and any other Act enforced by the Commission, including factors to be considered in establishing the amount of such penalties, such as repeat violations, the precedential value of prior adjudicated penalties, the factors described in section 20(b) of the Consumer Product Safety Act (15 U.S.C. 2069(b)), and other circumstances.

Insert at end of 15 U.S.C. Section 2069(b), '', including how to mitigate undue adverse economic impacts on small businesses.''

Insert in 15 U.S.C. Section 2069(c), after ''size of the business of the person charged,'' ''including how to mitigate undue adverse economic impacts on small businesses,''

AMENDMENT NO. 4116, AS MODIFIED

At page 58, insert betwen lines 7 and 8 the following:

''(h) If private counsel is retained to assist in any civil action under subsection (a), the private counsel retained to assist the State may not share with participants in other private civil actions that arise out of the same operative facts any information that is (1) subject to a litigation privilege; and (2) was obtained during discovery in the action under subsection (a). The private counsel retained to assist the state may not use any information that is subject to a litigation privilege and that was obtained while assisting the State in the action under subsection (a) in any other private civil acitons that arise out of the same operative facts.''

AMENDMENT NO. 4118, AS MODIFIED

At page 58, line 7, insert before the quotation mark the following:

''Any attorney's fees recovered pursuant to this subsection shall be reviewed by the court to ensure that those fees are consistent with section 2060(f) of this title.''

AMENDMENT NO. 4109, AS MODIFIED

On page 103, after line 12, add the following:

SEC. 40. CONSUMER PRODUCT SAFETY STANDARDS USE OF FORMALDEHYDE IN TEXTILE AND APPAREL ARTICLES.

(a) STUDY ON USE OF FORMALDEHYDE IN MANUFACTURING OF TEXTILE AND APPAREL ARTICLES.—Not later than 2 years after the date of the enactment of this Act, the Consumer Product Safety Commission shall conduct a study on the use of formaldehyde in the manufacture of textile and apparel articles, or in any component of such articles, to identify any risks to consumers caused by the use of formaldehyde in the manufacturing of such articles, or components of such articles.

AMENDMENT NO. 4108, AS MODIFIED

On page 64, beginning in line 1, strike: ''The court shall have jurisdiction to grant all appropriate relief to the employee available by law or equity, including injunctive relief, compensatory and consequential damages, reasonable attorneys and expert witness fees, court costs, and punitive damages up to $250,000.''

''The court shall have jurisdiction to grant all relief necessary to make the employee whole, including injunctive relief and compensatory damages, including—

''(A) reinstatement with the same seniority status that the employee would have had, but for the discharge or discrimination;

''(B) the amount of back pay, with interest; and

''(C) compensation for any special damages sustained as a result of the discharge or discrimination, including litigation costs, expert witness fees, and reasonable attorney fees.''

Mr. PRYOR. Having reached this agreement, I now ask unanimous consent the Senate vote on passage of the bill, as amended, at 4:55 p.m., and the time until 4:55 be equally divided between Senators PRYOR and STEVENS or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

The majority leader.

Mr. REID. For the information of all Members, this will be the last vote today. It will be the last vote this week. We will be in session tomorrow for Senators to make statements while we are in a period of morning business. On Monday, there will be no votes. On Monday, we will have Senators GREGG and CONRAD here for debate only on the bill relating to our budget. I wanted to try to work something out to do something more tomorrow and Monday, but we have some parliamentary problems that we experience on occasion, and I was afraid to do that for fear it would not allow us to go to the budget. So we have the opportunity tomorrow to come and talk about whatever is important to individual Senators, and then Monday we will move at a reasonable time to the budget.

The PRESIDING OFFICER. Who yields time?

Mr. REID. I know there are Senators waiting to vote. Does Senator STEVENS have anything he wishes to say?

Mr. STEVENS. Mr. President, I wish to thank my colleague, Senator PRYOR,

and our chairman Senator INOUYE, and my colleague, Senator COLLINS, for working so diligently on this legislation. It has been a privilege to work with them to craft this legislation which I feel will help protect the public from dangerous products and return consumer confidence to the marketplace.

I recognize the staff on both sides of the aisle who have worked tirelessly on this bipartisan compromise and helped this bill to reach final conclusion.

I ask unanimous consent to print in the RECORD lists of both majority and minority staff.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAJORITY STAFF

David Strickland, Alex Hoen Saric, Jana Fong-Swamidoss, Andy York, Price Feland, Mia Petrini, Jared Bomberg, Margaret Cummisky, Lila Helms, Jean Toal Eisen, and Anna Crane.

MINORITY STAFF

Paul Nagle, Megan Beechener, Rebecca Hooks, Peter Phipps, Mark Delich, and Theresa Eugene.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I have a list of people to thank, but because we have Senators who would like to vote and some would like to catch airplanes or get on to further meetings this evening, I will wait on that until after we vote.

I am glad to yield back all time on our side.

Mr. STEVENS. We yield back all time.

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4040) to establish consumer product safety standards and other safety requirements for children's products and to reauthorize and modernize the Consumer Product Safety Commission.

Mr. PRYOR. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The PRESIDING OFFICER. Without objection, the bill is read for the third time.

The bill having been read the third time, the question is, Shall the bill pass?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from New York (Mrs. CLINTON), the Senator from North Dakota (Mr. DORGAN), the Senator from Illinois (Mr. OBAMA), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Nebraska (Mr. HAGEL), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. SALAZAR). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 13, as follows:

[Rollcall Vote No. 41 Leg.]

YEAS—79

Akaka	Feinstein	Murray
Alexander	Graham	Nelson (FL)
Baucus	Grassley	Nelson (NE)
Bayh	Gregg	Pryor
Bennett	Harkin	Reed
Biden	Hatch	Reid
Bingaman	Hutchison	Roberts
Bond	Inouye	Salazar
Boxer	Isakson	Sanders
Brown	Johnson	Schumer
Brownback	Kennedy	Sessions
Cantwell	Kerry	Shelby
Cardin	Klobuchar	Smith
Carper	Kohl	Snowe
Casey	Landrieu	Specter
Chambliss	Lautenberg	Stabenow
Coleman	Leahy	Stevens
Collins	Levin	Sununu
Conrad	Lieberman	Tester
Cornyn	Lincoln	Thune
Craig	Lugar	Voinovich
Crapo	Martinez	Warner
Dodd	McCaskill	Webb
Dole	McConnell	Whitehouse
Domenici	Menendez	Wyden
Durbin	Mikulski	
Feingold	Murkowski	

NAYS—13

Allard	Cochran	Kyl
Barrasso	Corker	Vitter
Bunning	DeMint	Wicker
Burr	Ensign	
Coburn	Enzi	

NOT VOTING—8

Byrd	Hagel	Obama
Clinton	Inhofe	Rockefeller
Dorgan	McCain	

The bill (H.R. 4040), as amended, was passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

Mr. PRYOR. Mr. President, I move to reconsider the vote.

Mr. DURBIN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 466, the nomination of Hector E. Morales to be Permanent Representative of the United States to the Organization of American States; that the nomination be confirmed and the motion to reconsider be laid upon the table; that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF STATE

Hector E. Morales, of Texas, to be Permanent Representative of the United States of America to the Organization of American States.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we now proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arkansas is recognized.

THANKING SENATORS AND STAFF

Mr. PRYOR. Mr. President, we are in a period of morning business. I want to pause for 1 minute and thank all of the cosponsors on this legislation. There was a committee bill and the bill that passed the floor a few moments ago. I thank everybody who helped work on this, even those who voted against it. Many of them offered very constructive suggestions and amendments.

Let me start by thanking Senator COLLINS. She has been fantastic throughout this whole process. Senator HARKIN, Senator KLOBUCHAR, Senator BILL NELSON, Senator SCHUMER, Senator DURBIN, Senator LINCOLN, of course Senator SALAZAR, Senator BROWN, Senator MENENDEZ, Senator CASEY, Senator WYDEN, and even though I don't think Senator MCCASKILL was ever a cosponsor, she helped in the last few days on some drafting.

There are two whom I need to single out, and one is Senator TED STEVENS of Alaska, who went to bat and worked through a lot of issues that made this vote today possible, as well as our chairman Senator INOUYE, first because I appreciate very much him giving me the opportunity to manage the bill. He designated me a year ago to try to work on this legislation, and I will always be grateful to him for his leadership and giving me this opportunity.

I also thank members of the staff. We all know we get the credit, we get the publicity, and we are sort of the face, but we could not do this job we do without great staff. So I have a little bit of a long list, but they all deserve some recognition: Alex Hoehn-Saric, David Strickland, Mia Petrini, Jared Bomberg, Mellissa Zolkeply, Margaret Cummisky, Lila Helms, and Jean Toal-Eisen.

These are all members of the Commerce staff on the Democratic side. I cannot tell my colleagues—I cannot exaggerate how many hours they put into this legislation.

Then on my staff: Price Feland, Andy York, and many others helped, but those two went the extra mile, especially Price, who was fantastic.

On Senator DURBIN's staff: David Lazarus, Tom Faletti, Dena Morris, and Chris Kang, all of whom helped in many ways.

On Senator REID's staff: Mike Castellano and Mark Weitjen.

On Senator KLOBUCHAR's staff: Tamara Fucile and Katie Nilan.

On Senator NELSON's staff: Chris Day.

Then on the Republican side of the Commerce Committee, I will tell my colleagues they were fantastic and they spent hours and hours and hours working through issues and through this process. They played an important role.

So my thanks to Paul Nagle, Megan Beechener, Mark Delich, Peter Phipps, Rebecca Hooks, and Christine Kurth.

Again, oftentimes the Senators get the credit for things, but we do not give the staff enough credit.

On Senator COLLINS' staff: Asha Mathews was critical, and she was great in helping in many different ways with Senator COLLINS who played a very important part in this legislation.

I thank my colleagues for this week. I know we worked very hard and we were very persistent. But one of the great things about this week is we saw what the Senate can do. We saw if we make up our minds that we are going to do something good for this country, the Senate can do it. We worked together. We kept all the nongermane amendments off the bill. We had several on our side, and there were a few over here. We had more on our side, but we kept all of those nongermane amendments off the bill. We had a spirit of cooperation and collegiality and it was great. It was fun to be a part of it. It reminds me, once again, how great an institution the Senate is.

I again one last time thank all of my colleagues for their support and all the floor staff here for doing all the great things they did to get us where we are today. This is a great day for the Senate and a great day for the American people. Now this bill will have to go to conference and the hard work starts. But I feel confident that we will be able to work with our House colleagues, who worked so hard on their legislation to get something done, and hopefully in the next several weeks, whenever that may be, it will come back to the Senate for the final vote and we can get it to the White House.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

THE BUDGET

Mr. SANDERS. Mr. President, if one watches the Presidential campaign, one finds that virtually all of those who have run for President and those who remain in the campaign are talking about change, change, and change. While I think each of them may differ with the other as to exactly what they mean by change, what they are picking up is the very serious unhappiness of the American people in terms of the direction this country is going.

What people perceive and what the candidates are picking up on is that the middle class is shrinking. We have tens of millions of people who wake up in the morning, they go to the gas station, they are paying $3.20 for a gallon of gas. Home heating oil is soaring. In many cases, the wages of workers are going down. People are losing their health insurance. They are losing their pensions. They are seeing their jobs go to China and other low-wage countries. The people in our country do not feel good about the state of our economy. They want changes. They want to move this country in a different direction. Fundamentally, I believe, what they want is a new set of national priorities.

As my colleagues may know, this afternoon the Senate Budget Committee voted on and passed a new budget. This budget, appropriately enough, rejects President Bush's incredibly bad budget, which continues the process of providing huge tax breaks to people who don't need it and then cutting back on the needs of the middle class and working families in terms of massive cuts in Medicare, in Medicaid, eliminating completely the weatherization program, and cutting back significantly on LIHEAP at a time when the need for heating assistance is greater now than ever before. Altogether, it is a budget which puts money where we should not be putting money and cuts back on those programs which people desperately need.

Next week, as I understand it, the budget will be coming to the Senate floor. We will be debating the budget that was passed by the Budget Committee this afternoon. While I happen to believe the budget we passed was a good budget—certainly a major, major, major improvement over what President Bush gave us we can make significant improvements upon what we passed this afternoon. So I will be offering several amendments. The major one will essentially be asking the Senate to change the national priorities of this country and to begin responding to the millions of working families who know that something is wrong in America. They know that while poverty increases, while the middle class shrinks, the people on top have never had it so good. They know that ordinary people understand there is something strange when the wealthiest Nation in the history of the world cannot provide quality health care to all of its people; that our infrastructure is deteriorating before our very eyes; that we have the highest rate of childhood poverty in the industrialized world; that all over our country food shelves are being descended upon—not by unemployed people alone, not by disabled people, not by poor people but by people who are working 40 or 50 hours a week and can't afford with their wages to provide the nutrition their families need. People understand there is something deeply, deeply wrong in this country, and that we have to move in a new direction.

My amendment is very simple. It is going to give the Members of the Senate a very stark choice about whether we want change, about whether we want to move this country in a new direction. This is what it does. It couldn't be simpler. It says that at a time when the wealthiest people in this country have never had it so good since the 1920s in terms of a huge increase in their income, in terms of the fact that we now have by far the most unequal distribution of income and wealth of any major country, where the top 1 percent now earn more income than the bottom 50 percent, what we are saying is that it is time we rescind President Bush's tax breaks that go to people who make at least $1 million. That is the top three-tenths of 1 percent; 99.7 percent of the people would not be impacted by this amendment. It says: Let us rescind those tax breaks for millionaires and billionaires, and when we do that, we will raise about $51 billion.

Now, what can we do with that $51 billion, and what does this amendment include? First, it says that since President Bush has been in office, we have had record-breaking deficits. We now have a $9 trillion national debt. We are fighting a war we are not paying for, but that our kids and our grandchildren will be paying for. So in this amendment, of the $51 billion we raise by rescinding tax breaks for millionaires, we are going to put $10 billion into deficit reduction. That leaves $41 billion.

This is what this amendment would do. It would provide $15 billion for special education. The Presiding Officer may remember that some years ago the Congress—the Government of the United States—made a commitment to school districts all over America and said: If you mainstream kids with disabilities, if you put them into public schools, if you treat them as every other kid, we will provide 40 percent of the cost of that special education. That is what the Government said. Unfortunately, the Government did not keep its word.

So what we see in Vermont—and I suspect in Colorado and all over the country—is the school districts are paying enormous sums of money out of local taxes, often regressive property taxes, to fund special education. All over America, what we are seeing is more and more kids, for whatever reason—and that is a long discussion we need to have—are having problems, are being seen as having special ed needs. It is an expensive proposition. We are saying, let's begin to keep our word to school districts all over America. Let's relieve the pressure of local property taxes. Let's put $15 billion into special education.

In addition, what this amendment would do is provide a $7 billion increase for Head Start. One of the great scandals in our Nation today is that we

have the highest rate of childhood poverty—far higher than any other industrialized country; that working parents are finding it almost impossible to acquire quality, affordable child care; that Head Start openings are much greater than can be accommodated all over the country. We are saying Head Start is a program that works. It provides an opportunity for early childhood education for low-income kids.

Let's expand that program to make sure working families can take advantage of that program and let's put $7 billion into expanding Head Start.

We also, for the same reasons, put $2.2 billion into the child care and the development block grant program that will ensure every eligible family receives access to child care.

I know in my State—and, again, I suspect in most States in this country—people are being weighed down by very high local taxes, including regressive property taxes.

What this amendment does is provide $5 billion for school construction, modernization and repairs, to fix our crumbling schools. What this does is not only help local property taxes and not only help our school kids get modern buildings in which to learn, it also creates a lot of jobs as we rebuild one of the long neglected areas of our infrastructure, and that is our crumbling schools.

This amendment would also provide an additional $3 billion for LIHEAP, the Low-Income Heating Assistance Program. I just, this afternoon, spoke to the directors of various community action programs in the State of Vermont. In my State—and my State may be a little bit different than some because it gets pretty cold there. We have had 20 below zero weather in the last couple weeks. There is a real level of stress regarding the availability of LIHEAP because the cost of home heating fuels is soaring. There is just not that availability. There is not enough money in the LIHEAP fund. We would put $3 billion more into LIHEAP, which helps, by the way, not only low-income families and senior citizens in the wintertime in cold-weather States, but it helps other families in States where the weather gets to be 110 degrees.

As I mentioned earlier, in this great country, the wealthiest country in the history of the world, we must be embarrassed that we have large numbers of people who literally go hungry, who don't have enough food. That number is growing. I know Senator HARKIN, among others, has called for a significant increase in the Food Stamp Program. That is exactly what we should be doing. This amendment would provide $5 billion for food stamps to make sure millions of families with kids have enough food to sustain them.

Lastly, this amendment would provide $3.8 billion to allow the special supplemental nutrition program for Women, Infants, and Children, the WIC Program, to provide nutritious food to over 4 million families. Kids whose mothers have good nutrition and good prenatal experience, obviously, will do better in life. We want to make sure the WIC Program has the resources they need.

So, ultimately, what this amendment is about is pretty simple: We say that in a time when millions of Americans, low- and moderate-income people, are in need, it is the obligation and the right of the U.S. Government to reach out and address those serious problems facing the middle-class and working families of our Nation. And at a time when the wealthiest people in this country have never had it so good and at the same time have been given huge tax breaks by the Bush administration, we say it is appropriate to rescind those tax breaks in order to help millions of people in need. That is what this amendment is about. It calls for a fundamental change in national priorities, and it moves this country in a very different and, I think, more moral direction. I look forward to the support of my colleagues for this amendment that we will offer as part of the budget debate.

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.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THANKING SENATORS AND STAFF

Ms. KLOBUCHAR. Mr. President, I am here today to thank the many Senators and staff who worked on this sweeping consumer protection reform. This is going to mean so much for so many children across this country. It is going to make a difference, and we are really never going to know it.

I can tell you from the parents I have met who have had to deal with their kids ingesting Aqua Dot that morphed into a date-rape drug, or another whose child swallowed a charm that was 39-percent lead, those mothers came to the Capitol because they did not want it to happen to anyone else. Today, we told them we are listening to them, and we are making a difference in the lives of families throughout the country.

The difference started with the Commerce Committee and the very good staff we have on that committee. Before I acknowledge them, I wish to acknowledge my own staff.

I am so proud of the work they did. Tamara Fucile took this issue on as a personal matter. Her children actually had some of the Thomas the Train sets. I cannot tell you to how many hearings she carried those trains, chewed on by her own children, and I would hold them up to show Senators this was a real thing. I thank Tamara, and I also thank her children for parting with their toys, although they are recalled toys.

Kate Nilan has been doing a wonderful job with our office working on these consumer issues. In the last week, Kate was very involved in making sure that our amendment, which banned industries paying for travel, industries that the consumer protection agency is supposed to be regulating, the amendment that Senator MENENDEZ and I did got voted on in this body 94 to 0. It is because of the good work of Kate Nilan in putting that amendment together and working out the procedural issues.

I thank both of my staff members for their fine work on this bill. Tamara was also very involved in the lead standard. She originally worked with me when we said: Why would we not have a Federal lead standard for toys? Why would we have State-by-State standards and some States do not have them and they are different all over the place? We finally have an aggressive lead standard that basically bans lead in children's toys, the first year allowing some trace levels and going down after that. That was Tamara's good work.

I wish to acknowledge the Commerce staff who worked hard on this bill from the beginning: David Strickland was there every step of the way, as well as Alex Hoehn-Saric for his work, and Price Feland, a member of Senator PRYOR's staff, as well as staff of Senator DURBIN who got involved in this issue early on when Senator DURBIN and I met in Chicago with a number of the toy retailers and manufacturers that were concerned about this and knew something had to change in Washington in terms of the funding for this agency, as well as the tools they have to do their jobs.

Senator NELSON has played such an instrumental role when it came to making sure we had third-party verification, as well as the durable goods standard in the bill; then, of course, Senator STEVENS and Senator COLLINS, who assisted in getting bipartisan support for the bill, and Senator PRYOR, who managed it during this week flawlessly.

We are very excited about the change today, that I can go home tonight and tell my 12-year-old daughter—who, I have to tell you, was rather embarrassed about this whole thing when her mom was involved when it was about SpongeBob SquarePants, but when the Barbies started getting recalled, she came into the kitchen and said: Mom, this is really getting serious. So I am going to be able to go home today and tell her we did something good in the Senate.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

TRIBUTE TO FRANCES GADDIE CLINKSCALES

Mr. McCONNELL. Mr. President, I wish to celebrate the life of a woman who has greatly affected the lives of so many throughout the Commonwealth of Kentucky, Mrs. Frances Gaddie Clinkscales. For 78 years, Mrs. Clinkscales loved and invested wholeheartedly in everyone she met.

Known to those around her as ''Miss Frances,'' Mrs. Clinkscales was an inspiration. Her time was devoted to caring for individuals, predominantly through her role as a nurse. She graduated from Durham High School in Campbellsville, KY, in 1949 and continued her education at Howard University in Washington, DC, receiving her degree in nursing. Thus began her dedication to caring for others.

Mrs. Clinkscales served at North Point Hospital in Long Island, NY, before returning to Ft. Knox, KY, to work at the Ireland Army Hospital, where she served the military community for 31 years. Mrs. Clinkscales spent her time loving those around her, not only through her nursing career but for decades after. Her devotion to her faith was expressed throughout every aspect of her life. As a community and civic leader, she worked to assure Taylor County and central Kentucky was a quality place for everyone to live.

Her participation in a plethora of organizations only contributed to the love she spread. She was a member of the Campbellsville City Council, Greater Campbellsville United, and held long terms of service on the Lake Cumberland Development Board, Habitat for Humanity, and the Campbellsville Family Resource and Youth Services Council.

Along with service to organizations such as these, Mrs. Clinkscales spent many of her later years fighting for patients receiving dialysis. In June 2007, Mrs. Clinkscales suffered from complete kidney failure and underwent dialysis. Her treatment was conducted at the Taylor County Dialysis Center; a facility that she was instrumental in opening. Mrs. Clinkscales's commitment to organizations like these and the people she worked with and loved exemplified her genuine care for the community.

Regretfully, on February 27, 2008, the Commonwealth of Kentucky lost this most respected member of our State; yet her legacy will not go untold. Mrs. Clinkscales's constant love for those around her will continue to resonate. Her infamous words to anyone she met—''pretty, pretty'' and ''I love you''—will be remembered. Mrs. Clinkscales genuinely dedicated her life and service to her faith and her town. She leaves behind her granddaughter and her grandson-in-law, LaQuita and Christopher Goodin; two grandsons; and seven nieces.

Mrs. Clinkscales served as an important citizen of Kentucky for decades. This service is assuredly not to be forgotten and will carry on as an example to all. I ask my colleagues to join me in honoring Frances Gaddie Clinkscales for her dedicated service, her example to the community, and in honoring the legacy she has left us.

ENFORCEMENT-ONLY IMMIGRATION BILLS

Mr. KENNEDY. Mr. President, I regret to see that the Republicans are at it again—offering unworkable solutions to complex immigration issues that only make the problem worse and cater to the basest instincts of the far right fringe.

For 7 years, Republicans have failed to fix the broken immigration system, offering only empty rhetoric and unrealistic proposals. Democrats recognize that our country deserves better—we need to overhaul our broken system, uphold our values as a nation of immigrants, ensure our national security and protect American jobs.

It is unacceptable to have 12 million people in our country who are outside the system. Our illegal immigration problem has skyrocketed because employers know they can get away with breaking the law and abusing illegal workers. And the past 7 years have shown us that deportation alone is not the solution.

It is time to stop coddling employers who break our laws and undercut American workers. It is time to make sure employers follow our immigration and labor laws so that the law is respected, wages are fair, working conditions are decent, workers' rights are valued, and unscrupulous employers are punished. And it is time to treat immigrants with the dignity and respect that they deserve.

I have to ask why the Republicans have failed to address these very real problems. They controlled Congress for 6 years. They have occupied the White House for almost 8 years. Where have they been this whole time?

I can tell you where they have been. They have been cynically using the immigration problem to stir up local resentment and fear to divert attention away from their inaction. They have vilified immigrants, especially Latinos, making them the new unwanted class, the new untouchables. They have tried to convince Americans that declaring English the official language will solve our problems, when in fact English is already our national language, but the Government sometimes needs to use other languages to respond to health care and law enforcement emergencies. They have engaged in targeted attacks on people who are contributing to our communities.

I urge them to drop their rhetorical attacks that cater to the extreme right wing of their party. I urge them to listen to the American people, who want real solutions. Americans understand that immigration is a complex challenge that requires a comprehensive solution. They know that we need to address the situation of the 12 million illegal immigrants in the country, requiring them to register with the Government or face deportation; that we need to deport those who have committed serious crimes or represent a threat to our national security; that we need to meaningfully go after employers who flaunt the law by hiring those who are not authorized to work; and that we need to ensure that American workers are not harmed by U.S. immigration policy.

We can do this. We can uphold the rule of law. And we can do it without sacrificing our proud tradition of immigration.

The American people understand the issues. Why can't the Republicans?

Instead, they are proposing to deny local communities funding for community policing because such communities recognize that working with immigrant communities helps combat crime and lawlessness. They would force all American workers to prove eligibility to work based on a database that is so flawed it will result in denial of employment to millions of authorized workers, including American citizens. They would impose jail sentences on illegal immigrants who have not committed crimes, further overloading U.S. prisons. Those are just a few of the unworkable proposals they have introduced today, blithely ignoring the untold harm such ideas will cause to the American public.

This Senate passed comprehensive immigration reform in 2006. That bill faced head on the many aspects of the immigration system that are broken. It recognized that it is impractical to deport 12 million illegal immigrants. And it is undesirable—the majority of these people are playing a key role in the U.S. economy, taking care of our children, mowing our lawns, and harvesting our crops.

But that legislation also recognized that the Government must seize control of our immigration system. Border enforcement that is both effective and humane must be implemented. Employers who knowingly break the law and hire illegal immigrants must be punished. By hiring people who are not authorized to work, these bad actors are also violating labor protections in place to protect American workers.

The 2006 bill failed in the House, where the Republican majority instead chose to grandstand the issue and push an enforcement-only bill. Now we are seeing our Republican colleagues in the Senate do the same.

Let's stop the sham. Let's negotiate a real solution. Let's go back to the table, roll up our sleeves, and give the American public what it deserves: an immigration system that works, that is orderly, and that ensures that the system works for Americans. Anything

less is unworthy of the people we represent, and that is why I oppose this effort launched today by my Republican colleagues.

THE MATTHEW SHEPARD ACT

Mr. SMITH. Mr. President, I wish to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would strengthen and 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 afternoon of December 4, 2007, 30-year-old Gilbert Aguilar was walking to a friend's house in Yucaipa, CA, when he was accosted by four Caucasian men. According to a witness, one of the men called Aguilar a racial slur, and after a brief exchange of words Aguilar continued on his way. Later that night, Aguilar and two friends, Joshua Morales and Ryan Couture, passed by the area where the confrontation had taken place. The four were still there waiting for Aguilar. According to a witness, one of the men in Aguilar's group threw a punch at one of the Caucasian men, provoking Christopher Fulmer to pull out a gun. A witness says Fulmer fired two or three rounds, hitting Couture in the arm and fatally wounding Morales. Fulmer, who has a swastika tattooed on his chest, will stand trial on counts of murder, attempted murder, and a hate crime.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. Federal laws intended to protect individuals from heinous and violent crimes motivated by hate are woefully inadequate. This legislation would better equip the Government to fulfill its most important obligation by protecting new groups of people as well as better protecting citizens already covered under deficient laws. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

SCHOOL SOCIAL WORK WEEK

Mr. JOHNSON. Mr. President, it is with great pleasure that I rise today to publicly recognize School Social Work Week, which is taking place March 2–8, 2008. This important week honors school social workers, who play a vital role in the development of our young students.

My wife Barbara was a school social worker for more than 18 years, so I understand the critical importance of the services they provide to children, families, and schools. Not only do school social workers provide family and student counseling, crisis intervention, family advocacy, truancy prevention, assistance with basic needs, and community referrals for long-term needs, but they also assist already overwhelmed and underfunded schools in finding ways to assist their ''at risk'' students. The presence of school social workers has helped increase attendance rates, academic performance, appropriate behavior, and parental involvement.

I believe the best way we can honor school social workers is by providing them with the resources they need to accomplish their jobs and serve our students. Children often must seek help at school for problems they are experiencing personally, as well as at home. Experts note that early identification and intervention can be beneficial in helping distressed young people cope with and handle the problems in their lives. Without school social workers and the wonderful services they provide, far too many children's needs would remain unaddressed.

For these reasons and countless others, proudly I stand today and applaud the wonderful work of these dedicated individuals. I am pleased that their tireless efforts are being publicly celebrated. It is with great honor that I share their impressive commitment to helping and educating our youth with my colleagues.

RECORD CORRECTION

Mr. GRASSLEY. Mr. President, in yesterday's speech on the executive branch stonewalling of congressional oversight, I erroneously referred to two Egyptian nationals charged with terrorism as former students at Florida State University. In fact, they are former students at the University of South Florida.

ADDITIONAL STATEMENTS

CELEBRATING 10 YEARS OF ALT.CONSULTING

● Mrs. LINCOLN. Mr. President, I wish to recognize a nonprofit organization that has been making a difference in the lives of Mid-South and Delta small business men and women for the last 10 years, alt.Consulting. Founded in 1998, alt.Consulting has been providing small business owners and entrepreneurs with the tools and advice needed to build their businesses and provide jobs in a region of the country in need of a boost.

When one reads their mission statement, you quickly gets a sense of what makes alt.Consulting different. It reads as follows:

alt.Consulting works with local business owners and entrepreneurs in rural Delta and minority communities to examine, diagnose, start and rebuild businesses. We provide tailored support, skill building, and access to capital to enhance business performance leading to growth and self-defined success.

We act on our ethical and social principles, empowering entrepreneurs to overcome racial, gender, socioeconomic and geographic barriers. We believe this leads to vibrant, entrepreneur friendly and just communities.

Through its comprehensive, affordable assistance to small businesses, alt.Consulting raises the standard of living by enabling profitability for new and growing businesses and preventing business failures. We demonstrate the contributions of healthy small businesses to growing communities with more jobs, wealth building opportunities and a stronger tax base.

With offices in Pine Bluff, AR, and Memphis, TN, alt.Consulting has gone into some of the most impoverished communities in Arkansas, Mississippi, and Tennessee and provided the support and assistance needed to get businesses off the ground. The average poverty rate in their target market is a staggering 24 percent. Average unemployment is 8 percent. Even more daunting is that less than 13 percent of the population has a bachelor's degree in the areas they work.

Due to their methodology, though, alt.Consulting has been making a big difference in the Mid-South and the Delta since its inception. In 2006, 195 businesses received one-on-one assistance. As a result, alt.Consulting was responsible for 75 new jobs in a region of the country that had been experiencing negative growth. Moreover, 10 businesses on the verge of failure were saved which protected 700 existing jobs. The sales growth of companies they assisted resulted in $12.7 million in new economic activity. And their technical assistance resulted in $430,000 in SBA community express loans to 39 businesses. This gave those existing businesses the working capital to grow and reach new customers.

alt.Consulting is also working with selected communities to train business specialists to replicate their services at the local level. Thanks to support from U.S. Department of Agriculture, the rural community development initiative program, and the Enterprise Corporation of the Delta, they have launched new, nonprofit microenterprise programs to provide continuous resources to rural communities throughout the Mid-South.

One such effort, the Pine Bluff Entrepreneurship Collaborative, was started in June 2006 and was comprised of 47 community leaders. Their goals were to create an equity pool to start and expand businesses, identify local resources for small businesses, make health insurance affordable for small businesses, and develop marketing and training workshops.

Youth is also a major focus for alt.Consulting. Recognizing that youth entrepreneurship builds a lifetime of opportunities, alt.Consulting works with partners to help ''at-risk'' youth start and build their own small businesses. Through one-on-one mentoring and assistance, alt.Consulting has worked to turn their young ideas into a reality.

As a native of Helena, AR, who grew up in the heart of the Delta, I am proud of the impact that alt.Consulting is making in communities throughout my State. They serve as an example of what we can do when we focus on what

we can be, not what we don't have. This program, and others like it, allows us to build on our strengths, to enable our citizens to make a decent living, to encourage our young people to stay at home, and to ultimately build the tax base and enhance the quality of life for us all.

I commend alt.Consulting on their vision and hard work. I am honored to recognize them on 10 great years, and I look forward to seeing the fruits of their labor for years to come.●

RECOGNIZING KELLY'S CLOSET

● Ms. SNOWE. Mr. President, I wish to recognize Kelly's Closet of Waterford, ME, a woman-owned small business that has helped reinvent a traditional product in a new and environmentally friendly way.

When Kelly Wells founded Kelly's Closet in 2001, there were few options for parents looking for cost-effective, sanitary, and environmentally friendly diapers for their children. Like any good enterprising businesswoman, Ms. Wells identified this underserved market and then moved to supply the demand. At first, Ms. Wells's venture failed to attract the customers for which she had hoped and no orders arrived for 4 months. Despite these early difficulties, Ms. Wells persevered, and eventually her tenacity paid off. The orders that had started off slow rose exponentially, and her business had grown to such an extent that the most significant problem she and her two employees now face is keeping the ''shelves'' of their virtual store stocked with the company's products. Today, Kelly's Closet combines the Internet's tremendous marketing platform with good old-fashioned Maine friendliness to create a customer experience second to none.

Kelly's Closet offers many different diaper and diaper liner options in a wide variety of fibers, from flannel, fleece, and organic cotton, to more unique choices like rice paper and bamboo. Ms. Wells's notably wide variety of merchandise is easy to identify with catchy names like ''Rumpsters,'' ''Knickernappies,'' and ''Tiny Tush.'' Kelly's Closet also sells additional products from other trusted and well-known companies, including accessories for strollers, diaper bags, and other children's apparel, such as swim diapers for the summer and baby boots and shoes for any time of year.

In addition to a varied selection, Kelly's Closet also helps to educate parents about cloth diapers. For parents, making the right diaper choice can sometimes be a confusing process. To help these parents, Ms. Wells publishes a newsletter and has a special easy-to-use section on her Web site that is dedicated to answering parents' frequently asked questions about diaper fabrics, size, and care, as well as the history of the cloth diaper movement. These additions to her Web site ensure that consumers are well informed before they make their first purchase.

Maine is a State known for its innovators and entrepreneurs, and Kelly Wells is a member of that proud group. Her perseverance, tenacity, and business acumen are a testament to what a small business can accomplish. In 8 years, Ms. Wells has helped transform the way parents purchase diapers and has expanded their possibilities to a great degree. I wish Kelly Wells and all the employees of Kelly's Closet continued success as they grow, innovate, and expand their business.●

MESSAGE FROM THE HOUSE

At 2:25 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1084. An act to amend the Foreign Assistance Act of 1961, the State Department Basic Authorities Act of 1956, and the Foreign Service Act of 1980 to build operational readiness in civilian agencies, and for other purposes.

H.R. 1424. An act to amend section 712 of the Employee Retirement Income Security Act of 1974, section 2705 of the Public Health Service Act, section 9812 of the Internal Revenue Code of 1986 to require equity in the provision of mental health and substance-related disorder benefits under group health plans, to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, and for other purposes.

H.R. 4191. An act to redesignate the Dayton Aviation Heritage National Historical Park in the State of Ohio as the ''Wright Brothers-Dunbar National Historical Park'', and for other purposes.

H.R. 4774. An act to designate the facility of the United States Postal Service located at 10250 John Saunders Road in San Antonio, Texas, as the ''Cyndi Taylor Krier Post Office Building''.

H.R. 5159. An act to establish the Office of the Capitol Visitor Center within the Office of the Architect of the Capitol, headed by the Chief Executive Officer for Visitor Services, to provide for the effective management and administration of the Capitol Visitor Center, and for other purposes.

H.R. 5220. An act to designate the facility of the United States Postal Service located at 3800 SW. 185th Avenue in Beaverton, Oregon, as the ''Major Arthur Chin Post Office Building''.

H.R. 5400. An act to designate the facility of the United States Postal Service located at 160 East Washington Street in Chagrin Falls, Ohio, as the ''Sgt. Michael M. Kashkoush Post Office Building''.

The message also announced that the House has passed the following joint resolution, without amendment:

S.J. Res. 25. Joint resolution providing for the appointment of John W. McCarter as a citizen regent of the Board of Regents of the Smithsonian Institution.

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 278. Concurrent resolution supporting Taiwan's fourth direct and democratic presidential elections in March 2008.

H. Con. Res. 286. Concurrent resolution expressing the sense of Congress that Earl Lloyd should be recognized and honored for breaking the color barrier and becoming the first African-American to play in the National Basketball Association League 58 years ago.

H. Con. Res. 292. Concurrent resolution honoring Margaret Truman Daniel and her lifetime of accomplishments.

H. Con. Res. 307. Concurrent resolution expressing the sense of Congress that Members' Congressional papers should be properly maintained and encouraging Members to take all necessary measures to manage and preserve these papers.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4191. To redesignate the Dayton Aviation Heritage National Historical Park in the State of Ohio as the ''Wright Brothers-Dunbar National Historical Park'', and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4774. An act to designate the facility of the United States Postal Service located at 10250 John Saunders Road in San Antonio, Texas, as the ''Cyndi Taylor Krier Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5220. An act to designate the facility of the United States Postal Service located at 3800 SW. 185th Avenue in Beaverton, Oregon, as the ''Major Arthur Chin Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5400. An act to designate the facility of the United States Postal Service located at 160 East Washington Street in Chagrin Falls, Ohio, as the ''Sgt. Michael M. Kashkoush Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 278. Concurrent resolution supporting Taiwan's fourth direct and democratic presidential elections in March 2008; to the Committee on Foreign Relations.

H. Con. Res. 286. Concurrent resolution expressing the sense of Congress that Earl Lloyd should be recognized and honored for breaking the color barrier and becoming the first African American to play in the National Basketball Association League 58 years ago; to the Committee on the Judiciary.

H. Con. Res. 292. Concurrent resolution honoring Margaret Truman Daniel and her lifetime of accomplishments; to the Committee on the Judiciary.

H. Con. Res. 307. Concurrent resolution expressing the sense of Congress that Members' Congressional papers should be properly maintained and encouraging Members to take all necessary measures to manage and preserve these papers; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 2709. A bill to increase the criminal penalties for illegally reentering the United States and for other purposes.

S. 2710. A bill to authorize the Department of Homeland Security to use an employer's failure to timely resolve discrepancies with the Social Security Administration after receiving a ''no match'' notice as evidence that the employer violated section 274A of the Immigration and Nationality Act.

S. 2711. A bill to improve the enforcement of laws prohibiting the employment of unauthorized aliens and for other purposes.

S. 2712. A bill to require the Secretary of Homeland Security to complete at least 700 miles of reinforced fencing along the Southwest border by December 31, 2010, and for other purposes.

S. 2713. A bill to prohibit appropriated funds from being used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

S. 2714. A bill to close the loophole that allowed the 9/11 hijackers to obtain credit cards from United States banks that financed their terrorists activities, to ensure that illegal immigrants cannot obtain credit cards to evade United States immigration laws, and for other purposes.

S. 2715. A bill to amend title 4, United States Code, to declare English as the national language of the Government of the United States, and for other purposes.

S. 2716. A bill to authorize the National Guard to provide support for the border control activities of the United States Customs and Border Protection of the Departments of Homeland Security, and for other purposes.

S. 2717. A bill to provide for enhanced Federal enforcement of, and State and local assistance in the enforcement of, the immigration laws of the United States, and for other purposes.

S. 2718. A bill to withhold 10 percent of the Federal funding apportioned for highway construction and maintenance from States that issue driver's licenses to individuals without verifying the legal status of such individuals.

S. 2719. A bill to provide that Executive Order 13166 shall have no force or effect, and to prohibit the use of funds for certain purposes.

S. 2720. A bill to withhold Federal financial assistance from each country that denies or unreasonably delays the acceptance of nationals of such country who have been ordered removed from the United States and to prohibit the issuance of visas to nationals of such country.

S. 2721. A bill to amend the Immigration and Nationality Act to prescribe the binding oath or affirmation of renunciation and allegiance required to be naturalized as a citizen of the United States, to encourage and support the efforts of prospective citizens of the United States to become citizens, and for other purposes.

S. 2722. A bill to prohibit aliens who are repeat drunk drivers from obtaining legal status or immigration benefits.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 1424. An act to amend section 712 of the Employee Retirement Income Security Act of 1974, section 2705 of the Public Health Service Act, and section 9812 of the Internal Revenue Code of 1986 to require equity in the provision of mental health and substance-related disorder benefits under group health plans.

H.R. 1084. An act to amend the Foreign Assistance Act of 1961, the State Department Basic Authorities Act of 1956, and the Foreign Service Act of 1980 to build operational readiness in civilian agencies, and for other purposes.

H.R. 5159. An act to establish the Office of the Capitol Visitor Center within the Office of the Architect of the Capitol, headed by the Chief Executive Officer for Visitor Services, to provide for the effective management and administration of the Capitol Visitor Center, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BAUCUS for the Committee on Finance.

*Douglas H. Shulman, of the District of Columbia, to be Commissioner of Internal Revenue for the term prescribed by law.

By Mr. LEAHY for the Committee on the Judiciary.

Kevin J. O'Connor, of Connecticut, to be Associate Attorney General.

Gregory G. Katsas, of Massachusetts, to be an Assistant Attorney General.

William Joseph Hawe, of Washington, to be United States Marshal for the Western District of Washington for the term of four years.

Brian Stacy Miller, of Arkansas, to be United States District Judge for the Eastern District of Arkansas.

James Randal Hall, of Georgia, to be United States District Judge for the Southern District of Georgia.

John A. Mendez, of California, to be United States District Judge for the Eastern District of California.

Stanley Thomas Anderson, of Tennessee, to be United States District Judge for the Western District of Tennessee.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BROWN (for himself and Mr. COCHRAN):

S. 2723. A bill to expand the dental workforce and improve dental access, prevention, and data reporting, and for other purposes; to the Committee on Finance.

By Mr. BAYH (for himself, Ms. LANDRIEU, and Mr. LUGAR):

S. 2724. A bill to amend the National Manufactured Housing Construction and Safety Standards Act of 1974 to require that weather radios be installed in all manufactured homes manufactured or sold in the United States; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WARNER (for himself and Mr. WEBB):

S. 2725. A bill to designate the facility of the United States Postal Service located at 6892 Main Street in Gloucester, Virginia, as the ''Congresswoman Jo Ann S. Davis Post Office''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASEY (for himself and Ms. SNOWE):

S. 2726. A bill to amend the Emergency Food Asssitance Act of 1983 to require the Secretary of Agriculture to help offset the costs of intrastate transportation, storage, and distribution of bonus commodities provided to States and food assistance agencies under the emergency food assistance program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. INHOFE (for himself, Mr. COCHRAN, Mr. WICKER, Mr. SHELBY, and Mr. DOMENICI):

S. 2727. A bill to amend title XVIII of the Social Security Act to provide for a temporary moratorium on enforcement of the cap amount on payments for hospice care under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. ISAKSON:

S. 2728. A bill to establish the Twenty-First Century Water Commission to study and develop recommendations for a comprehensive water strategy to address future water needs; to the Committee on Environment and Public Works.

By Mr. CORNYN:

S. 2729. A bill to amend title XVIII of the Social Security Act to modify Medicare physician reimbursement policies to ensure a future physician workforce, and for other purposes; to the Committee on Finance.

By Mr. DOMENICI (for himself, Ms. LANDRIEU, Ms. MURKOWSKI, Mr. MARTINEZ, Mr. BUNNING, Mr. CRAIG, Mr. ALEXANDER, and Mrs. DOLE):

S. 2730. A bill to facilitate the participation of private capital and skills in the strategic, economic, and environmental development of a diverse portfolio of clean energy and energy efficiency technologies within the United States, to facilitate the commercialization and market penetration of the technologies, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HARKIN (for himself and Mr. GRASSLEY):

S. Res. 475. A resolution congratulating Iowa State University of Science and Technology on its 150 years of leadership and service to the United States and the world as Iowa's land-grant university; considered and agreed to.

By Mr. CARDIN (for himself, Mr. VOINOVICH, Ms. MIKULSKI, Mr. CARPER, Mr. BIDEN, and Mr. LEVIN):

S. Con. Res. 69. A concurrent resolution supporting the goals and ideals of a national day of remembrance for Harriet Tubman; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 22

At the request of Mr. WEBB, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 22, a bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes.

S. 573

At the request of Ms. STABENOW, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 573, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 582

At the request of Mr. SMITH, the name of the Senator from Minnesota

(Mr. COLEMAN) was added as a cosponsor of S. 582, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 613

At the request of Mr. BIDEN, the name of the Senator from Connecticut (Mr. LIEBERMAN) 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. 1003

At the request of Ms. STABENOW, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1003, a bill to amend title XVIII of the Social Security Act to improve access to emergency medical services and the quality and efficiency of care furnished in emergency departments of hospitals and critical access hospitals by establishing a bipartisan commission to examine factors that affect the effective delivery of such services, by providing for additional payments for certain physician services furnished in such emergency departments, and by establishing a Centers for Medicare & Medicaid Services Working Group, and for other purposes.

S. 1097

At the request of Ms. SNOWE, her name was added as a cosponsor of S. 1097, a bill to amend title 10, United States Code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War era.

S. 1343

At the request of Mrs. BOXER, her name was added as a cosponsor of S. 1343, a bill to amend the Public Health Service Act with respect to prevention and treatment of diabetes, and for other purposes.

S. 1428

At the request of Mr. HATCH, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1428, a bill to amend part B of title XVIII of the Social Security Act to assure access to durable medical equipment under the Medicare program.

S. 1484

At the request of Mr. ROBERTS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1484, a bill to amend part B of title XVIII of the Social Security Act to restore the Medicare treatment of ownership of oxygen equipment to that in effect before enactment of the Deficit Reduction Act of 2005.

S. 1843

At the request of Mr. KENNEDY, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 1843, a bill to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967 to clarify that an unlawful practice occurs each time compensation is paid pursuant to a discriminatory compensation decision or other practice, and for other purposes.

S. 2033

At the request of Ms. KLOBUCHAR, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 2033, a bill to provide for greater disclosure to, and empowerment of, consumers who have entered into a contract for cellular telephone service.

S. 2069

At the request of Mr. DURBIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 2069, a bill to increase the United States financial and programmatic contributions to promote economic opportunities for women in developing countries.

S. 2140

At the request of Mr. DORGAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2140, a bill to award a Congressional Gold Medal to Francis Collins, in recognition of his outstanding contributions and leadership in the fields of medicine and genetics.

S. 2279

At the request of Mr. BIDEN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2279, a bill to combat international violence against women and girls.

S. 2291

At the request of Mr. AKAKA, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2291, a bill to enhance citizen access to Government information and services by establishing plain language as the standard style of Government documents issued to the public, and for other purposes.

S. 2304

At the request of Mr. LEAHY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2304, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants for the improved mental health treatment and services provided to offenders with mental illnesses, and for other purposes.

S. 2565

At the request of Mr. BIDEN, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 2565, a bill to establish an awards mechanism to honor exceptional acts of bravery in the line of duty by Federal law enforcement officers.

S. 2580

At the request of Mr. BROWN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2580, a bill to amend the Higher Education Act of 1965 to improve the participation in higher education of, and to increase opportunities in employment for, residents of rural areas.

S. 2598

At the request of Mr. DORGAN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2598, a bill to increase the supply and lower the cost of petroleum by temporarily suspending the acquisition of petroleum for the Strategic Petroleum Reserve.

S. 2606

At the request of Mr. DODD, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2606, a bill to reauthorize the United States Fire Administration, and for other purposes.

S. 2705

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2705, a bill to authorize programs to increase the number of nurses within the Armed Forces through assistance for service as nurse faculty or education as nurses, and for other purposes.

S. 2712

At the request of Mr. DEMINT, the names of the Senator from South Carolina (Mr. GRAHAM), the Senator from New Mexico (Mr. DOMENICI), the Senator from North Carolina (Mrs. DOLE), the Senator from Louisiana (Mr. VITTER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 2712, a bill to require the Secretary of Homeland Security to complete at least 700 miles of reinforced fencing along the Southwest border by December 31, 2010, and for other purposes.

S.J. RES. 28

At the request of Mr. DORGAN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S.J. Res. 28, a joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership.

S. RES. 473

At the request of Ms. STABENOW, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 473, a resolution designating March 26, 2008, as ''National Support the Troops and Their Families Day'' and encouraging the people of the United States to participate in a moment of silence to reflect upon the service and sacrifice of members of the Armed Forces both at home and abroad, as well as the sacrifices of their families.

AMENDMENT NO. 4104

At the request of Mr. PRYOR, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of amendment No. 4104 proposed to S. 2663, a bill to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.

AMENDMENT NO. 4109

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of amendment No. 4109 proposed to S. 2663, a bill to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.

AMENDMENT NO. 4130

At the request of Mr. NELSON of Florida, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 4130 proposed to S. 2663, a bill to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WARNER (for himself and Mr. WEBB):

S. 2725. A bill to designate the facility of the United States Postal Service located at 6892 Main Street in Gloucester, Virginia, as the ''Congresswoman Jo Ann S. Davis Post Office''; to the Committee on Homeland Security and Governmental Affairs.

Mr. WARNER. Mr. President, on October 6, 2007, the people of Virginia's First Congressional District lost one of its most respected and admired leaders, a dedicated Member of Congress and loyal friend, Representative Jo Ann Davis.

Today, I am proud to have Senator JIM WEBB join me in introducing a bill to honor our dear colleague. This legislation would designate the United States Post Office at 6892 Main Street in Gloucester, Virginia, as the ''Congresswoman Jo Ann S. Davis Post Office.'' Representative ROBERT WITTMAN has introduced companion legislation in the House of Representatives.

Born in North Carolina, Jo Ann Davis attended Hampton Roads Business College in Virginia and later obtained her real estate license and real estate broker's license over the next several years. In 1990, she started her own company, Jo Ann Davis Realty, and followed this successful endeavor with a run for public office in 1997. Serving as a Delegate in the Virginia General Assembly for 4 years, Jo Ann Davis became the first Republican woman to serve Virginia in the U.S. Congress after winning her election in 2000.

Representative Davis was a relentless champion for the needs of the First District. It was my privilege to work with her on many matters, ranging from national defense to the environment, and in that regard, she worked hard to improve the health of the Chesapeake Bay. Also, I commend her diligent leadership in the removal of the James River Reserve Fleet from Newport News. From her support for the Rappahannock River Valley National Wildlife Refuge to her concern with the preservation of Dragon Run or providing funding for oyster restoration, she always put the quality of Virginia's environment above politics.

With sincere passion and concern, Representative Davis worked to improve our Nation's armed services and the lives of the men and women who bravely answer the call to duty. She provided strong representation for the communities in and surrounding the Naval Surface Warfare Center at Dahlgren and the Marine Corps base at Quantico, ensuring that these facilities continue to make important contributions to protecting the nation and to the economic foundations of their respective areas. Her initiative to increase the life insurance benefit paid to survivors of military members and her advocacy on behalf of the rights and benefits of Federal employees will continue to be appreciated in the years ahead.

I have always admired Representative Davis for her strong convictions and the tenacity that she brought to bear in acting on them. She fought a courageous struggle against cancer, and I will miss her insights and her friendship in our Virginia Congressional Delegation.

I am pleased to offer this small token of recognition and gratitude for someone who has given so much to the Commonwealth and her country.

I close with a personal note that we both shared interests in equestrian activities. There is an old English saying that ''the outside of the horse is good for the inside of the man.'' As an avid, accomplished rider, she often quipped with me that the saying applies equally to a woman. She loved the noble horse.

I join with my colleagues from the Commonwealth and from the entire U.S. Congress in expressing my deepest sympathies to her husband, her two sons, and her extended family. They remain in our thoughts and prayers.

By Mr. CASEY (for himself and Ms. SNOWE):

S. 2726. A bill to amend the Emergency Food Assistance Act of 1983 to require the Secretary of Agriculture to help offset the costs of intrastate transportation, storage, and distribution of bonus commodities provided to States and food assistance agencies under the emergency food assistance program; to the Committee on Agiculture, Nutrition, and Forestry.

Mr. CASEY. Mr. President, I rise today to talk about a crisis that is facing a growing number of Americans every day. That crisis is hunger. In this country, as food prices continue to rise, more and more American families find themselves desperately in need of help just to put food on the table for themselves and their families.

In 2006 alone, the U.S. Department of Agriculture, USDA, reported that 35.5 million Americans did not have enough money or resources to get food for at least some period during the year. This figure was an increase of 400,000 over 2005 and an increase of 2.3 million since 2000. And, with the fragile state of our economy, we can only assume that these figures for 2007 and 2008 will be even more disturbing. The only recourse for these millions of people is to turn to Federal food assistance programs and emergency food banks for their basic food needs.

Unfortunately, as recent articles in national publications like the USA Today and the New York Times have highlighted, there is a critical lack of food inventories available in local food pantries across the country. Rising demand, sharp drops in Federal supplies of excess commodities, and declining donations have forced food banks to cut back on rations, and in some cases, close their doors. In short, America's food banks are facing critical shortages now.

As a member of the Senate Committee on Agriculture, Nutrition, and Forestry, I had a hand in helping to create a new farm bill. This bill, as passed by the Senate, will help food banks by providing additional annual funding to shore up food bank supplies. But, as we continue to conference this bill with the House, there are further steps we can take to help ensure that food banks can continue to fulfill their mission.

That is why today I am pleased to join with Senator SNOWE to introduce the Bonus TEFAP Assistance Act of 2008. This act will provide critical support needed to ensure food assistance agencies, already in desperate need of supplies, can take full advantage of the distributions of bonus food commodities supplied by USDA through the Emergency Food Assistance Program, TEFAP. By helping to offset the intrastate storage, transportation, and distribution costs the food assistance agencies incur to distribute these bonus food surpluses, the act will ensure the commodities will be able to reach the greatest number of needy individuals.

The Emergency Food Assistance Program began in 1981 as a temporary program with dual purposes; it was intended to help reduce the Federal food inventories and storage costs while also assisting the needy. Because of the program's success in helping distribute food to those in need, in 1988, after much of the Federal inventory was depleted, the Hunger Prevention Act authorized funds to be appropriated to purchase food for TEFAP.

Under current-day TEFAP, the USDA provides States and food assistance agencies with food commodities bought specifically for the program and with funding to help cover distributing agencies' intrastate storage, handling, and distribution costs. In addition, when available, USDA provides any excess food not needed to fulfill other

program requirements to States for allocation to local food assistance agencies. This excess food is otherwise known as ''bonus TEFAP.'' Unfortunately, while the USDA generously distributes these bonus TEFAP commodities to the States, many of the State and food assistance agencies are unable to accept the bonus TEFAP commodities because they do not have the resources to store, transport, or distribute them.

The Bonus TEFAP Assistance Act of 2008 that I am introducing today with Senator SNOWE alleviates this problem by providing offsetting funds to recipient agencies to assist with the costs of storing, transporting, and distributing bonus TEFAP commodities. The funds provided through this legislation will help to provide more food to those in need through food banks, food pantries, emergency shelters, soup kitchens, and other organizations that directly provide these resources to the public.

To solve the problem the inadequacy of local resources causes, the bill authorizes the Secretary of Agriculture to use existing funds granted under section 32 of the Agricultural Adjustment Act of 1935. Currently, section 32 funds are used to fund child nutrition programs and other programs to support the farm sector at the discretion of the Secretary. Through this legislation, a small portion of section 32 funds would be allocated to each eligible recipient agency in the lesser amount of $0.05 per pound or $0.05 per dollar value of bonus TEFAP commodities. With this modest increase in funding, the States and their food assistance agencies will be able to accept more food distributions from the USDA through TEFAP, benefitting the many low-income recipients who rely on the program for emergency food and nutrition assistance.

I urge all of my colleagues to join Senator SNOWE and me in ensuring that the States and food assistance agencies can accept the available excess commodity foods the USDA provides under the Emergency Assistance Food Program. Food assistance agencies are in dire need of funds, food, and supplies and we owe it to them to ensure that they can take full advantage of every opportunity to serve those in our nation who are in desperate need.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2726

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 ''Bonus TEFAP Assistance Act of 2008''.

SEC. 2. ASSISTANCE FOR COSTS OF DISTRIBUTING BONUS COMMODITIES.

(a) PURPOSES.—The purposes of this section are—

(1) to encourage States and food assistance agencies to accept commodities acquired by the Secretary of Agriculture for farm support and surplus removal activities; and

(2) to offset the costs of the States and food assistance agencies for the intrastate transportation, storage, and distribution of the commodities.

(b) COSTS OF DISTRIBUTING BONUS COMMODITIES.—Section 202 of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7502) is amended by inserting after subsection (a) the following:

''(b) COSTS OF DISTRIBUTING BONUS COMMODITIES.—

''(1) IN GENERAL.—The Secretary shall use funds made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to provide funding described in paragraph (2) to eligible recipient agencies to offset the costs of the agencies for intrastate transportation, storage, and distribution of commodities described in subsection (a).

''(2) FUNDING.—The Secretary shall provide funding described in paragraph (1) to an eligible recipient agency at a rate equal to the lower of $0.05 per pound or $0.05 per dollar value of commodities described in subsection (a) that are made available under this Act to, and accepted by, the eligible recipient agency.''.

By Mr. CORNYN:

S. 2729. A bill to amend title XVIII of the Social Security Act to modify Medicare physician reimbursement policies to ensure a future physician workforce, and for other purposes; to the Committee on Finance.

Mr. CORNYN. Mr. President, you don't have to be an expert in health care policy to know our health care system is in need of reform. Today, we spend over $2 trillion on health care, almost $7,500 per person. In 10 years, national health care expenditures are expected to reach $4.3 trillion, or $13,000 per person, which would comprise 19.5 percent of our gross domestic product. Clearly, this rate of increase is unsustainable. We must work together to develop creative solutions that will change the way we deliver health care. The goal should be to allow health care providers to develop treatment plans based on what is in the best interest of the patient. But the current system under which we pay physicians neither puts patients first nor reduces costs.

A decade ago, instead of creating a mechanism that changed the way physicians deliver care, Congress attempted to curb rising health care costs through an arbitrary annual expenditure cap on physician payments. And what has the result been? Physicians have seen their reimbursements lag far behind their costs, in Texas and nationally—a 15-percent gap. In order to recoup lost revenue, physicians often increased the number of patients they were seeing per day, meaning they were spending less and less time with their patients, lowering the quality of care delivered. Moreover, we are starting to see problems with beneficiary access. At an increasing rate, beneficiaries across the country are reporting difficulties in scheduling appointments with their physicians.

But declining reimbursements are also influencing the development of future generations of physicians—especially in primary care—as there is a disincentive to enter the profession or an incentive to forgo primary care for more lucrative specialties. This is especially alarming, as the Medicare population grows and many physicians will be retiring. For example, my State of Texas already has a below-average physician-to-population ratio, while 39 percent of practicing physicians are already over 50.

There are over 30 health care reform plans floating around inside and outside of Congress. Few of these plans address the fundamental question: What good is coverage without access to that coverage?

If we are serious about changing our health care system, we need to start with changing the way we pay physicians—that would send a strong message not only about the need for better quality care but also the need to ensure a future generation of American physicians.

I am pleased to introduce the Ensuring the Future Physician Workforce Act of 2008. This bill will provide positive reimbursement updates for providers; eliminate the ineffectual expenditure cap; increase incentives for physician data reporting; facilitate adoption of Health Information Technology, HIT, by addressing cost and legislative barriers; educate and empower physicians and beneficiaries in relation to Medicare spending and benefits usage; and study ways to realign the way Medicare pays for health care.

Every few years, Congress goes through the same rituals of trying to fix the physician reimbursement mechanism. First, CMS tells us the expenditure cap requires Medicare physician reimbursements to be cut by a certain percent. Next, Congress struggles to find a way to prevent this cut, knowing how harmful it would be. Yet delaying this cut is extremely expensive. Congress then swears that this is the last time they will go through this process and that it must come up with a comprehensive fix. Ultimately, Congress never seems able to fix the problem. This bill stops the charade, resets the baseline for the next year and a half, and then eliminates the expenditure cap thereafter. Rather than pretending like we are going to adhere to an arbitrary cap of $80, for example, only to spend more later, this bill puts up front the true cost that we are really going to spend $100 or $101. The effect on spending is the same, but physicians and beneficiaries have certainty.

If Congress fails to act, Texas physicians will lose $860 million between July 2008 and December 2009, which is a cut of $18,000 to each Texas physician. That figure balloons to $16.5 billion by 2016 due to nearly a decade of scheduled cuts.

Two widely identified ways of moving toward lower costs and better quality stem from the collection of health care data and the implementation of health information technology.

First, increasing incentives for the reporting of data will improve our ability to assess how we deliver care and the level of that care. In this bill we go beyond general reporting and focus on the most expensive diseases. The director of the Congressional Budget Office, Peter Orszag, likes to ask the paradoxical question: ''How can the best medical care in the world cost twice as much as the best medical care in the world?'' It does because we deliver care in vastly different ways and at vastly different costs. By focusing our data collection efforts, we will better understand how these differences occur.

Second, there are few who would argue with the notion that implementation of HIT is beneficial from a cost and quality perspective; HIT provides transparency, efficiency, portability, safety, and reductions in duplicative and wasteful procedures. However, various cost and legislative barriers have inhibited widespread adoption. There is a large cost associated with implementing HIT because of the cost of hardware, software, and time needed to train staff. Additionally, there is a disincentive to invest in HIT because the Department of Health and Human Services has yet to finalize its standards. Providers are stuck in neutral.

Under the current regulatory environment, doctors have limited ability to accept hardware, software, or help in training from hospitals. Not only does this unfairly harm patients in these practices, it negatively impacts community health. This bill provides a safe harbor to that regulation but maintains the spirit of the law by allowing hospitals to help physicians in their implementation of HIT—either in the purchasing of hardware or software or in training—as long as these hospitals do not restrict the physician's interoperability, clinical practice, or referral system for their own financial benefit. This bill provides the incentive to voluntarily implement HIT and commonsense regulations that move communities into the 21st century. Once beneficiaries begin to see the benefits HIT will have on the quality of their care and in their wallets, providers will not be able to ignore the demand.

Finally, this bill would provide comparative reports to physicians on their billings and to beneficiaries on their usage of services. Physicians want to do the right thing for their patients, but we need to ensure that they have the tools necessary to appropriately deliver that care. When physicians look at these reports and see how they compare to other providers in their area or across the Nation, they will take that report seriously and evaluate why their practices differ. Similarly, beneficiaries will have a tool to evaluate their level of care and a tool to engage the physician-patient relationship.

Mr. President, it is no secret that the path Medicare is on is unsustainable. So far, our only recourse has been to prolong the inevitable collapse, rather than reforming the doomed system. This bill is a small step toward righting the Medicare ship, and with it, America's health care system as a whole. It is time we move forward in health care and help create a system that provides the best care at the best prices. I hope my colleagues will join me in supporting this bill and ensuring a better future for American health care.

By Mr. DOMENICI (for himself, Ms. LANDRIEU, Ms. MURKOWSKI, Mr. MARTINEZ, Mr. BUNNING, Mr. CRAIG, Mr. ALEXANDER, and Mrs. DOLE):

S. 2730. A bill to facilitate the participation of private capital and skills in the strategic, economic, and environmental development of a diverse portfolio of clean energy and energy efficiency technologies within the United States, to facilitate the commercialization and market penetration of the technologies, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DOMENICI. Mr. President, a report by the Energy Information Administration released this week confirms that we have made real, measurable progress in our efforts to reduce our dependence upon foreign oil. The best estimating group in the world, the Energy Information Administration of America, made this determination. I know the occupant of the chair will be interested, because what we have done in the past 3 years with the passage of three major pieces of energy legislation is, for the first time in modern history, we have reduced the amount of consumption of crude oil from overseas to America by Americans here at home. In other words, during the next 30 years, we will finally get to the point where, instead of that importation going up, it will begin to reverse itself and start coming down.

Now, the bad news for Americans is you can't do that overnight, but we have done it with the passage of the CAFE standards, meaning smaller cars in the future for everyone, and with the passage of two or three other big bills, we have made a lasting impact on how much we use of this dread imported product that we call crude oil.

Over the last several years, as I indicated, Congress has passed three major pieces of legislation: the Energy Policy Act of 2005, the Gulf of Mexico Energy Security Act, and the Energy Independence and Security Act. We put these together, and the estimates are that as a result of this action I just spoke about, more than 2 million barrels of oil per day will be saved by America by 2030. In addition, our action will lead to—and get this—5.3 billion fewer metric tons of energy-related carbon dioxide emissions by that time—the equivalent of 71,500 megawatt coal-burning electric plants. Imagine that. By reducing that amount of oil consumed, we will reduce the amount of carbon dioxide by 5.3 billion fewer metric tons used.

Nevertheless, our work is not nearly done. I have been encouraged by the growth of clean energy technologies, but I have come to believe that in the long run, we will fall far short of the amount of financial resources necessary to move these projects along at a fast enough pace. Consider that nearly half of our current electric generation fleet is over 30 years old. Nearly a third of our overall generation comes from coal-fired plants, the majority of which are not equipped with emission control technology. Yet investor-owner utilities are not large enough to carry several multibillion dollar projects, and competitive electricity markets don't have an effective mechanism to encourage investment in larger, expensive new capacity. I come to the floor to propose at least a partial solution to this challenge.

Today I am introducing legislation to establish a clean energy investment bank. This bank will be a government corporation, modeled after the Export-Import Bank, designed to promote investment in domestic energy projects. I am pleased to have a number of cosponsors, including Senators LANDRIEU, MURKOWSKI, MARTINEZ, BUNNING, CRAIG, ALEXANDER, and DOLE. I haven't worked very hard because I haven't had time, but I think I can get many more Senators to be cosponsors as well.

According to some analysis, over $350 billion will be needed over the next 15 years to meet our increased demands for energy. Not only do we face the challenge of needing to get more power on line, we also are trying to do it in a way that results in less pollution. By investing in clean energy technology, we will reap enormous benefits when it comes to energy, economic, environmental, and national security.

Investors have shown a willingness to support clean energy technology. A United Nations report recently revealed that investment in sustainable energy has nearly doubled since 2005. Additionally, private sector research and development has risen to over $16 billion. Yet the growth we have seen primarily comes from equity investment and venture capital, not long-term debt financing.

The clean energy industry faces unique challenges. Unlike traditional fossil fuel energy projects, which are able to more easily secure long-term debt financing, clean energy markets have a greater level of risk both economically and technically. That is why the certainty provided by Federal Government support would be beneficial. Our goal moving forward should be greater increases for all types of clean energy generation projects through secure financing.

Right now, we are lacking an institution able to undertake this kind of activity and fill this gap. The clean energy investment bank that will be created by the legislation which I introduce today has a real chance of filling that gap.

The bank will engage in investment activities to encourage long term debt

financing of clean energy projects. It will take responsibility for management of the Department of Energy's title 17 loan guarantee program, and have the authority to offer loans, insurance products, and take positions in commercially viable projects.

The clean energy investment bank will be a governmental corporation, with a bipartisan board of directors that will have significant autonomy in choosing the projects they believe are most worthy.

In this legislation, we do not seek to tell the bank exactly which specific types of projects to support. Our requirement is that the projects provide clean energy and that the bank considers a reasonable diversity of projects, technologies, and energy sectors. We give flexibility to the bank's board of directors and management so that they can provide support for the latest technologies, some of which may not even be under consideration right now.

The sole mission of the clean energy investment bank will be to advance the deployment of clean energy technologies. The bank will be staffed with investment professionals who will make informed decisions on loans, loan guarantees, and other investments.

Initially, we anticipate that the clean energy investment bank will be given a similar level of financial support as the Export-Import Bank. The Export-Import Bank assists financing the export of U.S. goods and services to international markets. By enabling companies in our country to turn exports into sales overseas, the bank helps create jobs and ensures a level playing field.

Export-Import provides a worthy and useful service to our economy and to growing economies overseas. Last year, Congress provided $68 million to the bank to subsidize its costs, and another $78 million for administrative expenses. But we must ask ourselves: shouldn't domestic energy diversification receive at least as much support as U.S. companies investing overseas?

The bank will be financed in part through the appropriations process, but in greater measure through a revolving fund. The goal would be for the bank to be self-funding through its investment of activity as soon as possible.

Congress will soon be embarking on a debate about climate change. It is simply a reality that much of that discussion will largely fall on partisan lines. Senators have diverse views about global climate change and the proposed solutions to handle it.

The clean energy investment bank, however, is something that we all can support. It gives us a chance to make real progress in a bipartisan way on our shared goals of increasing energy production and reducing greenhouse gas emissions. Despite the odds, we have demonstrated that when we work together to find common ground on energy, we can succeed and pass legislation that will help make America stronger. In times of economic uncertainty, we need pro-growth strategies that incentivize large private investment, not complex regulatory structures that increase the cost of energy. The clean energy investment bank is such a pro-growth proposal that stands tall on its own.

I look forward to working with my colleagues on both sides of the aisle on this bill, and I hope the Senate will adopt it. We have made great strides in recent years to diversify our energy supply, but we should not rest on our laurels. This bill will help us keep up the momentum and shift America away from foreign oil and toward cleaner, home-grown technologies.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2730

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 ''Clean Energy Investment Bank Act of 2008''.

SEC. 2. DEFINITIONS.

In this Act:

(1) BANK.—The term ''Bank'' means the Clean Energy Investment Bank of the United States established by section 3(a).

(2) BOARD.—The term ''Board'' means the Board of Directors of the Bank established under section 4(b).

(3) CLEAN ENERGY INVESTMENT BANK FUND.—The term ''Clean Energy Investment Bank Fund'' means the revolving fund account established under section 6(b).

(4) COMMERCIAL TECHNOLOGY.—The term ''commercial technology'' means a technology in general use in the commercial marketplace.

(5) ELIGIBLE PROJECT.—The term ''eligible project'' means a project in a State related to the production or use of energy that uses a commercial technology that the Bank determines avoids, reduces, or sequesters 1 or more air pollutants or anthropogenic emissions of greenhouse gases more effectively than other technology options available to the project developer.

(6) INVESTMENT.—The term ''investment'' includes any contribution or commitment to an eligible project in the form of—

(A) loans or loan guarantees;

(B) the purchase of equity shares in the project;

(C) participation in royalties, earnings, or profits; or

(D) furnishing commodities, services or other rights under a lease or other contract.

(7) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

SEC. 3. ESTABLISHMENT OF BANK.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the Executive branch a bank to be known as the ''Clean Energy Investment Bank of the United States,'' which shall be an agency of the United States.

(2) GOVERNMENT CORPORATION.—The Bank shall be—

(A) a Government corporation (as defined in section 103 of title 5, United States Code); and

(B) subject to chapter 91 of title 31, United States Code, except as expressly provided in this Act.

(b) AUTHORITY.—

(1) IN GENERAL.—The Bank shall assist in the financing, and facilitate the commercial use, of clean energy and energy efficient technologies within the United States.

(2) ASSISTANCE FOR ELIGIBLE PROJECTS.—The Bank may make investments—

(A) in eligible projects on such terms and conditions as the Bank considers appropriate in accordance with this Act; or

(B) under title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.), and any of the regulations promulgated under that Act, as the Bank considers appropriate.

(3) REPAYMENT.—No loan or loan guarantee shall be made under this subsection unless the Bank determines that there is a reasonable prospect of repayment of the principal and interest by the borrower.

(4) PROJECT DIVERSITY.—The Bank shall ensure that a reasonable diversity of projects, technologies, and energy sectors receive assistance under this subsection.

(c) POWERS.—In carrying out this Act, the Bank may—

(1) conduct a general banking business (other than currency circulation), including—

(A) borrowing and lending money;

(B) issuing letters of credit;

(C) accepting bills and drafts drawn upon the Bank;

(D) purchasing, discounting, rediscounting, selling, and negotiating, with or without endorsement or guaranty, and guaranteeing, notes, drafts, checks, bills of exchange, acceptances (including bankers' acceptances), cable transfers, and other evidences of indebtedness;

(E) issuing guarantees, insurance, coinsurance, and reinsurance;

(F) purchasing and selling securities; and

(G) receiving deposits;

(2) make investments in eligible projects on a self-sustaining basis, taking into account the financing operations of the Bank and the economic and financial soundness of projects;

(3) use private credit, investment institutions, and the guarantee authority of the Bank as the principal means of mobilizing capital investment funds;

(4) broaden private participation and revolve the funds of the Bank through selling the direct investments of the Bank to private investors whenever the Bank can appropriately do so on satisfactory terms;

(5) conduct the insurance operations of the Bank with due regard to principles of risk management, including efforts to share the insurance risks of the Bank;

(6) foster private initiative and competition and discourage monopolistic practices; and

(7) advise and assist interested agencies of the United States and other organizations, public and private and national and international, with respect to projects and programs relating to the development of private enterprise in the market sector in accordance with this Act.

SEC. 4. ORGANIZATION AND MANAGEMENT.

(a) STRUCTURE OF BANK.—The Bank shall have—

(1) a Board of Directors;

(2) a President;

(3) an Executive Vice President; and

(4) such other officers and staff as the Board may determine.

(b) BOARD OF DIRECTORS.—

(1) ESTABLISHMENT.—There is established a Board of Directors of the Bank to exercise all powers of the Bank.

(2) COMPOSITION.—

(A) IN GENERAL.—The Board shall be composed of 7 members, of whom—

(i) 5 members shall be independent directors appointed by the President of the United States, by and with the advice and consent of the Senate (referred to in this subsection as ''independent directors''; and

(ii) 2 members shall be the President of the Bank and the Executive Vice President of the Bank, appointed by the independent directors.

(B) FEDERAL EMPLOYMENT.—An independent director shall not be an officer or employee of the Federal Government at the time of appointment.

(C) POLITICAL PARTY.—Not more than 3 of the independent directors shall be members of the same political party.

(3) TERM; VACANCIES.—

(A) TERM.—

(i) IN GENERAL.—Subject to clause (ii), the independent directors shall be appointed for a term of 5 years and may be reappointed.

(ii) STAGGERED TERMS.—The terms of not more than 2 independent directors shall expire in any year.

(B) VACANCIES.—A vacancy on the Board—

(i) shall not affect the powers of the Board; and

(ii) shall be filled in the same manner as the original appointment was made.

(4) MEETINGS.—

(A) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

(B) MEETINGS.—The Board shall meet at the call of the Chairman of the Board.

(C) QUORUM.—Four members of the Board shall constitute a quorum, but a lesser number of members may hold hearings.

(5) CHAIRMAN AND VICE CHAIRMAN.—

(A) IN GENERAL.—The Board shall select a Chairman and Vice Chairman from among the members of the Board.

(B) ELIGIBILITY.—The Chairman of the Board shall not be an Executive Director of the Board.

(6) COMPENSATION OF MEMBERS.—An independent director shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Board.

(7) TRAVEL EXPENSES.—An independent director shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(c) PRESIDENT OF THE BANK.—

(1) APPOINTMENT.—The President of the Bank shall be appointed by the Board.

(2) DUTIES.—The President of the Bank shall—

(A) be the Chief Executive Officer of the Bank;

(B) be responsible for the operations and management of the Bank, subject to bylaws and policies established by the Board; and

(C) serve as an Executive Director on the Board.

(d) EXECUTIVE VICE PRESIDENT.—

(1) APPOINTMENT.—The Executive Vice President of the Bank shall be appointed by the Board.

(2) DUTIES.—The Executive Vice President of the Bank shall—

(A) serve as the President of the Bank during the absence or disability, or in the event of a vacancy in the office, of the President of the Bank;

(B) at other times, perform such functions as the President of the Bank may from time to time prescribe; and

(C) serve as an Executive Director on the Board.

(e) STAFF.—

(1) IN GENERAL.—The Board may—

(A) appoint and terminate such officers, attorneys, employees, and agents as are necessary to carry out this Act; and

(B) vest the personnel with such powers and duties as the Board may determine.

(2) CIVIL SERVICE LAWS.—Persons employed by the Bank may be appointed, compensated, or removed without regard to civil service laws (including regulations).

(3) REAPPOINTMENT.—Under such regulations as the President of the United States may promulgate, an officer or employee of the Federal Government who is appointed to a position under this subsection may be entitled, on removal from the position, except for cause, to reinstatement to the position occupied at the time of appointment or to a position of comparable grade and salary.

(4) ADDITIONAL POSITIONS.—Positions authorized under this subsection shall be in addition to other positions otherwise authorized by law, including positions authorized by section 5108 of title 5, United States Code.

SEC. 5. FINANCING, GUARANTIES, INSURANCE, CREDIT SUPPORT, AND OTHER PROGRAMS.

(a) INTERGOVERNMENTAL AGREEMENTS.—Subject to the other provisions of this section, the Bank may enter into arrangements with State and local governments (including agencies, instrumentalities, or political subdivisions of State and local governments) for sharing liabilities assumed by providing financial assistance for eligible projects under this Act.

(b) INSURANCE.—

(1) IN GENERAL.—The Bank may issue insurance, on such terms and conditions as the Bank may determine, to ensure protection in whole or in part against any or all of the risks with respect to eligible projects that the Bank has approved.

(2) DUPLICATION OF ASSISTANCE.—The Bank shall not offer any insurance products under this subsection that duplicate or augment any other similar Federal assistance.

(c) GUARANTEES.—

(1) IN GENERAL.—The Bank may issue guarantees of loans and other investments made by investors assuring against loss in eligible projects on such terms and conditions as the Bank may determine.

(2) BUDGETARY TREATMENT.—Any guarantee issued under this subsection shall, for budgetary purposes, be considered a loan guarantee (as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a)).

(d) LOANS AND CREDIT ASSISTANCE.—

(1) IN GENERAL.—The Bank may make loans, provide letters of credit, issue other credit enhancements, or provide other financing for eligible projects on such terms and conditions as the Bank may determine.

(2) BUDGETARY TREATMENT.—Any financial instrument issued under this subsection shall, for budgetary purposes, be considered a direct loan (as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a)).

(e) ELIGIBLE PROJECT DEVELOPMENT INVESTMENT ENCOURAGEMENT.—The Bank may provide financial assistance under this section for development activities for eligible projects, under such terms and conditions as the Bank may determine, if the Board determines that the assistance is necessary to encourage private investment or accelerate project development.

(f) OTHER INSURANCE FUNCTIONS.—The Bank may—

(1) using agreements and contracts that are consistent with this Act—

(A) make and carry out contracts of insurance or agreements to associate or share risks with insurance companies, financial institutions, any other person or group of persons; and

(B) employ entities described in subparagraph (A), if appropriate, as the agent of the Bank in—

(i) the issuance and servicing of insurance;

(ii) the adjustment of claims;

(iii) the exercise of subrogation rights;

(iv) the ceding and acceptance of reinsurance; and

(v) any other matter incident to an insurance business; and

(2) enter into pooling or other risk-sharing agreements with other governmental insurance or financing agencies or groups of those agencies.

(g) EQUITY FINANCE PROGRAM.—

(1) IN GENERAL.—Subject to the other provisions of this subsection, the Bank may establish an equity finance program under which the Bank may, in accordance with this subsection, purchase, invest in, or otherwise acquire equity or quasi-equity securities of any firm or entity, on such terms and conditions as the Bank may determine, for the purpose of providing capital for any project that is consistent with this Act.

(2) TOTAL AMOUNT OF EQUITY INVESTMENTS.—

(A) TOTAL AMOUNT OF EQUITY INVESTMENT UNDER EQUITY FINANCE PROGRAM.—

(i) IN GENERAL.—Except as provided in clause (ii), the total amount of the equity investment of the Bank with respect to any project under this subsection shall not exceed 30 percent of the aggregate amount of all equity investment made with respect to the project at the time at which the equity investment of the Bank is made.

(ii) DEFAULTS.—Clause (i) shall not apply to a security acquired through the enforcement of any lien, pledge, or contractual arrangement as a result of a default by any party under any agreement relating to the terms of the investment of the Bank.

(B) TOTAL AMOUNT OF EQUITY INVESTMENT UNDER MULTIPLE PROGRAMS.—

(i) IN GENERAL.—The equity investment of the Bank under this subsection with respect to any project, when added to any other investments made or guaranteed by the Bank under subsection (c) or (d) with respect to the project, shall not cause the aggregate amount of all the investments to exceed, at the time any such investment is made or guaranteed by the Bank, 75 percent of the total investment committed to the project, as determined by the Bank.

(ii) CONCLUSIVE DETERMINATION.—The determination of the Bank under this subparagraph shall be conclusive for purposes of the authority of the Bank to make or guarantee any investment described in clause (i).

(3) ADDITIONAL CRITERIA.—In making investment decisions under this subsection, the Bank shall consider the extent to which the equity investment of the Bank will assist in obtaining the financing required for the project.

(4) IMPLEMENTATION.—

(A) IN GENERAL.—The Bank may create such legal vehicles as are necessary for implementation of this subsection.

(B) NON-FEDERAL BORROWERS.—A borrower participating in a legal vehicle created under this paragraph shall be considered a non-Federal borrower for purposes of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(C) SECURITIES.—Income and proceeds of investments made under this subsection may be used to purchase equity or quasi-equity securities in accordance with this section.

(h) RELATIONSHIP TO FEDERAL CREDIT REFORM ACT OF 1990.—

(1) IN GENERAL.—Any liability assumed by the Bank under subsections (c) and (d) shall be discharged pursuant to the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(2) SPECIFIC APPROPRIATION OR CONTRIBUTION.—

(A) IN GENERAL.—No loan guaranteed under subsection (c) or direct loan under subsection (d) shall be made unless—

(i) an appropriation for the cost has been made; or

(ii) the Bank has received from the borrower a payment in full for the cost of the obligation.

(B) BUDGETARY TREATMENT.—Section 504(b) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)) shall not apply to a loan or loan guarantee made in accordance with subparagraph (A)(ii).

(3) APPORTIONMENT.—Receipts, proceeds, and recoveries realized by the Bank and the obligations and expenditures made by the Bank pursuant to this subsection shall be exempt from apportionment under subchapter II of chapter 15 of title 31, United States Code.

SEC. 6. ISSUING AUTHORITY; DIRECT INVESTMENT AUTHORITY AND RESERVES.

(a) MAXIMUM CONTINGENT LIABILITY.—The maximum contingent liability outstanding at any time pursuant to actions taken by the Bank under section 5 shall not exceed a total amount of $100,000,000,000.

(b) CLEAN ENERGY INVESTMENT BANK FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a revolving fund, to be known as the ''Clean Energy Investment Bank Fund'' (referred to in this section as the ''Fund'').

(2) USE.—The Clean Energy Investment Bank Fund shall be available for discharge of liabilities under section 5 (other than subsections (c) and (d) of section 5) until the earlier of—

(A) the date on which all liabilities of the Bank have been discharged or expire; or

(B) the date on which all amounts in the Fund have been expended in accordance with this section.

(3) APPORTIONMENT.—Receipts, proceeds, and recoveries realized by the Bank and the obligations and expenditures made by the Bank pursuant to this subsection shall be exempt from apportionment under subchapter II of chapter 15 of title 31, United States Code.

(c) PAYMENTS OF LIABILITIES.—Any payment made to discharge liabilities arising from agreements under section 5 (other than subsections (c) and (d) of section 5) shall be paid out of the Clean Energy Investment Bank Fund.

(d) SUPPLEMENTAL BORROWING AUTHORITY.—

(1) IN GENERAL.—In order to maintain sufficient liquidity in the revolving loan fund, the Bank may issue from time to time for purchase by the Secretary of the Treasury notes, debentures, bonds, or other obligations.

(2) MAXIMUM TOTAL AMOUNT.—The total amount of obligations issued under paragraph (1) that is outstanding at any time shall not exceed $2,000,000,000.

(3) REPAYMENT.—Any obligation issued under paragraph (1) shall be repaid to the Treasury not later than 1 year after the date of issue of the obligation.

(4) INTEREST RATE.—Any obligation issued under paragraph (1) shall bear interest at a rate determined by the Secretary of the Treasury, taking into account the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of any obligation authorized by this subsection.

(5) PURCHASE OF OBLIGATIONS.—

(A) IN GENERAL.—The Secretary of the Treasury—

(i) shall purchase any obligation of the Bank issued under this subsection; and

(ii) for the purchase, may use as a public debt transaction the proceeds of the sale of any securities issued under chapter 31 of title 31, United States Code.

(B) PURPOSES.—The purpose for which securities may be issued under chapter 31 of title 31, United States Code, shall include any purchase under this paragraph.

SEC. 7. ADMINISTRATION.

(a) PROTECTION OF INTEREST OF BANK.—The Bank shall ensure that suitable arrangements exist for protecting the interest of the Bank in connection with any agreement issued under this Act.

(b) FULL FAITH AND CREDIT.—

(1) OBLIGATION.—A loan guarantee issued by the Bank under section 5(c) shall constitute an obligation, in accordance with the terms of the guarantee, of the United States.

(2) PAYMENT.—The full faith and credit of the United States is pledged for the full payment and performance of the obligation.

(c) FEES.—

(1) IN GENERAL.—The Bank shall establish and collect fees for services under this Act in amounts to be determined by the Bank.

(2) AVAILABILITY OF FEES.—Except as provided in paragraph (3), fees collected by the Bank under paragraph (1) (including fees collected for administrative expenses in carrying out subsections (c) and (d) of section 5) may be retained by the Bank and may remain available to the Bank, without further appropriation or fiscal year limitation, for payment of administrative expenses incurred in carrying out this Act.

(3) FEE TRANSFER AUTHORITY.—Fees collected by the Bank for the cost (as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a)) of a loan or loan guarantee made under subsection (c) or (d) of section 5 shall be transferred by the Bank to the respective credit program accounts.

SEC. 8. GENERAL PROVISIONS AND POWERS.

(a) PRINCIPAL OFFICE.—The Bank shall—

(1) maintain its principal office in the District of Columbia; and

(2) be considered, for purposes of venue in civil actions, to be a resident of the District of Columbia.

(b) TRANSFER OF FUNCTIONS AND AUTHORITY.—

(1) IN GENERAL.—On appointment of a majority of the Board by the President, all of the functions and authority of the Secretary of Energy under predecessor programs and authorities similar to those provided under subsections (c) and (d) of section 5, including those under title XVII of the Energy Policy Act of 2005 (42 U. S.C. 16511 et seq.), shall be transferred to the Board

(2) CONTINUATION PRIOR TO TRANSFER.—Until the transfer, the Secretary of Energy shall continue to administer such programs and activities, including programs and authorities under title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.).

(3) EFFECT ON EXISTING RIGHTS AND OBLIGATIONS.—The transfer of functions and authority under this subsection shall not affect the rights and obligations of any party that arise under a predecessor program or authority prior to the transfer under this subsection.

(c) AUDITS.—

(1) IN GENERAL.—Except as otherwise provided in this Act, the Bank shall be subject to the applicable provisions of chapter 91 of title 31, United States Code.

(2) PERIODIC AUDITS BY INDEPENDENT CERTIFIED PUBLIC ACCOUNTANTS.—

(A) IN GENERAL.—Except as provided in paragraph (3), an independent certified public accountant shall perform a financial and compliance audit of the financial statements of the Bank at least once every 3 years, in accordance with generally accepted Government auditing standards for a financial and compliance audit, as issued by the Comptroller General of the United States.

(B) REPORT TO BOARD.—The independent certified public accountant shall report the results of the audit to the Board.

(C) GENERALLY ACCEPTED ACCOUNTING PRINCIPLES.—The financial statements of the Bank shall be presented in accordance with generally accepted accounting principles.

(D) REPORTS.—

(i) IN GENERAL.—The financial statements and the report of the accountant shall be included in a report that—

(I) contains, to the extent applicable, the information identified in section 9106 of title 31, United States Code; and

(II) the Bank shall submit to Congress not later than 210 days after the end of the last fiscal year covered by the audit.

(ii) REVIEW.—The Comptroller General of the United States may review the audit conducted by the accountant and the report to Congress in such manner and at such times as the Comptroller General considers necessary.

(3) ALTERNATIVE AUDITS BY COMPTROLLER GENERAL OF THE UNITED STATES.—

(A) IN GENERAL.—In lieu of the financial and compliance audit required by paragraph (2), the Comptroller General of the United States shall, if the Comptroller General considers it necessary, audit the financial statements of the Bank in the manner provided under paragraph (2).

(B) REIMBURSEMENT.—The Bank shall reimburse the Comptroller General of the United States for the full cost of any audit conducted under this paragraph.

(4) AVAILABILITY OF RECORDS.—All books, accounts, financial records, reports, files, work papers, and property belonging to or in use by the Bank and the accountant who conducts the audit under paragraph (2), that are necessary for purposes of this subsection, shall be made available to the Comptroller General of the United States.

SEC. 9. REPORTS TO CONGRESS.

As soon as practicable after the end of each fiscal year, the Bank shall submit to Congress a complete and detailed report describing the operations of the Bank during the fiscal year.

SEC. 10. MODIFICATION TO LOAN GUARANTEE PROGRAM.

(a) DEFINITION OF COMMERCIAL TECHNOLOGY.—Section 1701(1) of the Energy Policy Act of 2005 (42 U.S.C. 16511(1)) is amended by striking subparagraph (B) and inserting the following:

''(B) EXCLUSION.—The term 'commercial technology' does not include a technology if the sole use of the technology is in connection with—

''(i) a demonstration plant; or

''(ii) a project for which the Secretary approved a loan guarantee.''.

(b) SPECIFIC APPROPRIATION OR CONTRIBUTION.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended by striking subsection (b) and inserting the following:

''(b) SPECIFIC APPROPRIATION OR CONTRIBUTION.—

''(1) IN GENERAL.—No guarantee shall be made unless—

''(A) an appropriation for the cost has been made; or

''(B) the Secretary has received from the borrower a payment in full for the cost of the obligation and deposited the payment into the Treasury.

''(2) LIMITATION.—The source of payments received from a borrower under paragraph (1)(B) shall not be a loan or other debt obligation that is made or guaranteed by the Federal Government.

''(3) RELATION TO OTHER LAWS.—Section 504(b) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)) shall not apply to a loan or loan guarantee made in accordance with paragraph (1)(B).''.

(c) AMOUNT.—Section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) is amended by striking subsection (c) and inserting the following:

''(c) AMOUNT.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall guarantee up to 100 percent of the principal and interest due on 1 or more loans for a facility that are the subject of the guarantee.

''(2) LIMITATION.—The total amount of loans guaranteed for a facility by the Secretary shall not exceed 80 percent of the total cost of the facility, as estimated at the time at which the guarantee is issued.''.

(d) SUBROGATION.—Section 1702(g)(2) of the Energy Policy Act of 2005 (42 U.S.C. 16512(g)(2)) is amended—

(1) by striking subparagraph (B); and

(2) by redesignating subparagraph (C) as subparagraph (B).

(e) FEES.—Section 1702(h) of the Energy Policy Act of 2005 (42 U.S.C. 16512(h)) is amended by striking paragraph (2) and inserting the following:

''(2) AVAILABILITY.—Fees collected under this subsection shall—

''(A) be deposited by the Secretary into a special fund in the Treasury to be known as the 'Incentives For Innovative Technologies Fund'; and

''(B) remain available to the Secretary for expenditure, without further appropriation or fiscal year limitation, for administrative expenses incurred in carrying out this title.''.

SEC. 11. INTEGRATION OF LOAN GUARANTEE PROGRAMS.

(a) DEFINITION OF BANK.—Section 1701 of the Energy Policy Act of 2005 (42 U.S.C. 16511) is amended—

(1) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively; and

(2) by inserting before paragraph (2) (as so redesignated) the following:

''(1) BANK.—The term 'Bank' means the Clean Energy Investment Bank of the United States established by section 3(a) of the Clean Energy Investment Bank Act of 2008.''.

(b) ADMINISTRATION.—

(1) IN GENERAL.—Title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.) is amended by striking ''Secretary'' each place it appears (other than the last place it appears in section 1702(a)) and inserting ''Board''.

(2) CONFORMING AMENDMENTS.—Section 1702(g) of the Energy Policy Act of 2005 (42 U.S.C. 16512(g)) is amended—

(A) in the heading for paragraph (1), by striking ''SECRETARY'' and inserting ''BANK''; and

(B) in the heading for paragraph (3), by striking ''SECRETARY'' and inserting ''BANK''.

(c) APPLICATION.—The amendments made by this section are effective on the date the President transfers to the Bank under section 9(b)(1) the authority to carry out title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.).

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subject to subsection (b), there are authorized to be appropriated to the Bank, to remain available until expended, such sums as are necessary to—

(1) replenish or increase the Clean Energy Investment Bank Fund; or

(2) discharge obligations of the Bank purchased by the Secretary of the Treasury under this Act.

(b) MINIMUM LEVELS IN THE CLEAN ENERGY INVESTMENT BANK FUND.—No appropriations shall be made to augment the Clean Energy Investment Bank Fund unless the balance in the Clean Energy Investment Bank Fund is projected to be less than $50,000,000 during the fiscal year for which an appropriation is made.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 475—CONGRATULATING IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY ON ITS 150 YEARS OF LEADERSHIP AND SERVICE TO THE UNITED STATES AND THE WORLD AS IOWA'S LAND-GRANT UNIVERSITY

Mr. HARKIN (for himself and Mr. GRASSLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 475

Whereas Iowa State University of Science and Technology was established by the Iowa General Assembly on March 22, 1858, as the Iowa Agricultural College and Model Farm in response to the State of Iowa's desire to provide higher education opportunities to farm families and working classes in Iowa, predating the passage of the Federal Morrill Act by 4 years;

Whereas on September 3, 1862, Iowa became the first State in the Nation to accept the terms and conditions of the Morrill Act creating the land-grant system of colleges and universities;

Whereas the Iowa Agricultural College and Model Farm, known today as Iowa State University of Science and Technology (Iowa State), received Iowa's land-grant charter on March 29, 1864, making it one of the first land-grant institutions in the Nation;

Whereas Iowa State was a pioneer in all 3 parts of the land-grant mission, including—(1) access to all, regardless of race, gender or social class, being the first land-grant institution to be coeducational from its opening, with 16 women in its first class and later students including future suffragist Carrie Chapman Catt, an 1880 graduate, and George Washington Carver, the first African American student, who earned a bachelor's degree in 1894 and a master's degree in 1896, and was also the institution's first African American faculty member; (2) practical research, establishing the Nation's first Engineering Experiment Station and domestic economy experimental kitchen, and one of the first agriculture experiment stations; and (3) outreach, including some of the earliest land-grant institution outreach activities such as the establishment of the Farmers Institutes in the winter of 1869–70 by Iowa State President Adonijah Welch, and the organization of the Nation's first county Extension Service in 1903 in Sioux County in northwest Iowa by Professor Perry Holden;

Whereas some of the most important technological advancements of the modern world were the result of research at Iowa State, including—(1) the development of hybrid seed corn in the 1920s; (2) pioneering work on soybean oil extraction and producing ethanol from corn and other plant materials by Professor Orland Sweeney in the 1930s; (3) the invention of the electronic digital computer in the late 1930s by Professor John Atanasoff and graduate student Clifford Berry, whose Atanasoff-Berry Computer was the first to incorporate the 7 basic principles of modern computing; (4) the foundation for the modern plastics industry laid by polyethylene research by Professor Henry Gilman; (5) development of the process still used today to refine pure rare-earth materials, including reactor-grade uranium, by Professor Frank Spedding and Harley Wilhelm, as a result of Iowa State's key role in the Manhattan Project during World War II; (6) development of modern livestock animal genetics by Professor Jay Lush; and (7) the first field-testing of a genetically altered plant (tobacco) in 1987 and genetically altered tree (poplar) in 1989 by Professor Robert Thornburg;

Whereas Iowa State hired one of the first permanent campus artists-in-residence, with sculptor Christian Petersen holding that position from 1934 to 1955 and providing hundreds of sculptures and other art objects to the university, whose Art on Campus collection today includes more than 600 major public works of art;

Whereas Iowa State has had a technology transfer office since 1935, longer than all but one other university in the Nation, and is acknowledged today as a national leader in putting technology to work, being cited as a ''model of economic development'' and ''licensing powerhouse'' in a 2007 study commissioned by the National Science Foundation;

Whereas Iowa State University is today spearheading new advances in science and technology, including new materials, information sciences, green architecture, biological research, and the development of biorenewable fuels and other resources to support the bioeconomy and the Nation's independence from nonrenewable petroleum resources; and

Whereas more than 257,000 degrees have been awarded by Iowa State, and its graduates include heads of State, leaders of industry, great humanitarians, and gifted scientists, whose work has improved the quality of life for people worldwide: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Iowa State University of Science and Technology on its 150 years of outstanding service to the State of Iowa, the United States, and the world in fulfilling its mission as a land-grant university; and

(2) thanks the State of Iowa for its visionary leadership in the beginning of the land-grant movement in the United States of America.

SENATE CONCURRENT RESOLUTION 69—SUPPORTING THE GOALS AND IDEALS OF A NATIONAL DAY OF REMEMBRANCE FOR HARRIET TUBMAN

Mr. CARDIN (for himself, Mr. VOINOVICH, Ms. MIKULSKI, Mr. CARPER, Mr. BIDEN, and Mr. LEVIN) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 69

Whereas Harriet Ross Tubman was born into slavery in Bucktown, Maryland, in or around 1820;

Whereas in 1849 Harriet Tubman escaped to Philadelphia and became a ''conductor'' on the Underground Railroad;

Whereas Harriet Tubman was commonly referred to as ''Moses'' due to her courage and sacrifice in leading many enslaved persons out of bondage and into freedom, endeavoring despite great hardship and danger of being re-enslaved;

Whereas Harriet Tubman became an eloquent and effective speaker on behalf of the movement to abolish slavery;

Whereas, during the Civil War, Harriet Tubman assisted the Union Army as a cook, nurse, scout, and spy, and became the first woman to lead an armed expedition in the war, leading to the liberation of more than 700 slaves;

Whereas, after the War, Harriet Tubman became active in the women's suffrage movement and continued to fight for human dignity, human rights, opportunity, and justice;

Whereas, in 1896, Harriet Tubman purchased 25 acres of land in Auburn, New York, to create a home and hospital for indigent, aged, and sick African-Americans, which opened on June 23, 1908, as the Harriet Tubman Home for the Sick and Aged, becoming the only charity outside of New York City dedicated to the shelter and care of African-Americans in New York;

Whereas, in 1944, the Maritime Commission launched the SS Harriet Tubman (Hull Number 3032), the first Liberty ship ever named for an African-American woman;

Whereas, in 1978, Harriet Tubman was the first honoree of the Postal Service Black Heritage Stamp Series;

Whereas the Episcopal Church has designated Harriet Tubman as a saint in its Book of Common Prayer;

Whereas Harriet Tubman, whose courageous and dedicated pursuit of the promise of American ideals and common principles of humanity continues to serve and inspire all people who cherish freedom, died at her home in Auburn, New York, on March 10, 1913;

Whereas Public Law 101–252 designated March 10, 1990 as Harriet Tubman Day, and States such as Delaware, Georgia, Maryland, New York, and Texas host annual celebrations that honor the life of Harriet Tubman on March 10 of each year; and

Whereas it would be appropriate to honor the contributions of Harriet Tubman on March 10 of each year: Now, therefore, be it

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

(1) supports the designation of a national day of remembrance for Harriet Tubman; and

(2) encourages the people of the United States to support and participate in such national day of remembrance for Harriet Tubman with appropriate ceremonies, programs, and other activities.

Mr. CARDIN. Mr. President, today I rise to introduce a resolution honoring the legacy of Harriet Ross Tubman, the abolitionist, humanitarian, Union spy, and daughter of Maryland whose selfless efforts throughout her lifetime helped hundreds of slaves realize freedom. My resolution supports the goals and ideals of a national day of remembrance for this American hero.

Araminta Ross was born into slavery in Dorchester County, Maryland, around 1820 and worked as a slave for several families throughout her childhood. Abused and beaten, she suffered a serious head injury that would affect her for the rest of her life. In 1844, she married John Tubman and took the first name of her mother, Harriet.

In 1849, Harriet Tubman escaped to Philadelphia. She launched her work as a ''conductor'' on the Underground Railroad soon after, making several trips back for family members and friends. Tubman continued to risk capture for more than a decade, delivering enslaved people from bondage to freedom in New England and Canada. Referred to as ''Moses'' because of her courage and sacrifice, she personally led more than a dozen expeditions, helping approximately 70 slaves escape. Her efforts and extensive network of contacts along the Underground Railroad provided instruction for dozens more slaves to make the journey to freedom. She once stated, ''I never ran my train off track, and I never lost a passenger.''

In 1859, Harriet Tubman purchased a home for her family in Auburn, New York. While there, she continued her role as an abolitionist, making several trips to Boston to speak alongside Frederick Douglass and others.

When the Civil War erupted in 1861, Tubman volunteered. She worked for the Union Army as a nurse, scout, spy, and recruiter, and became the first woman to lead an armed expedition in the war, resulting in the liberation of hundreds of slaves. Traveling through Maryland, South Carolina, and Virginia, Harriet Tubman risked disease, capture, and physical injury to support the Union Army.

After the war, Harriet Tubman returned to Auburn. She became active in the women's suffrage movement and worked alongside Susan B. Anthony and Emily Howland. She continued to fight for human dignity, human rights, and equal justice throughout her lifetime.

In 1896, Harriet Tubman purchased 25 acres of land in Auburn to create a home and hospital for indigent, aged, and sick African-Americans. Opened on June 23, 1908, the Harriet Tubman Home for the Sick and Aged was the State's only charity outside of New York City dedicated to the shelter and care of African-Americans. Harriet Tubman died from pneumonia in the home that bore her name on March 10, 1913, surrounded by family and friends. In recognition of her service to this country, she was buried with military honors at the Fort Hill Cemetery in Auburn.

Harriet Tubman's legacy is one of selflessness and dedication to human rights. She inspired generations of African-Americans struggling for equality and civil rights and she has been praised worldwide.

Harriet Tubman has received innumerable commendations for her role in American history. In 1944, the Maritime Commission launched the *SS Harriet Tubman*, the first Liberty ship ever named for an African-American woman. In 1978, Harriet Tubman was the first honoree of the Postal Service Black Heritage Stamp Series. She is also designated as a saint in the Episcopal Church's Book of Common Prayer.

Public Law 101–252 designated March 10, 1990, as Harriet Tubman Day. My home State of Maryland, as well as Delaware, Georgia, New York, and Texas host annual celebrations on March 10 to honor the life of Harriet Tubman.

Harriet Tubman's dedicated pursuit of the American ideals of equality and liberty continues to inspire all who cherish freedom. It is appropriate to honor the life of Harriet Tubman on March 10 each year in recognition of this remarkable woman's contributions to the U.S.

Senate support for this resolution would encourage the people of the United States to participate and support ceremonies, programs, and other activities in remembrance of Harriet Tubman and to acknowledge her importance in American history. Mr. President, as we close Black History Month and enter Women's History Month, I am proud to introduce this resolution honoring Harriet Ross Tubman, and I urge my colleagues to support it.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4134. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.; which was ordered to lie on the table.

SA 4135. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4136. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill S. 2663, supra.

SA 4137. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill S. 2663, supra.

SA 4138. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill S. 2663, supra.

SA 4139. Mr. REID (for Mrs. CLINTON) submitted an amendment intended to be proposed by Mr. Reid to the bill S. 2008, to reform the single family housing loan guarantee program under the Housing Act of 1949; which was referred to the Committee on Banking, Housing, and Urban Affairs.

SA 4140. Mr. INOUYE (for himself, Mr. STEVENS, and Mr. NELSON, of Florida) submitted an amendment intended to be proposed by him to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products , to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.; which was ordered to lie on the table.

SA 4141. Mr. DURBIN (for himself, Mr. HATCH, and Mr. BENNETT) submitted an amendment intended to be proposed by him to the bill S. 2663, supra.

SA 4142. Mr. REID (for Mrs. CLINTON) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4143. Ms. SNOWE (for herself and Mr. KERRY) submitted an amendment intended to be proposed by her to the bill S. 2663, supra.

SA 4144. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 2663, supra; which was ordered to lie on the table.

SA 4145. Mr. CARPER (for himself and Mrs. DOLE) submitted an amendment intended to

be proposed by him to the bill S. 2663, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4134. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 103, after line 12, add the following:

SEC. 40. INSPECTION OF FOREIGN MANUFACTURING FACILITIES AND WAREHOUSES.

Section 16 of the Consumer Product Safety Act (15 U.S.C. 2065), as amended by section 14 of this Act, is amended by adding at the end the following:

''(d) FOREIGN MANUFACTURERS, PRIVATE LABELERS, AND DISTRIBUTORS.—

''(1) IN GENERAL.—Each manufacturer, private labeler, or distributor described in paragraph (2) that offers a consumer product for importation into the customs territory of the United States shall provide consent to the Commission, as a condition on such importation and in a form specified by the Commission, authorizing officers or employees duly designated by the Commission to carry out—

''(A) entrances and inspections as described in subsection (a); and

''(B) inspections as described in subsection (b).

''(2) MANUFACTURER, PRIVATE LABELER, OR DISTRIBUTOR DESCRIBED.—A manufacturer, private labeler, or distributor described in this paragraph is a manufacturer, private labeler, or distributor that, during the 36-month period ending on the date of such offer—

''(A) violated a consumer product safety rule; or

''(B) manufactured, distributed, imported, or sold a consumer product that was the subject of an order under section 15(d).''.

SA 4135. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 10, line 25, insert ''and verified for accuracy'' after ''products received''.

SA 4136. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, beginning in line 17, strike ''product (other than a medication, drug, or food)'' and insert ''consumer product''.

SA 4137. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 36, line 1, strike ''Act)'' and insert ''Act, except for motor vehicle equipment as defined in section 30102(a)(7) of title 49, United States Code)''.

SA 4138. Mr. INOUYE submitted an amendment intended to be proposed by him to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 70, beginning with line 13, strike through line 20 on page 71, and insert the following:

SEC. 24. STUDY OF PREVENTABLE INJURIES AND DEATHS OF MINORITY CHILDREN RELATED TO CERTAIN CONSUMER PRODUCTS.

(a) IN GENERAL.—Within 90 days after the date of enactment of this Act, the Government Accountability Office shall initiate a study to assess disparities in the risks and incidence of preventable injuries and deaths among children of minority populations, including Black, Hispanic, American Indian, Alaskan Native, Native Hawaiian, and Asian/Pacific Islander children in the United States.

(b) REQUIREMENTS.—The study shall examine the racial disparities of the rates of preventable injuries and deaths related to suffocation, poisonings, and drowning including those associated with the use of cribs, mattresses and bedding materials, swimming pools and spas, and toys and other products intended for use by children.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall report the findings to the Senate Commerce, Science, and Transportation Committee and the House of Representatives Energy and Commerce Committee. The report shall include—

(1) the Government Accountability Office's findings on the incidence of preventable risks of injury and death among children of minority populations and recommendations for minimizing such increased risks;

(2) recommendations for public outreach, awareness, and prevention campaigns specifically aimed at racial minority populations; and

(3) recommendations for education initiatives that may reduce current statistical disparities.

SA 4139. Mr. REID (for Mrs. CLINTON) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2008, to reform the single family housing loan guarantee program under the Housing Act of 1949; which was referred to the Committee on Banking, Housing, and Urban Affairs; as follows:

On page 103, after line 12, add the following:

SEC. 40. TRAILER AND MOBILE HOME SAFETY.

(a) REVIEW OF TRAILERS AND MOBILE HOMES PURCHASED BY FEDERAL GOVERNMENT FOR COMPLIANCE WITH SAFETY STANDARDS.—Notwithstanding section 3(a)(1) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(1)) or any other provision of law, the Consumer Product Safety Commission shall, in coordination with the Secretary of Housing and Urban Development and the Administrator of the Federal Emergency Management Agency, review and certify each trailer and mobile home purchased by the Federal Government for compliance with safety standards established by the Secretary of Housing and Urban Development under section 50.3(i) of title 24, Code of Federal Regulations (relating to limitations on hazardous materials in housing to be used in a program of the Department of Housing and Urban Development), or any successor to that section, including any such standards for—

(1) formaldehyde;

(2) lead; or

(3) any other hazardous material, contamination, toxic chemical or gas, or radioactive substance that could affect the health or safety of an occupant.

(b) STUDY AND REPORT ON USE OF NON-TOXIC ALTERNATIVES TO FORMALDEHYDE IN THE MANUFACTURE OF TRAILERS AND MOBILE HOMES.—Not later than 1 year after the date of the enactment of this Act, the Consumer Product Safety Commission shall, in consultation with the Secretary of Housing and Urban Development and the Administrator of the Federal Emergency Management Agency—

(1) conduct a study on the use of non-toxic alternatives to formaldehyde in the manufacture of trailers and mobile homes;

(2) submit to Congress a report on the findings of the Commission with respect to such study, including recommendations, if any, with respect to the use of such non-toxic alternatives; and

(3) publish such report on the Internet website of the Commission.

SA 4140. Mr. INOUYE (for himself, Mr. STEVENS, and Mr. NELSON of Florida) submitted an amendment intended to be proposed by him to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —COMMERCIAL SEAFOOD CONSUMER PROTECTION

SEC. —01. SHORT TITLE.

This title may be cited as the ''Commercial Seafood Consumer Protection Act''.

SEC. —02. SEAFOOD SAFETY.

(a) IN GENERAL.—The Secretary of Commerce shall, in coordination with the Secretary of Health and Human Services and other appropriate Federal agencies, establish a program, consistent with the international obligations of the United States, to strengthen Federal activities for ensuring that commercially distributed seafood in the United States meets the food quality and safety requirements of Federal law.

(b) MEMORANDUM OF UNDERSTANDING.—The Secretary of Commerce and the Secretary of Health and Human Services shall enter into an agreement within 180 days after enactment of this Act to strengthen cooperation on seafood safety. The agreement shall include provisions for—

(1) cooperative arrangements for examining and testing seafood imports;

(2) coordination of inspections of foreign facilities;

(3) technical assistance and training of foreign facilities for marine aquaculture, technical assistance for foreign governments concerning United States regulatory requirements, and appropriate information transfer arrangements between the United States and foreign governments;

(4) developing a process for expediting imports of seafood into the United States from foreign countries and exporters that consistently adhere to the highest standards for ensuring seafood safety;

(5) establishing a system to track shipments of seafood in the distribution chain within the United States;

(6) labeling requirements to assure species identity and prevent fraudulent practices;

(7) a process by which officers and employees of the National Oceanic and Atmospheric Administration and National Marine Fisheries Service may be commissioned by the Secretary of Health and Human Services for seafood examinations and investigations conducted under section 801 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381);

(8) the sharing of information concerning observed non-compliance with United States food requirements domestically and in foreign countries and new regulatory decisions and policies that may affect regulatory outcomes; and

(9) conducting joint training on subjects that affect and strengthen seafood inspection effectiveness by Federal authorities.

SEC. —03. CERTIFIED LABORATORIES.

Within 180 days after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of Health and Human Services, shall increase the number of laboratories certified to the standards of the Food and Drug Administration in the United States and in countries that export seafood to the United States for the purpose of analyzing seafood and ensuring that it complies with Federal law. Such laboratories may include Federal, State, and private facilities. The Secretary of Commerce shall publish in the Federal Register a list of certified laboratories, and shall update the list, and publish the updated list, no less frequently than annually.

SEC. —04. NOAA LABORATORIES.

In any fiscal year beginning after the date of enactment of this Act, the Secretary of Commerce may increase the number and capacity of laboratories operated by the National Oceanic and Atmospheric Administration involved in carrying out testing and other activities under this title to the extent the Secretary determines that increased laboratory capacity is necessary to carry out the provisions of this title and as provided for in appropriations Acts.

SEC. —05. CONTAMINATED SEAFOOD.

(a) REFUSAL OF ENTRY.—The Secretary of Health and Human Services may issue an order refusing admission into the United States of all imports of seafood or seafood products originating from a country or exporter if the Secretary determines that shipments of such seafood or seafood products do not meet the requirements established under the Federal Food, Cosmetic, and Drug Act (21 U.S.C. 301 et seq.).

(b) INCREASED TESTING.—If the Secretary determines that seafood imports originating from a country may not meet the requirements of Federal law, and determines that there is a lack of adequate certified laboratories to provide for the entry of shipments pursuant to section —03, then the Secretary may order an increase in the percentage of shipments tested of seafood originating from such country to improve detection of potential violations of such requirements.

(c) ALLOWANCE OF INDIVIDUAL SHIPMENTS FROM EXPORTING COUNTRY OR EXPORTER.—Notwithstanding an order under subsection (a) with respect to seafood originating from a country or exporter, the Secretary may permit individual shipments of seafood originating in that country or from that exporter to be admitted into the United States if—

(1) the exporter presents evidence from a laboratory certified by the Secretary that a shipment of seafood meets the requirements of Federal law;

(2) the Secretary, or an entity commissioned to carry out examinations and investigations under section 702(a) of the Federal Food, Cosmetic, and Drug Act (21 U.S.C. 372(a)), has inspected the shipment and has found that the shipment meets the requirements of Federal law.

(d) CANCELLATION OF ORDER.—The Secretary may cancel an order under subsection (a) with respect to seafood exported from a country or exporter if all shipments into the United States under subsection (c) of seafood originating in that country or from that exporter more than 1 year after the date on which the Secretary issued the order have been found, under the procedures described in subsection (c), to meet the requirements of Federal law. If the Secretary determines that an exporter has failed to comply with the requirements of an order under subsection (a), the 1-year period in the preceding sentence shall run from the date of that determination rather than the date on which the order was issued.

(e) EFFECT.—This section shall be in addition to, and shall have no effect on, the authority of the Secretary of Health and Human Services under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) with respect to seafood, seafood products, or any other product.

SEC. —06. INSPECTION TEAMS.

The Secretary of Commerce, in cooperation with the Secretary of Health and Human Services, may send 1 or more inspectors to a country or exporter from which seafood exported to the United States originates. The inspection team will assess practices and processes being used in connection with the farming, cultivation, harvesting, preparation for market, or transportation of such seafood and provide technical assistance related to the requirements established under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.). The inspection team shall prepare a report for the Secretary of Commerce with its findings. The Secretary of Commerce shall make a copy of the report available to the country or exporter that is the subject of the report and provide a 30-day period during which the country or exporter may provide a rebuttal or other comments on the findings to the Secretary. The Secretary of Commerce shall cause the report, together with any comments submitted to the Secretary by the country or exporter, to be published in the Federal Register no later than 60 days after the inspection team makes its final report.

SEC. —07. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for each of fiscal years 2009 through 2013, for purposes of carrying out the provisions of this title, $15,000,000.

SA 4141. Mr. DURBIN (for himself, Mr. HATCH, and Mr. BENNETT) submitted an amendment intended to be proposed by him to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; as follows:

On page 85, beginning with line 22, strike through line 8 on page 86 and insert the following:

SEC. 31. GARAGE DOOR OPENER STANDARD.

(a) IN GENERAL.—Notwithstanding section 203(b) of the Consumer Product Safety Improvement Act of 1990 (15 U.S.C. 2056 note) or any amendment by the American National Standards Institute and Underwriters Laboratories, Inc. of its Standards for Safety–UL 325, all automatic residential garage door operators that directly drive the door in the closing direction that are manufactured more than 6 months after the date of enactment of this Act shall include an external secondary entrapment protection device that does not require contact with a person or object for the garage door to reverse.

(b) EXCEPTION.—Except as provided in subsection (c), subsection (a) does not apply to the manufacture of an automatic residential garage door operator without a secondary external entrapment protection device that does not require contact by a company that manufactured such an operator before the date of enactment of this Act if Underwriters Laboratory, Inc., certified that automatic residential garage door operator as meeting its Standards for Safety–UL 325 before the date of enactment of this Act.

(c) REVIEW AND REVISION.—

(1) IN GENERAL.—Within 1 year after the date of enactment of this Act, the Consumer Product Safety Commission shall review, and if necessary revise, its automatic residential garage door operator safety standard, including the requirement established by subsection (a), to ensure that the standard provides maximum protection for public health and safety.

(2) REVISED STANDARD.—The exception provided by subsection (b) shall not apply to automatic residential garage door operators manufactured after the effective date of any such revised standard if that standard adopts the requirement established by subsection (a).

SA 4142. Mr. REID (for Mrs. CLINTON) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 103, after line 12, add the following:

SEC. 40. TRAILER AND MOBILE HOME SAFETY.

(a) REVIEW OF TRAILERS AND MOBILE HOMES PURCHASED BY FEDERAL GOVERNMENT FOR COMPLIANCE WITH SAFETY STANDARDS.—Notwithstanding section 3(a)(1) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(1)) or any other provision of law, the Consumer Product Safety Commission shall, in coordination with the Secretary of Housing and Urban Development and the Administrator of the Federal Emergency Management Agency, review and certify each trailer and mobile home purchased by the Federal Government for compliance with safety standards established by the Secretary of Housing and Urban Development under section 50.3(i) of title 24, Code of Federal Regulations (relating to limitations on hazardous materials in housing to be used in a program of the Department of Housing and Urban Development), or any successor to that section, including any such standards for—

(1) formaldehyde;
(2) lead; or
(3) any other hazardous material, contamination, toxic chemical or gas, or radioactive substance that could affect the health or safety of an occupant.

(b) STUDY AND REPORT ON USE OF NON-TOXIC ALTERNATIVES TO FORMALDEHYDE IN THE MANUFACTURE OF TRAILERS AND MOBILE HOMES.—Not later than 1 year after the date of the enactment of this Act, the Consumer Product Safety Commission shall, in consultation with the Secretary of Housing and Urban Development and the Administrator of the Federal Emergency Management Agency—

(1) conduct a study on the use of non-toxic alternatives to formaldehyde in the manufacture of trailers and mobile homes;
(2) submit to Congress a report on the findings of the Commission with respect to such study, including recommendations, if any, with respect to the use of such non-toxic alternatives; and
(3) publish such report on the Internet website of the Commission.

SA 4143. Ms. SNOWE (for herself and Mr. KERRY) submitted an amendment intended to be proposed by her to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; as follows:

On page 49, strike lines 8 through 15 and insert the following:

establish additional criteria for the imposition of civil penalties under section 20 of the Consumer Product Safety Act (15 U.S.C. 2069) and any other Act enforced by the Commission, including factors to be considered in establishing the amount of such penalties, such as repeat violations, the precedential value of prior adjudicated penalties, the factors described in section 20(b) of the Consumer Product Safety Act (15 U.S.C. 2069(b)), and other circumstances.

Insert at end of 15 U.S.C. Section 2069(b), '', including how to mitigate undue adverse economic impacts on small businesses.''

Insert in 15 U.S.C. Section 2069(c), after ''size of the business of the person charged,'' ''including how to mitigate undue adverse economic impacts on small businesses,''

SA 4144. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 103, after line 12, insert the following:

SEC. 40. INFANT CRIB SAFETY.

(a) DEFINITIONS.—In this section:

(1) CRIB.—The term ''crib'' means a full-size crib or non-full-size crib.

(2) FULL-SIZE CRIB.—The term ''full-size crib'' means a full-size baby crib as defined in section 1508.1 of title 16, Code of Federal Regulations.

(3) NON-FULL-SIZE CRIB.—The term ''non-full-size crib'' means a non-full-size baby crib as defined in section 1509.2(b) of title 16, Code of Federal Regulations (including a portable crib and a crib-pen described in paragraph (2) of subsection (b) of that section).

(4) SLEEP POSITIONER.—The term ''sleep positioner'' means a wedge, roll, prop, or head pillow designed to encourage one position during sleep.

(5) SOFT BEDDING.—The term ''soft bedding'' means any padded bumper pad, sleeping bag, comforter, quilt, blanket, or pillow.

(b) DURABILITY TEST REQUIREMENTS FOR CRIBS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Consumer Product Safety Commission shall promulgate regulations requiring fatigue strength testing for full-size and non-full-size cribs.

(2) CONSIDERATION OF SPECIFIC FATIGUE STANDARDS.—In promulgating the regulations required by paragraph (1), the Commission shall consider Underwriters Laboratories Standard UL–2275 for Full-Size Baby Cribs and any other applicable safety standard currently in use relating to fatigue strength test requirements.

(c) SOFT BEDDING WARNING LABELS.—As soon as practicable after the date of the enactment of this Act, the Consumer Product Safety Commission shall promulgate regulations to update parts 1508 and 1509 of title 16, Code of Federal Regulations, to require labels on cribs warning consumers about the risk of suffocation from using soft bedding in cribs. Such labels shall include warnings against the use of bumper pads and sleeping positioners and any other warnings the Commission determines appropriate.

SA 4145. Mr. CARPER (for himself and Mrs. DOLE) submitted an amendment intended to be proposed by him to the bill S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 87, between lines 5 and 6, insert the following:

(c) STATE GRANT PROGRAM FOR CARBON MONOXIDE ALARMS.—

(1) FINDINGS.—The Congress finds the following:

(A) Carbon monoxide is a colorless, odorless gas produced by burning any fuel. Exposure to unhealthy levels of carbon monoxide can lead to carbon monoxide poisoning, a serious health condition that could result in death.

(B) Carbon monoxide poisoning from the use of fuel-burning appliances in residential homes and other dwelling units kills at least 2,000 people each year and sends more than 15,000 to hospital emergency rooms for treatment.

(C) Research shows that purchasing and installing carbon monoxide alarms close to the sleeping areas in residential homes and other dwelling units can help avoid fatalities.

(D) Congress should promote the purchase and installation of carbon monoxide alarms in residential homes and dwelling units nationwide in order to promote the health and public safety of citizens throughout the nation.

(2) STATE APPROVED CARBON MONOXIDE ALARM GRANT PROGRAM.—

(A) IN GENERAL.—Subject to the availability of appropriations authorized by paragraph (4), the Commission shall establish a grant program to provide assistance to eligible States to carry out a carbon monoxide alarm program.

(B) ELIGIBILITY.—To be eligible for a grant under this program, a State shall—

(i) demonstrate to the satisfaction of the Commission that the State has adopted a statute, or a State agency has adopted a state-wide rule, regulation, or similar measure with the force and effect of law, requiring the inclusion of approved carbon monoxide alarms installed in accordance with NFPA 720 in all commercial residential dwelling units and all new dwelling unit construction and providing penalties for failure to include such alarms; and

(ii) submit an application to the Commission at such time, in such form, and containing such additional information as the Commission may require. Such application may be filed on behalf of any qualified State by the fire code enforcement officials for such State.

(C) GRANT AMOUNT; PRIORITY.—The Commission shall determine the amount of the grants awarded under this section, and shall give priority to—

(i) multi-state applications (including those made by a nonprofit organization representing fire code enforcement officials on behalf of more than 1 State) if all participating States meet the requirements of this paragraph; and

(ii) States demonstrating greater than average losses of life from carbon monoxide poisoning in the home.

(D) USE OF FUNDS.—A State receiving a grant under this section may use grant funds—

(i) to train that State's fire code enforcement officials in the proper enforcement of State laws concerning approved carbon monoxide alarms and the installation of such alarms in accordance with NFPA 720;

(ii) for the development and dissemination of training materials, instructors, and any other costs related to the training sessions authorized by this paragraph; and

(iii) to educate the public about the risk associated with carbon monoxide as a poison and the importance of proper carbon monoxide alarm use. No more than 25 percent of any grant may be used in this manner.

(E) ADMINISTRATIVE COST LIMIT.—No more than 10 percent of any grant funds may be used to cover administrative costs not directly related to training described in subparagraph (D)(i).

(3) DEFINITIONS.—In this subsection:

(A) APPROVED CARBON MONOXIDE ALARM.—The term ''approved carbon monoxide alarm'' means a carbon monoxide alarm that complies with the standards, whether voluntary or mandatory, issued, approved, or otherwise supported by the Commission with respect to such alarms, whether those standards have been developed unilaterally by the Commission or in conjunction with other parties.

(B) CARBON MONOXIDE ALARM.—The term ''carbon monoxide alarm'' means a device that detects the presence of carbon monoxide and sounds an alarm if the level of carbon monoxide detected by the device poses a health risk to persons within the vicinity of the device.

(C) COMMISSION.—The term ''Commission'' means the Consumer Product Safety Commission.

(D) DWELLING UNIT.—The term ''dwelling unit'' means a room or suite of rooms used for human habitation, and includes a single family residence as well as each living unit of a multiple family residence (including apartment buildings) and each living unit in a mixed use building.

(E) FIRE CODE ENFORCEMENT OFFICIALS.—The term ''fire code enforcement officials''

means officials of the Fire Safety Code Enforcement Agency of a State.

(F) NFPA 720.—The term ''NFPA 720'' means the tandard for the Installation of Carbon Monoxide (CO) Warning Equipment in Dwelling Units issued by the National Fire Protection Association in 2005 and any amended or similar successor standard pertaining to the proper installation of carbon monoxide alarms in dwelling units.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission for each of fiscal years 2009 through 2013 $5,000,000 to carry out this subsection, such sums to remain available until expended. Any amounts appropriated pursuant to this paragraph that remain unexpended and unobligated at the end of fiscal year 2013 shall be retained by the Commission and credited to the appropriations account that funds enforcement of the Consumer Products Safety Act.

(5) COMMISSION REPORT.—Not later than 1 year after the last day of each fiscal year for which grants are made under this section, the Commission shall submit to Congress a report evaluating the implementation of the grant program authorized by this section.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, March 6, 2008, at 9:30 a.m., in open session in order to receive testimony on U.S. Southern Command and U.S. Northern Command in review of the Defense authorization request for fiscal year 2009 and the future years Defense program.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 6, 2008, at 10 a.m., in order to conduct a hearing entitled ''Reforming the Regulation of Government Sponsored Enterprises.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Thursday, March 6, 2008, at 10:30 a.m., in room 253 of the Russell Senate Office Building, in order to conduct a hearing.

The Committee will review the President's proposed U.S. Coast Guard budget for the 2009 fiscal year. It will also examine programs in the pending Coast Guard Reauthorization Act for fiscal year 2008.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, March 6, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building, in order to hear testimony on the administration's 2008 trade agenda.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, in order to conduct a hearing entitled ''Unemployment in a Volatile Economy: How to Secure Families and Build Opportunity'' on Thursday, March 6, 2008. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, March 6, at 10 a.m. in room 628 of the Dirksen Senate Office Building in order to conduct an oversight hearing on the State of Facilities in Indian Country—jails, schools, and health facilities.

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, in order to conduct an executive business meeting on Thursday, March 6, 2008, at 10 a.m. in room SD–226 of the Dirksen Senate Office Building.

Agenda

I. Bills

S.2304, Mentally III Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2007, (Domenici, Kennedy, Specter, Leahy); S.2449, Sunshine in Litigation Act of 2007, (Kohl, Leahy, Graham); S.352, Sunshine in the Courtroom Act of 2007, (Grassley, Schumer, Leahy, Specter, Graham, Feingold, Cornyn, Durbin); S.2136, Helping Families Save Their Homes in Bankruptcy Act of 2007, (Durbin, Schumer, Whitehouse, Biden, Feinstein); S.2133, Home Owners ''Mortgage and Equity Savings Act,'' (Specter, Coleman); S.2041, False Claims Act Correction Act of 2007, (Grassiey, Durbin, Leahy, Specter, Whitehouse); and S.2533, State Secrets Protection Act, (Kennedy, Specter, Leahy, Feingold).

II. Nominations

Kevin J. O'Connor to be Associate Attorney General, Department of Justice; Gregory G. Katsas to be Assistant Attorney General, Civil Division, Department of Justice; William Joseph Hawe to be United States Marshal for the Western District of Washington; Brian Stacy Miller to be United States District Judge for the Eastern District of Arkansas; James Randal Hall to be United States District Judge for the Southern District of Georgia; John A. Mendez to be United States District Judge for the Eastern District of California; and Stanley Thomas Anderson to be United States District Judge for the Western District of Tennessee.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. PRYOR. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 6, 2008, at 2:30 p.m. in order to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 475.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 475) congratulating Iowa State University of Science and Technology on its 150 years of leadership and service to the United States and the world as Iowa's land-grant university.

There being no objection, the Senate proceeded to consider the resolution.

Mr. HARKIN. Mr. President, I rise today to speak on behalf of my alma mater, Iowa Sate University, and recognize it upon its 150 years of leadership and service to the United States and the world as Iowa's land-grant university.

Iowa State has a colorful and progressive history. The university was founded under the Morrill Land Grant College Act of 1862. Representative Justin Smith Morrill, who wrote the bill, and Abraham Lincoln, who signed the act into law in the midst of the Civil War, had the vision to establish a public institution that provided and still provides a top flight, affordable education for people of all walks of life.

Iowa was the first State to accept the terms of the Morrill land grant and pioneered all three parts of its mission. The act calls for schools that provide ''access to all, regardless of race, gender, or class.'' The act also limits funding to only schools that conduct ''Practical Research.'' Finally, the Morrill Land Grant Act calls for the schools provided for to serve significant ''outreach'' in the surrounding community.

Iowa State has certainly lived up to those lofty words of the Morrill Act. Iowa State University has been home to some of the most important technological and agricultural advances in history. Professor John Atanasoff and graduate student Clifford Berry of ISU have been credited with the invention of the electronic digital computer in

the late 1930s. When they constructed the Atanasoff-Berry computer, they were the first to incorporate the seven basic principles of modern computing.

Professor Henry Gilman laid the foundation for the modern plastics industry with his research in polyethylene materials. In the 1920s, ISU was home to the development of hybrid seed corn. Professor Orland Sweeney conducted pioneering work on soybean oil extraction and producing ethanol from corn and other plant materials in the 1930s.

Iowa State has produced such esteemed graduates as George Washington Carver, a man who shattered the glass ceiling for minority inventors, women's rights activist Carrie Chapman Catt, and astronaut Clayton Anderson, just to name a few.

John Garang, who earned a Ph.D. in economics from Iowa State, not only went on to serve as vice president of Sudan, but in his role as leader of the Sudanese Peoples Liberation Army worked to end his country's violent civil war.

One cannot forget to mention that Mildred Day, the inventor of Rice Krispies treats, also graduated from Iowa State. In addition to Mildred, former CEOs of Boeing, Dow Corning, 3–M, and Lockheed Martin have all claimed Iowa State University as their alma mater, as do I.

I attended ISU on a Naval ROTC scholarship. The program covered my books and tuition, as well as $50 a month to cover extra expenses. I was well taken care of at ISU. With NROTC and a loan from the National Defense Scholarship Program, started under President Eisenhower, I was able to make it through college and flourish.

It is my honor today to stand in support of my resolution honoring Iowa State for its long and storied history of graduating men and women who are creative, productive, and innovative. As the ISU fight song goes, ''Loyal sons forever true, and we will fight the battle through. And when we hit that line we'll hit it hard ev'ry yard for I.S.U.''

Mr. GRASSLEY. Mr. President, today I support this resolution to honor the service and leadership of Iowa State University. I am cosponsoring this resolution because I know firsthand the substantial contributions that Iowa State has made to both Iowa and the Nation as a whole. In fact, as one of the first land-grant universities, it has led the way in technology advancement and outreach.

Iowa State University will celebrate 150 years of service to the United States this month. The university is a leader in agricultural, engineering, and computer science technologies. They have been pioneers in the education of minorities and women. Because of these advancements, Iowa State University is recognized throughout the world as a standard for excellence in education, practical research, and outreach through extension.

Iowa State is a great representative for the people of our State and will continue to leave an important legacy for our Nation. It is with great respect that I introduce this resolution in honor of Iowa State University's 150th year anniversary.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 475) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 475

Whereas Iowa State University of Science and Technology was established by the Iowa General Assembly on March 22, 1858, as the Iowa Agricultural College and Model Farm in response to the State of Iowa's desire to provide higher education opportunities to farm families and working classes in Iowa, predating the passage of the Federal Morrill Act by 4 years;

Whereas on September 3, 1862, Iowa became the first State in the Nation to accept the terms and conditions of the Morrill Act creating the land-grant system of colleges and universities;

Whereas the Iowa Agricultural College and Model Farm, known today as Iowa State University of Science and Technology (Iowa State), received Iowa's land-grant charter on March 29, 1864, making it one of the first land-grant institutions in the Nation;

Whereas Iowa State was a pioneer in all 3 parts of the land-grant mission, including—(1) access to all, regardless of race, gender or social class, being the first land-grant institution to be coeducational from its opening, with 16 women in its first class and later students including future suffragist Carrie Chapman Catt, an 1880 graduate, and George Washington Carver, the first African American student, who earned a bachelor's degree in 1894 and a master's degree in 1896, and was also the institution's first African American faculty member; (2) practical research, establishing the Nation's first Engineering Experiment Station and domestic economy experimental kitchen, and one of the first agriculture experiment stations; and (3) outreach, including some of the earliest land-grant institution outreach activities such as the establishment of the Farmers Institutes in the winter of 1869-70 by Iowa State President Adonijah Welch, and the organization of the Nation's first county Extension Service in 1903 in Sioux County in northwest Iowa by Professor Perry Holden;

Whereas some of the most important technological advancements of the modern world were the result of research at Iowa State, including—(1) the development of hybrid seed corn in the 1920s; (2) pioneering work on soybean oil extraction and producing ethanol from corn and other plant materials by Professor Orland Sweeney in the 1930s; (3) the invention of the electronic digital computer in the late 1930s by Professor John Atanasoff and graduate student Clifford Berry, whose Atanasoff-Berry Computer was the first to incorporate the 7 basic principles of modern computing; (4) the foundation for the modern plastics industry laid by polyethylene research by Professor Henry Gilman; (5) development of the process still used today to refine pure rare-earth materials, including reactor-grade uranium, by Professor Frank Spedding and Harley Wilhelm, as a result of Iowa State's key role in the Manhattan Project during World War II; (6) development of modern livestock animal genetics by Professor Jay Lush; and (7) the first field-testing of a genetically altered plant (tobacco) in 1987 and genetically altered tree (poplar) in 1989 by Professor Robert Thornburg;

Whereas Iowa State hired one of the first permanent campus artists-in-residence, with sculptor Christian Petersen holding that position from 1934 to 1955 and providing hundreds of sculptures and other art objects to the university, whose Art on Campus collection today includes more than 600 major public works of art;

Whereas Iowa State has had a technology transfer office since 1935, longer than all but one other university in the Nation, and is acknowledged today as a national leader in putting technology to work, being cited as a ''model of economic development'' and ''licensing powerhouse'' in a 2007 study commissioned by the National Science Foundation;

Whereas Iowa State University is today spearheading new advances in science and technology, including new materials, information sciences, green architecture, biological research, and the development of biorenewable fuels and other resources to support the bioeconomy and the Nation's independence from nonrenewable petroleum resources; and

Whereas more than 257,000 degrees have been awarded by Iowa State, and its graduates include heads of State, leaders of industry, great humanitarians, and gifted scientists, whose work has improved the quality of life for people worldwide: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Iowa State University of Science and Technology on its 150 years of outstanding service to the State of Iowa, the United States, and the world in fulfilling its mission as a land-grant university; and

(2) thanks the State of Iowa for its visionary leadership in the beginning of the land-grant movement in the United States of America.

MEASURES READ THE FIRST TIME—H.R. 1084, H.R. 1424, AND H.R. 5159

Mr. REID. Mr. President, I believe there are three bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will report the bills by title for the first time en bloc.

The legislative clerk read as follows:

A bill (H.R. 1084) to amend the Foreign Assistance Act of 1961, the State Department Basic Authorities Act of 1956, and the Foreign Service Act of 1980 to build operational readiness in civilian agencies, and for other purposes.

A bill (H.R. 1424) to amend section 712 of the Employee Retirement Income Security Act of 1974, section 2705 of the Public Health Service Act, section 9812 of the Internal Revenue Code of 1986 to require equity in the provision of mental health and substance-related disorder benefits under group health plans, to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, and for other purposes.

A bill (H.R. 5159) to establish the Office of the Capitol Visitor Center within the Office of the Architect of the Capitol, headed by the Chief Executive Officer for Visitor Services, to provide for the effective management and administration of the Capitol Visitor Center, and for other purposes.

Mr. REID. Mr. President, I ask for a second reading en bloc but object to my own request en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will receive their second reading on the next legislative day.

ORDERS FOR FRIDAY, MARCH 7, 2008

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. tomorrow, Friday, March 7; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time of the two leaders be reserved for their use later in the day, and that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, as I announced earlier, there will be no rollcall votes tomorrow or Monday. Senators should be prepared for a busy week next week as the Senate considers the budget resolution.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6 p.m., adjourned until Friday, March 7, 2008, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate Thursday, March 6, 2008:

DEPARTMENT OF STATE

HECTOR E. MORALES, OF TEXAS, TO BE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ORGANIZATION OF AMERICAN STATES, WITH THE RANK OF AMBASSADOR.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

PAYING TRIBUTE TO GARY SPINKELINK

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. PORTER. Madam Speaker, I rise today to honor the life of my good friend Gary Spinkelink, who passed away February 24, 2008.

Mr. Spinkelink was born May 1, 1939, in Orange City, Iowa, and had been a resident of the Boulder City community for over 43 years. He graduated from Iowa State University in Ames, Iowa, and moved to Nevada with his wife Judy of over 47 years, to pursue a career in civil engineering. He retired in 2003 from Pentacore Engineering after being a partner in the firm for 11 years where he was the director of all administrative processes. Gary also had administrative control of all personnel within the corporation. He served for many years as a panel member on the Congressional Academy Selection Committee. Some of Gary's hobbies included off-road quad driving, snowmobiling, and fishing at his Utah cabin. He also spent a majority of his time with his six grandchildren attending their many various functions and sporting events.

Madam Speaker, I am proud to honor the life and legacy of my friend Gary Spinkelink. His work and dedication to the Boulder City community was commendable and enriched countless lives. Mr. Spinkelink was a great force throughout the community and will be profoundly missed.

HONORING RYAN NEWMAN OF SOUTH BEND, INDIANA, FOR WINNING THE DAYTONA 500

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. DONNELLY. Madam Speaker, I rise today to celebrate the success and triumph of Ryan Newman, winner of the 2008 Daytona 500. Born and raised in South Bend, Indiana, Ryan serves as a shining example to young men and women who aspire to achieving great successes after long hours of work and sacrifice. His younger years were spent learning about cars at the elbow of his father and developing the team spirit he treasures to this day.

Supported by his family, his community, and a great team, Ryan won the 50th running of the Daytona race in an exciting last-lap finish. In a race with 16 different leaders and 42 lead changes, Ryan started in 7th position and fell as far back as 23rd in the field of 43 drivers. However, he managed to lead eight laps in his first victory since 2005, earning 190 points and collecting over $1.5 million for Penske Racing.

An honor student at LaSalle High School, Newman graduated from Purdue University in 2001 with a B.S. in vehicle structure engineering. By excelling academically and in racing, Newman exemplifies how youths should always pursue education along with other passions.

Ryan serves as the consummate example of what competitors should be. This is evident from his work, along with his wife, Krissie, with the Newman Foundation. This charity primarily focuses on assuring that adequate care is provided for unwanted dogs and cats in shelters and pounds. He also helped needy animals by supporting construction of the Catawba County, North Carolina Humane Society shelter in the county where he lives. The treatment of animals is just one of Ryan's concerns along with the safety of his fellow racers.

In 2003, Ryan overcame adversity by bouncing back from an accident in which he flipped end over end in Daytona. He suffered only bruises but gained a strengthened resolve. In August of that same year after a practice crash in Watkins Glen, NY, Newman chastised NASCAR for what he perceived as lax safety efforts in fire prevention, soft walls, and race procedure. His professional manner and eloquent words lent credibility to his cause.

Even the victory itself at Daytona is an example of teamwork and sportsmanship. Newman was given extra momentum by a friendly ''push'' from teammate Kurt Busch who selflessly gave his partner an extra boost rather than seek the prize himself.

It is my pleasure to pay tribute to the many years of hard work and dedication that have paid off for this model citizen. The South Bend and Mishawaka Communities are proud of the success of one of their hardest working sons, a man who serves as a role model for our youth.

HONORING DR. JUDAH SCHORR

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. ENGEL. Madam Speaker, Dr. Judah Schorr is not only a distinguished anesthesiologist whose personal charm and sense of humor has helped many of his patients through difficult times but he is also someone who truly knows how important it is to give of yourself. Dr. Schorr took an extra step to help a patient recently when he donated his bone marrow through the Gift of Life Bone Marrow Foundation.

Dr. Schorr is also a philanthropist who gives generously to society as a whole financially as well as to individuals through himself. He is also involved in many other worthy causes.

He and his wife Gail Levey are parents of Nathaniel and Ethan.

For his contributions to his community and society as a whole he is presented with the Andrew Zucker Community Service Award.

EXPRESSING CONDOLENCES TO THOSE AFFECTED BY THE DEVASTATING SHOOTING INCIDENT AT NORTHERN ILLINOIS UNIVERSITY

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2008

Ms. SCHAKOWSKY. Mr. Speaker, on February 15, the United States watched in horror and despair as the lives of six innocent and promising students from Northern Illinois University were taken suddenly and cruelly. As we mourn this senseless tragedy, I would like to extend my thoughts and prayers to the victims and their families.

The tragedy at NIU last month is just another painful reminder that the United States must do more to stem the flood of violence and ensure that our campuses are as safe and secure as possible. The incident at Northern Illinois comes only a week after a gunman opened fire on a college campus in Louisiana, and just 10 months after the tragic shooting at Virginia Tech that left 33 people dead.

I believe that in order for this disturbing trend to be curtailed the United States must adopt commonsense reforms that will reduce the number of assault and other high power weapons available to the public while also allowing responsible gun owners that right to bear arms.

I urge my colleagues to work with one another toward a solution that will prevent incidents like this one from taking place in the future.

Again, I want to extend my deepest sympathies to all the students at NIU—not only the victims and their families, but those students who are dealing with the aftermath of this horrific event. I know that the impact of this event will linger forever, but I also know that NIU will continue to be a vibrant center of learning.

PERSONAL EXPLANATION

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mrs. McMORRIS RODGERS. Madam Speaker, on February 27, 2008, I was avoidably detained and missed three votes related to the consideration of the Renewable Energy and Energy Conservation Tax Act.

Had I been present I would have voted ''no'' on approving the journal, ordering the previous question, and agreeing to the resolution for the Renewable Energy and Energy Conservation Tax Act (vote Nos. 79, 80, 81).

● 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.

RECOGNIZING THE CONTRIBUTIONS OF MR. LARRY JUANARENA

HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. HERGER. Madam Speaker, I rise today to acknowledge the work and accomplishments of a true American hero and patriot, Larry Juanarena, a constituent of mine from Chico, California. For over five decades, Mr. Juanarena, has helped and inspired the residents of Chico.

Mr. Juanarena's work has touched citizens in many sectors of the community. From the Salvation Army, 4–H, to law enforcement and emergency response, Mr. Juanarena is known for providing assistance to those in need. Mr. Juanarena has touched many lives in his community, and has been highly decorated for his dedication and service to his fellow citizens.

Mr. Juanarena is probably best known for his efforts in supporting our Nation's troops and veterans from all wars and conflicts. Having served in the United States Air Force as a crew chief on a B–36 bomber, Mr. Juanarena continues his fight for freedom by supporting the families of our deployed soldiers and warriors through his work with the National Guard Family Assistance Program. Mr. Juanarena's Annual Red, White and Blue dinner has improved the lives of our guard families by providing financial assistance to those in need as they struggle to meet household obligations while their loved ones fight for our great Nation.

Mr. Juanarena continues to be an extraordinary individual who makes significant and lasting contributions to our community through his civic minded leadership and can-do spirit.

Mr. Juanarena exemplifies the notion of responsible citizenship and through his charitable work has touched the lives of many in our community. Mr. Juanarena's selfless actions have inspired a community and demonstrated that one person can make a difference when acting from the heart.

I am privileged to have a friend in Larry Juanarena, and I am extremely grateful for his service to our troops, veterans, and our community-at-large. It is a great privilege to celebrate and honor the accomplishments of a true American hero and patriot.

IN REMEMBRANCE OF DAVID JOHN DONAFEE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. KUCINICH. Madam Speaker, I rise today in remembrance of David Donafee for a life that was dedicated to his family, friends, and public service.

David was a letter carrier for the U.S. Postal Service for 14 years. He was tragically killed while delivering mail on his route in Parma Heights, Ohio. David was a devoted father who actively supported his children's interest in hockey, as well as a devoted husband and son. David is survived by his wife, Sandi; his two children, Derek and Liam; and his mother, Rose.

Madam Speaker and colleagues, please join me in remembering David Donafee. May his life be an example of how we should lead our own.

GUEST BOOK FOR JOHN DAVID DONAFEE: HTTP://WWW.LEGACY.COM/CLEVELAND/GB/GUESTBOOKVIEW.ASPX?PERSONID=103615431

Shellie Rockwell (Broadview Hts., OH)

Sandi, Liam and Derek,

You are in our thoughts and prayers. Just remember that Dave's presence will forever be with everyone that knew him. His love for all three of you, his contagious smile and his easy-going style will be remembered for years to come.

The Rockwell Family

RECOGNIZING APRIL BRANSCOME AS OKALOOSA COUNTY TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an honor for me to rise today in recognition of April Branscome, Okaloosa County's Teacher of the Year.

For over two decades, April Branscome has worked at Niceville High School. Employed initially as a secretary, Ms. Branscome now serves as an information technology instructor and is a savant on educational technology. Her teaching skills range from the conventional to the more cutting-edge. She is excellent in the classroom, possessing an incredible ability to inspire her pupils. Not content to rest upon her laurels, Ms. Branscome has expanded upon her talents and has taken her advanced comprehension of technology to the next level of teaching.

Constructed for Okaloosa's CHOICE IT institute, Ms. Branscome fashioned her own web design curriculum, which resulted in a 100 percent passage rate for students seeking their Internet Webmaster certificate. She is currently being courted by schools throughout the State to train their IT teachers.

Ms. Branscome's ascension to Teacher of the Year did not happen quickly. Shortly after her high school graduation, Ms. Branscome took on a secretarial position at Niceville High School. While working, she became enthralled with education, yet lacked the credentials to teach. For 12 years, taking one or two night and weekend classes at a time, Ms. Branscome finally attained a teaching degree.

The title of Teacher of the Year is an immense honor and is evidence of the greatness Ms. Branscome has attained. Beyond the title lies Ms. Branscome's dedication and devotion to not only her students, but to the entire community. Her teaching skills and affable personality have influenced many and have pushed countless students to a higher level of academic achievement. Ms. Branscome's outstanding accomplishments have distinguished her as one of the great teachers in northwest Florida, and the Okaloosa County School District is honored to have her as one of their own. Madam Speaker, on behalf of the United States Congress, I am proud to recognize April Branscome on this outstanding achievement and her exemplary service in Okaloosa County.

IN HONOR OF THE BRAVE MINNESOTA MEN AND WOMEN IN BLUE

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mrs. BACHMANN. Madam Speaker, Minnesota has been blessed with 23,000 brave men and women who selflessly police our streets, protect our neighborhoods, and keep our families safe.

These men and women are represented by a truly phenomenal organization. The Minnesota Fraternal Order of Police defends and supports every hero who wears a badge and carries that great and high honor of being called an officer of the law.

No people, no nation, can enjoy the blessings of liberty without the rule of law. Thanks to their tireless dedication and noble sacrifices, the people of our State can live free of fear and safe from harm as they raise their families, live their lives and build their communities.

Our debt to these brave souls can never be paid. But we can start by erecting a wall to honor the inspiring heroes of our State who gave their very lives in their daily battle against every hazard and evil that threatens the peace.

We must never take for granted the sacrifice each and every officer makes, day in and day out, for the people of Minnesota. They have my deepest gratitude and unwavering support.

CONGRATULATING KAREN SKORDINSKI, A RECIPIENT OF THE STATE OF TEXAS EXCELLENCE IN EMERGENCY MANAGEMENT AWARD

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. BURGESS. Madam Speaker, I rise today to congratulate Karen Skordinski of Flower Mound, Texas for her many contributions to the State of Texas and the north Texas region. Ms. Skordinski was recently named one of four recipients of the Emergency Management Award for the State of Texas.

The Excellence in Emergency Management Award is presented annually to State and local emergency management projects, activities and campaigns that advance the goals of saving lives and protecting property by mitigating, preparing for, responding to, or recovering from disasters and emergencies in Texas. Recipients of this award must exemplify model emergency management by developing and implementing an exceptional emergency management project, activity or campaign in Texas during the past year.

Ms. Skordinski is acknowledged for her work developing Flower Mound's Emergency Management Plan and for the Community Emergency Response Team, CERT, Program.

She is the Emergency Management Specialist for Flower Mound and has worked in emergency management for 5 years. Before then, she worked in the town's geographical information systems department, which designs the town's maps.

Prior to her work in north Texas, Ms. Skordinski worked with geographical information systems at Cape Canaveral, Florida, and was a geographical information systems contractor for the National Aeronautics and Space Administration, NASA.

Ms. Skordinski started Flower Mound's CERT program after learning about it from a Flower Mound firefighter. She felt that it was important to start this program in order to get the citizens of Flower Mound more involved in the Fire Department. In the years since Ms. Skordinski began the CERT program, numerous residents have received the training required to respond to emergency situations, making the community safer for all.

Madam Speaker, it is an honor today to rise in recognition of Ms. Skordinski's dedication to the safety and well-being of her fellow Flower Mound citizens. She is truly deserving of such an enormous honor. Flower Mound is now a safer city, and all those who recognize the contributions of Ms. Skordinski are truly grateful. She is an inspiration to all Americans devoted to community service.

RECOGNIZING THE 60TH ANNIVERSARY OF EVERGLADES NATIONAL PARK

SPEECH OF

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 4, 2008

Mr. PUTNAM. Mr. Speaker, I rise today in support of House Resolution 845 to bring awareness and recognize the 60th anniversary of our beautiful and unique Everglades National Park.

The Everglades are truly a national treasure, an irreplaceable part of our national landscape with its vast wetland wilderness unlike any other in the world. The Everglades National Park is part of the south Florida ecosystem that includes over 3 million acres with subtropical wetland landscapes that stretch 220 miles from Orlando to Florida Bay. As President Truman noted when he dedicated the park in 1947, ''To its natural abundance we owe the spectacular plant and animal life that distinguishes this place from all others in our country.''

The Everglades National Parks constitutes the largest subtropical wilderness in the Nation featuring slow-moving waters and provides critical habitat to ecosystems for countless animals including rare and endangered species such as the American crocodile, Florida panther, Western Indian manatee and more than 350 species of birds, including the Great Egret, Wood Stork, Swallow-tailed Kite, Cape Sable seaside sparrow, and Roseate Spoonbill.

For good reason, it has been designated an International Biosphere Reserve, a World Heritage Site, and a Wetland of International Importance—in recognition of its significance to all people of the world.

Many people have had a great impact on the establishment and history of the Everglades, including former Florida Governor Spessard Holland, who incidentally is a Bartow native. His work in the 1940s to secure thousands of acres needed for the creation of the park along with his 25 year Senate career in which he championed and ensured resources were made available for projects was instrumental. He was one of the first great champions of the Everglades and I am so grateful for his work, without which, we might not be here celebrating the Park's 50th anniversary.

Unfortunately, the Everglades have been negatively impacted by encroachment and disruption that has harmed wildlife and destroyed wetlands. I am pleased that Congress and the State of Florida have been working together through to restore and rehabilitate this treasure through the Comprehensive Everglades Restoration Plan, CERP. I join my colleagues in continued support and dedication to these efforts in the years to come to ensure and preserve the Everglades' majesty and beauty for future generations to enjoy.

PAUL WELLSTONE MENTAL HEALTH AND ADDICTION EQUITY ACT OF 2007

SPEECH OF

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2008

Mrs. CHRISTENSEN. Mr. Speaker, I rise today to praise the passage of the Paul Wellstone Mental Health and Addiction Equity Act (H.R. 1424)—a bill that will fill the long-standing gaps in mental health care in this Nation and that will end the unfortunate disparate treatment that patients seeking mental health care currently receive.

Mr. Speaker, as a physician who practiced for more than two decades prior to coming to Congress, I have seen what happens to people who are afflicted with mental illnesses like bi-polar disorder, depression, and schizophrenia who do not receive appropriate, consistent care.

Studies confirm that mental health is integral to the holistic health and wellness of all people. Additionally, under-addressed mental health care issues are not just issues that affect the individuals who live with mental disorders; they also affect their friends, families, and communities. And, today, statistics show that 1 in 17 Americans suffer from a serious mental health disorder and that these disorders are the primary cause of disability in the United States among people 15 to 44 years of age—during their most productive life years.

Despite the enormous impact that mental illnesses can and do have on millions of Americans every day, good treatment works. But, of course, the treatment options available to patients comes with a cost and one that up until now has had to be borne largely by the consumer. It is important to recognize though that the cost of mental health problems—when they are un- and under-addressed—becomes staggering.

The good news is not only that over the past eight years, the Federal Employee Health Benefits Program (FEHBP) has made ''parity'' coverage for mental health care available to Members of Congress and 8.5 million other Federal employees, but that there has been no significant cost increase to this parity requirement in FEHBP. Based on this and further analysis, the nonpartisan Congressional Budget Office has estimated that H.R. 1424 would have a miniscule impact on premiums—just two-tenths of 1 percent.

For the sizeable proportion of Americans that suffer from more than one mental health disorder at a given time, this bill will be critical in improving mental health care access, options, and treatments available to patients seeking services.

Certainly, there is no better time than now to ensure that patients seeking treatment for mental illnesses are able to do so in a system that champions mental health parity, where care is accessible and not subject to reimbursement limitations by insurers or group health plans. This bill is exactly what is needed to finally bring equity and fairness into the mental health care system in this Nation and to finally make the health care that individuals can receive comprehensive.

Finally, Mr. Speaker, I also want to add that as the chair of the CBC Health Braintrust, I have long been concerned by the racial and ethnic disparities in mental health and in mental health care that detrimentally affect the millions of innocent, hardworking Americans, and have long championed and supported legislation to reduce such disparities.

The Paul Wellstone Mental Health and Addiction Equity Act is a bill that will help reduce the disproportionate burden of mental health and mental health care disparities on African Americans and other people of color.

Mr. Speaker, the burden of mental illness on the health and productivity in the United States and throughout the world has long been underestimated. This is a situation that demands and needs immediate action, for all children and adults who live with mental illness. Enacting strong mental health parity legislation will improve the health status of individuals who suffer dire health consequences as a result of their mental illness and pushes us one step closer to achieving health equity.

I am pleased that the House passed H.R. 1424. Now we can move forward to eliminate all disparities in health care by passing H.R. 3014, the Healthcare Equity and Accountability Act.

RECOGNIZING THE ACCOMPLISHMENTS OF JUAN ANTONIO ''CHI-CHI'' RODRIGUEZ IN PROFESSIONAL GOLF AND HIS WORK ON BEHALF OF CHILDREN

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. GUTIERREZ. Madam Speaker, I rise today to announce the introduction of my bill, a Resolution Recognizing the Accomplishments of Juan Antonio ''Chi-Chi'' Rodriguez in Professional Golf and His Work on Behalf of Children.

The bipartisan resolution I introduce today, congratulates and recognizes Juan Antonio ''Chi-Chi'' Rodriguez for his continued success on and off of the golf course, for his generosity and devotion to charity, and for his exemplary dedication to the intellectual and

moral growth of thousands of low income and disadvantaged youth in our country.

Madam Speaker, sports figures, through their perseverance, discipline, and good behavior, can serve as examples of excellence, dedication and devotion to our youth.

Chi-Chi Rodriguez was born in Rio Piedras, PR, on October 23, 1935, and rose from the most humble of circumstances as the fifth of six children of an agricultural laborer and a housekeeper. These hardships did not harden him, but motivated him to become a great sportsman, humanitarian and role model.

Chi-Chi joined the ranks of golf professionals at the age of 24, reportedly standing at 5'7'' and weighing 117 pounds and has had a stellar career in the sport of golf, earning an impressive record of 38 professional wins, including 8 PGA Tour wins and 22 Senior PGA Tour wins. His Senior PGA Tour records for most consecutive victories, at four, and most consecutive birdies, at eight, still stand.

In 1979, Chi-Chi Rodriguez helped create the Chi-Chi Rodriguez Youth Foundation, and the Chi-Chi Rodriguez Academy in Clearwater, FL, which have collectively raised more than $4 million to help thousands of low-income and disadvantaged youth reach their life potential through educational opportunities and support programs, including a public partnership school, a community service program, a nine-hole golf course and others, which has been recognized by receiving the 1986 National Golf Foundation Award for best Youth Program in the United States, becoming the 758th President Bush's Point of Light, and receiving the Robie Award for Humanitarianism presented by the Jackie Robinson Foundation, among others.

His devotion to others knows no bounds. In addition to all he already does, he also joined with the FBI Agents Association to lead the Chi-Chi Rodriguez G-Man Desert Shootout Tournament devoted to raising funds for College scholarships for the children of FBI agents killed in the line of duty.

In 1989, the United States Golf Association, founded in 1894, granted Chi-Chi Rodriguez its highest honor, the Bob Jones Award, in recognition for his distinguished sportsmanship in golf and in 1994, Chi-Chi was inducted to the first class of the World Sports Humanitarian Hall of Fame for ''world class athletic ability,'' for being ''a role model in his community'' and for having ''a strong record of humanitarian efforts.''

In 1992, Chi-Chi Rodriguez was inducted to the World Golf Hall of Fame, ''Golf highest honor'' and in 1973, he was a member of the U.S. Team that won the Ryder Cup in Muirfield, Scotland.

Chi-Chi Rodriguez has received countless other distinguished awards and recognitions such as the 1974 Charlie Bartlett Award of the Golf Writers Association, the 1981 Richardson Award of the Golf Writers Association of America, the 1982 Father of the Year Award, the 1986 Card Walker Award (Outstanding Contribution to Junior Golf), the 1986 Salvation Army Gold Crest Award, the 12th Roberto Clemente Cup (1986), the 1986 Byron Nelson Award, the 1986 Hispanic Achievement Recognition Award, the 1987 Byron Nelson Award, the 1987 Senior Tour Arnold Palmer Award, the 1988 Fred Raphael Golf Achievement Award, the 1989 Old Tom Morris Award, the 1990 ''Caring for Kids'' Award, the 1991 Jackie Robinson Humanitarian Award, the 1993 Civilian Meritorious Service Medal presented by the Department of Defense, the 1997 International Network of Golf Award, the 1998 Ford Achievement Award, and the 2003 Paul Runyan Memorial Recognition Award, among others.

He is also a published author who has authored and co-authored several books and articles about golf, such as Chi Chi's Secrets of Power Golf in 1967, Everybody's Golf Book in 1975, Chi Chi's Power Pack, in 1982, Every Golfer's Guide to Lower Scores by Chi-Chi Rodriguez, in 1990, and Chi Chi's Golf Games You Gotta Play, in 2003, among others.

He is very proud of his philosophy on life, which can be summarized by his personal expressions ''For me, satisfaction comes from knowing that I was put on this planet to leave it better . . . .'' and ''A man never stands taller than when he stoops to help a child.''

Please join me in recognizing that Chi-Chi Rodriguez embodies the spirit of generosity and humanism of his fellow Puerto Rican, Roberto Clemente and that as a native of Puerto Rico, Chi-Chi has proven to be an important role model and source of pride for all Puerto Ricans, as well as all Latin Americans and all immigrants to the U.S. from across the globe.

My resolution congratulates and commends Chi-Chi Rodriguez: (1) for his successes in golf in the United States and throughout the world; (2) for his exemplary conduct as a private citizen; (3) for a life devoted to service to others, in particular, for his help to low income and underprivileged youth, and to the children of FBI agents killed in the line of duty; and (4) and in gratitude for his service as a role model and an inspiration for our youth, the people of Puerto Rico, and the United States.

Madam Speaker, let me conclude with this. One of the great honors of the Members of this House is to recognize our fellow citizens who stand out as exceptional individuals.

It is my great honor to present this legislation for consideration in the House of Representatives with the hope that the example of Chi-Chi Rodriguez can be known across our Nation and that he may serve as a role model for us all.

RECOGNIZING 100TH ANNIVERSARY OF THE VALERO TEXAS CITY REFINERY

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. LAMPSON. Madam Speaker, today we honor the 100th anniversary of the Valero Texas City Refinery. Over the past 100 years, Texas City, Texas, has established itself as a major center for our Nation's energy production. Texas City's history is a testament to hard work and the American Dream, in that such success has grown from the small refinery established by the Texas City Refining Company so long ago.

In 1908, J.C. Black, joined by more than 100 craftsmen, constructed a refinery consisting of just 11 stills, storage tanks, and a boiler house. In the beginning, the refinery had the capacity to process only 1,500 barrels of oil per day. Enduring a depression, technological revolutions, and the hardships all businesses experience, the Valero Texas City refinery now produces 243,000 barrels per day of ultra low sulfur gasoline and diesel.

Texas City matured with this refinery. When America entered World War I and then World War II, the refinery increased production to meet the Nation's petroleum demands, fueling America's victory. During this period the population of Texas City tripled as men and women answered the patriotic call to serve in the Nation's war efforts.

Today, the proud, hard working spirit is alive and well as the Valero Texas City refinery continues to play an integral role in the economic well-being of southeast Texas and the United States. I am proud to honor the thousands of men and women who have been working on our behalf throughout the past 100 years. Texas City's first refinery is indeed deserving of recognition from the United States House of Representatives upon its 100th anniversary.

INTRODUCTION OF THE ''CREDIT CARD FAIR FEE ACT OF 2008''

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. CONYERS. Madam Speaker, today I am introducing the ''Credit Card Fair Fee Act of 2008,'' legislation that would help level the playing field for merchants and retailers negotiating with banks for the cost of certain fees, and ultimately reduce the costs of everyday goods for consumers. I am joined by Representatives CANNON, LOFGREN, SHUSTER, WEINER, DELAHUNT, PLATTS, WELCH, SULLIVAN, WILSON of South Carolina, GOHMERT, HALL of Texas, BOOZMAN, and PETERSON of Pennsylvania.

Every time a consumer uses a payment card—at the mall, at the grocery store, at a gas station, or on the Internet—the merchant is charged a fee. This fee gets divided up three ways—between the merchant's bank, the consumer's bank, and the credit card company. It covers processing fees, fraud protection, billing statements, and other expenses such as system innovations.

Almost 90 percent of this fee comprises a so-called ''interchange fee,'' which is the payment made by the merchant's bank to the consumer's bank. The percentage is set by the credit card companies, generally Visa or MasterCard, and averages 1.75 percent of the total purchase. In 2006, interchange fees totaled approximately $36 billion, an increase of 117 percent since 2001. In 2007, the fees amounted to $42 billion, about 17 percent since 2006. These fees are ultimately passed on to all consumers in the form of higher prices for goods and services, whether the consumers purchase these items by credit card, check or cash.

These interchange fees are set by the credit card companies. The two largest, Visa and Mastercard, are associations composed of financial institutions and are owned and controlled by their bank member-owners. Together, Visa and MasterCard control over 73 percent of the volume of transactions on general purpose cards in the United States and approximately 85 percent of the cards issued. Banks that are members of the Visa association are often also members of the MasterCard association.

Merchants are forced to deal within this system because it is simply not an option to refuse to accept Visa or MasterCard from their customers. They are presented with take-it-or-leave-it options and are not part of the process by which the fees are set. Moreover, the card systems operate pursuant to comprehensive operating rules approved by the associations' member-controlled boards, but these operating rules are not accessible by the merchants.

This legislation is intended to give merchants a seat at the table in the determination of these fees. It is not an attempt at regulating the industry and does not mandate any particular outcome. This legislation simply enhances competition by allowing merchants to negotiate with the dominant banks for the terms and rates of the fees.

The bill creates a limited antitrust immunity for negotiating voluntary agreements and, if necessary, participating in the market-based proceedings. These market-based proceedings will determine the exclusive rates and terms merchants must pay for a 3-year term. No other fees, terms or conditions may be imposed on the merchants.

The rates and terms will be determined by Electronic Payment System Judges, who will be appointed by the Department of Justice Antitrust Division and the Federal Trade Commission. The judges will apply a market standard in their determinations designed to replicate the rates and terms of payment that would have been negotiated in a competitive marketplace between a willing buyer and willing seller, both of which have no market power. The judges will have full independence in making all determinations but may consult with the DOJ and FTC on certain matters.

It is time to level the playing field for merchants and consumers. I am hopeful that Congress can move to enact this worthwhile and timely legislation.

IN HONOR OF THE 25TH ANNIVERSARY OF PHEASANTS FOREVER

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mrs. BACHMANN. Madam Speaker, I rise today to celebrate more than a quarter century of work by Pheasants Forever volunteers to preserve habitat for pheasants and other wildlife.

Founded in St. Paul, Pheasants Forever has grown to 700 chapters and 110,000 members nationwide. More than 22,500 of those dedicated volunteers are Minnesotans. Pheasants Forever members have completed over 370,000 habitat projects, improving more than 5 million acres since 1982. In Minnesota, that translates into nearly 200,000 acres of preserved habitat.

The volunteers of Pheasants Forever are its lifeblood. It is a truly grassroots organization from its fundraising to its project development. Virtually all of the money raised by a chapter stays with that chapter, making Pheasants Forever one of the most efficient conservation organizations in the Nation.

These outdoor and conservation enthusiasts also spend much of their time and energy preparing the next generation of Pheasants Forever volunteers through its education programs. And, the results are outstanding, with youth membership growing nearly four- fold from 4,000 to 15,000 in just 7 years.

This weekend, hundreds to thousands of Pheasants Forever volunteers and supporters will gather for banquets in various locations in my Minnesota district. I commend these fine individuals—and their tireless leader, Howard Vincent of White Bear Lake, who has been an active part of Pheasants Forever for 20 years and president and CEO for the past 8 years—for their commitment to Minnesota's wildlife and natural beauty.

TRIBUTE TO NELDA C. AND H.J. LUTCHER STARK FOUNDATION

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. BRADY of Texas. Madam Speaker, I rise today to honor and congratulate the Nelda C. and H.J. Lutcher Stark Foundation on the reopening of Shangri La in Orange, TX.

In the 1930s, Lutcher Stark named his private gardens along Adams Bayou after the mythical mountain utopia in James Hilton's bestselling book, Lost Horizon. Hundreds of azalea bushes were planted along with other flowers and the gardens were sometimes open to the public and to birdwatchers. Shangri La drew thousands of visitors during those times.

Shangri La was closed in 1958 because of a devastating snowstorm that destroyed thousands of azaleas and the gardens remained closed for 40 years. In the book and later in a movie, a bell rings when a visitor enters Shangri La. The bell will once again ring on March 12, 2008 to announce that the 252 acre botanical garden and nature center is again open to the public.

Shangri La is a remarkable achievement and I predict that it will be a magnificent ecotourism attraction. It is divided into two sections—the designed botanical gardens that will have changing flowers with the seasons, and the nature center left in a natural state. Education is one of the main goals with various areas for learning for ages from pre-kindergarten to graduate university degrees.

Shangri La is the first complex in Texas, and only the 50th in the world, to be awarded the rare ''platinum'' rating by the U.S. Green Building Council. The rating recognizes the most ecologically ''green'' complexes in the world and is known as ''LEED,'' for Leadership in Energy and Environmental Design. The president of the Council has said ''Shangri La will be a showcase for high-performance, energy-efficient, healthy design, and an inspiration for others.''

Buildings have been constructed using recycled materials, when available, and have been designed to be energy efficient. Thirty-six solar photovoltaic panels create electricity for the complex and its boats and carts. Boardwalks in the swamp are made of ''boards'' of recycled plastic and wood. A closed loop, geothermal heating and cooling system pumps water from an 800-foot-deep-well, allowing Shangri La to take advantage of the consistent temperatures deep within the earth. The roofing is designed to reflect heat and collect rainwater in large cisterns.

In 2005, Hurricane Rita devastated Shangri La at the beginning of its construction phase. Viewing the situation as an opportunity, the many fallen trees were incorporated into the construction of Shangri La facilities.

Madam Speaker, it is an honor to represent Orange, TX in the U.S. House of Representatives and I urge you to join me in congratulating Shangri La on its grand opening and their commitment to the environment and the community.

HONORING CHESTER ANDREW

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Chester Andrew, and the entire Andrew family, upon being honored with the ''Friend of the Farm Bureau'' award at the Third Annual Recognition Dinner to be held on March 6, 2008, at the Madera Municipal Golf Course.

Pete Andrew came to Madera, California, in the early 1900's from Greece. Mr. Andrew worked on a boat that frequently traveled into the San Francisco Bay ports. He decided not to get back on the boat and made his way to the central California town of Madera to begin his farming career. He met Agnes Oyler, they married and began farming beans and custom harvesting. They had two children, George and Lorraine, who helped with the farm and took over running the farm when the elder Mr. Andrew passed away.

George Andrew and his wife, Gladys, carried on the family's farming tradition. They had four children; Karen, Chester, Diane and Janice. Chester followed the path that was laid out for him, farming. Today, Chester and two of his three children still work on the family farm, with his oldest daughter farming in Washington. Andrew Farms currently focuses on almonds, grapes, pistachios and wheat.

For four generations, the Andrew family has been an important part of the Madera community. Three generations have attended the same elementary and high schools. Chester has been an active member of the Madera Farm Bureau Board for over twenty years. He served as president from 1992 to 1994 and continues to be a key member on many committees, including the scholarship committee and the water committee. He understands the importance of higher education for our future, and has even contributed to the scholarship funds with money out of his own pocket. On the water committee, Chester ensures that he is aware of the many different water issues that growers face. The Andrew family has been, and will continue to be, an important part in the Madera farming community and can truly be called a ''Friend of the Farm Bureau''.

Madam Speaker, I rise today to honor Chester Andrew, and the Andrew family, for the positive impact they have had in Madera County and the surrounding areas. I invite my colleagues to join me in congratulating the Andrew family and wish them continued success.

PERSONAL EXPLANATION

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, in order to attend a funeral in my congressional district, I missed 17 votes on March 5 and March 6.

Had I been present I would have voted:

''Yea'' on rollcall 91, On Motion to Suspend the Rules and Pass, to redesignate Dayton Aviation Heritage National Historic Park in the State of Ohio as ''Wright Brothers-Dunbar National Historical Park'', and for other purposes;

''Yea'' on rollcall 92, On Motion to Suspend the Rules and Pass, Supporting Taiwan's fourth direct and democratic presidential elections in March 2008;

''Yea'' on rollcall 93, On Motion to Suspend the Rules and Pass, Condemning the ongoing Palestinian rocket attacks on Israeli civilians, and for other purposes;

''Yea'' on rollcall 94, Will the House Now Consider the Resolution, Providing for the consideration of H.R. 1014, Paul Wellstone Mental Health and Addiction Equity Act;

''Yea'' on rollcall 95, On Ordering the Previous Question, Providing for the consideration of H.R. 1014, Paul Wellstone Mental Health and Addiction Equity Act,

''Yea'' on rollcall 96, On Agreeing to the Resolution, Providing for the consideration of H.R. 1014, Paul Wellstone Mental Health and Addiction Equity Act;

''Yea'' on rollcall 97, On Motion to Suspend the Rules and Pass, as Amended, Cyndi Taylor Krier Post Office Building;

''Yea'' on rollcall 98, On Motion to Suspend the Rules and Agree, Expressing the sense of Congress that Earl Lloyd should be recognized and honored for breaking the color barrier and becoming the first African-American to play in the National Basketball Association League 58 years ago;

''Yea'' on rollcall 99, On motion to table the motion to appeal the ruling of the chair;

''Nay'' on rollcall 100, Motion to Recommit H.R. 1424, Paul Wellstone Mental Health and Addiction Equity Act,

''Yea'' on rollcall 101, Final Passage of H.R. 1424—Paul Wellstone Mental Health and Addiction Equity Act of 2007;

''Yea'' on rollcall 102, H.R. 5400—To designate the facility of the United States Postal Service located at 160 East Washington Street in Chagrin Falls, Ohio, as the Sgt. Michael M. Kashkoush Post Office Building;

''Yea'' on rollcall 103, H. Res 1015—Democratic Motion on Ordering the Previous Question on H.R. 2857—Generations Invigorating Volunteerism and Education (GIVE) Act;

''Yea'' on rollcall 104, H. Res 1015—On Agreeing to the Resolution—Generations Invigorating Volunteerism and Education (GIVE) Act;

''Nay'' on rollcall 105, on agreeing to the Flake amendment, H.R. 2857, Generations Invigorating Volunteerism and Education (GIVE) Act;

''Yea'' on rollcall 106, on agreeing to the Inslee amendment, H.R. 2857, Generations Invigorating Volunteerism and Education (GIVE) Act; and

''Yea'' on rollcall 107, Motion to Table the Appeal of the Ruling of the Chair.

IN HONOR OF THE 47TH ANNIVERSARY OF THE PEACE CORPS

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mrs. JONES of Ohio. Madam Speaker, I rise today to celebrate the 47th anniversary of the Peace Corps and to commemorate the National Peace Corps Week from February 25–March 3, 2008. During the National Peace Corps week, many celebratory and educational events which acknowledge and honor the Peace Corps will take place across the country.

The Peace Corps is an independent Federal agency that was established by Executive order on March 1, 1961, by President John F. Kennedy. The Peace Corps currently actively deploys 8,079 volunteers at 68 posts serving 74 countries abroad to work with governments, businesses, nonprofit organizations, NGOs, and schools to address issue areas of concern such as education, health, HIV/AIDS, agriculture, and the environment. Since 1961, more than 190,000 Americans have served as Peace Corps volunteers in 139 countries.

The Peace Corps mission seeks to, ''Help the people of interested countries in meeting their need for trained men and women.'' The Peace Corps also, ''Helps to promote a better understanding of Americans on the part of the peoples served,'' and ''to promote a better understanding of other peoples on the part of Americans.'' The mission of the Peace Corps reminds us all as President John F. Kennedy said in his 1961 inaugural address, ''Ask not what your country can do for you—ask what you can do for your country.''

I would like to personally recognize Kyan Chuong, Austine L. Clark, David E. Horton, III, Alexander M. Kelly, Laszio L. Liezkovsky, Nora C. Maresh, Sarah J. Mulligan, Allison N. O'Donnell, Randall M. Quinn, and Hana S. Schein all of whom are sworn-in volunteers serving in various countries abroad with the Peace Corps from the 11th Congressional District of Ohio. On behalf of the 11th Congressional District of Ohio, I would like to express gratitude to the 8,079 current Peace Corps volunteers and trainees serving our country and congratulate the Peace Corps on its 47th anniversary.

INTRODUCTION OF A BILL ''TO AMEND TITLE 11, DISTRICT OF COLUMBIA OFFICIAL CODE, TO IMPLEMENT THE INCREASE PROVIDED UNDER THE DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2008, IN THE AMOUNT OF FUNDS MADE AVAILABLE FOR THE COMPENSATION OF ATTORNEYS REPRESENTING INDIGENT DEFENDANTS IN THE DISTRICT OF COLUMBIA COURTS, AND FOR OTHER PURPOSES''

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. DAVIS of Illinois. Madam Speaker, a core element of our unique democracy is the right and requirement that all citizens, regardless of income or socio-economic class be afforded adequate counsel or representation when confronting judicial proceedings. In fact, one of the most important decisions in this area of law was handed down by the U.S. Supreme Court in 1942 when it held that the sixth amendment required that governments afford indigent defendants with competent counsel.

Throughout America, legal representation for indigent defendants who have been charged in criminal cases and who are unable to pay for an attorney is most commonly provided by public defender attorneys. The State and Federal Government, respectively, pay for the public defender agencies to provide indigent defense. Appointed attorneys are required for anyone accused in a criminal case that may result in the likelihood of imprisonment.

An examination of the public defender services in the DC courts reveals that attorneys who participate in the District's Criminal Justice Act, CJA, and Counsel for Child Abuse and Neglect, CCAN, programs are compensated at an hourly rate of $65 for representing an indigent client. This rate was established in fiscal year 2002 and financed through an unobligated balance in the Defender Services account. However, attorneys representing indigent defendants in similar matters at the U.S. District Court are paid $90 an hour. This increasing disparity in compensation makes it increasingly difficult for the DC courts to secure competent representation for the most vulnerable residents. Recent reforms to the CJA and CCAN programs, including revision of the CJA plan and the creation of attorney panels based on a comprehensive review of qualifications and experience, has prompted the DC courts to pursue an increase in compensation for CJA and CCAN attorneys in order to ensure they are attracting the best and the brightest lawyers.

Since the National Capital Revitalization and Self-Government Improvement Act of 1997 grants Congress the authority and oversight over the DC court system and matters pertaining to public defender services, I contend that it is essential that we take the necessary legislative action to ensure that DC CJA attorneys are compensated at a rate equal or close to that of their Federal counterparts. This bill would do just that by amending title 11 of DC Code to increase the hourly rate of pay from $65 to $80 for DC CJA attorneys charged with the important democratic duty of representing the indigent.

RECOGNIZING NANCY KANJORSKI AS THE LACKAWANNA COUNTY FEDERATION OF DEMOCRATIC WOMEN WOMAN OF THE YEAR

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to recognize my wife, Nancy Kanjorski, for her dedication and outstanding work with the Lackawanna County Federation of Democratic Women. As her husband, I could not be more proud to

note that her peers recognized her efforts in support of Democratic candidates and policies by naming her the organization's Woman of the Year for 2008.

Nancy was born in Apopka, Florida, to Norman and Margaret Hickerson. She graduated from the University of Florida. We met while I was visiting Florida and we then married in 1962.

Nancy and I moved to Pennsylvania, where she taught school in Carlisle and Wyoming Valley.

Over the course of our time living in Pennsylvania, Nancy has always played an active role in my campaigns and many other Democratic campaigns. She constantly participated behind the scenes in grassroots efforts, from setting up phone banks to organizing literature drops. She has always been willing to help with any aspect of the campaign to make it run more smoothly. It is for her dedication, care, attention to detail, and many other reasons that Nancy will receive the award of Woman of the Year from the Lackawanna County Federation of Democratic Women.

Nancy has also been a member of various community organizations and boards. Among these, she was a particularly active member of the Lawyers' Wives Association, where she chaired multiple committees. Nancy has also been an avid tennis player.

Nancy is an essential part of our family, always willing to assist family members, from aiding those during times of illness to gladly babysitting our nephews and nieces.

We have one daughter, Nancy Kanjorski Bradley, Ph.D., who is married to Chris Bradley, Ph.D. They live in New Mexico.

On March 8, 2008, Nancy will receive the award of Woman of the Year at a brunch hosted by the Lackawanna County Federation of Democratic Women. The members of the organization elect the person to receive this award who they feel has done an outstanding job as a Democratic leader in the community.

On a personal note, I would like to acknowledge that Nancy has continuously given all that she can to help the Democratic Party. She has always been an active, devoted, and vital part of my campaigns, not just an essential component of the team for my staff, but of course for me as well. I am incredibly proud that she will receive this award, as it is very much deserved.

Madam Speaker, please join me in recognizing Nancy Kanjorski for her award of Democratic Woman of the Year from the Lackawanna County Federation of Democratic Women.

TRIBUTE TO HANNELORE BROWN

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. MOORE of Kansas. Madam Speaker, I rise today to honor Hannelore Brown, my constituent in the Third Congressional District of Kansas. Hannelore is an active school volunteer whose children attend Leawood Elementary School, Leawood Middle School, and Blue Valley North, in the Blue Valley School District.

About 5 years ago, Hannelore organized a campaign to urge Leawood's elementary schoolchildren to write Kansas servicemen and women stationed overseas in Iraq and Afghanistan. That campaign has since expanded into the middle school and the high school, and teachers have incorporated the letter writing into their lesson plans. Thousands and thousands of letters have been sent, thanks to her efforts. Artwork, posters, and Girl Scout cookies have also been mailed. Many, many soldiers have written back to the schoolchildren, and have emailed photos of themselves with the items sent by the schools. Other soldiers have visited the school when they returned home, to thank their new pen pals for the mail and caring sent to lonely troops on foreign soil.

Hannelore has also organized an annual patriotic school assembly to honor servicemen and women and veterans. Every year, she gathers uniforms, memorabilia, and other artifacts, to create museum-style exhibits. On Friday, March 28, 2008, the fourth such assembly is set for Leawood Elementary School, to be preceded by a breakfast honoring servicemen, -women, and their families, again organized by Hannelore Brown.

With Hannelore's help, Leawood Middle School has published a book of letters sent to and from the soldiers. It comes as no surprise to learn that Hannelore Brown has also assisted the school in its annual Veterans Day observance every fall.

On behalf of the thousands of lonely troops stationed overseas, I want to thank Hannelore for all she has done to help them. In turn, these personal connections have instilled a true sense of patriotism in all those involved, and have given students, parents, and staff a new appreciation for the service and dedication of these soldiers. One person can make a difference in the lives of many others, and Hannelore Brown is the perfect example.

TRIBUTE TO VETERAN AND LAWMAKER BOBBY G. WOOD

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. BERRY. Madam Speaker, I rise here today to recognize retired Brigadier General and former State Representative Bobby G. Wood. Wood's service to his country may have begun as a Korean war veteran, but his civic contributions continued for decades. His recent death was a great loss to his community, his State and this Nation.

Bobby G. Wood was born March 19, 1931, in Lake City to Gaines E. and Hallie Bob Wood. He was a 1949 graduate of Lake City High School and graduated from Arkansas State University in 1953 with a degree in business administration.

Upon graduation from ASU, Wood was awarded an Army ROTC commission as a 2nd lieutenant in the corps of artillery. During his 33-year tenure in the Army National Guard, he served on active duty in the Korean war, attained the rank of brigadier general, served as the commander of the 875th Engineer Battalion, and was the Arkansas Assistant State Adjutant General.

In addition to his outstanding military career, Wood represented Craighead County for 20 years in the Arkansas State House of Representatives. Wood was a charter member of the Northeast Chapter of the Military Officers Association of America, serving as president for 2 years. He was inducted into the ASU ROTC Hall of Heroes and was honored as a Distinguished Alumnus by the ASU Alumnus Association in 2007. He was an active member of the First Baptist Church of Jonesboro and served as a church deacon.

Woods was business manager and part owner of Delta Gas & Oil and Delta Farms, Inc. of Lake City.

On behalf of Congress, I extend my deepest sympathies to Mr. Wood's family and gratitude for the countless hours he spent serving others. He leaves behind a legacy of accomplishment, but it was his dedication to give back to the community that deserves recognition. Wood was a devout family man and a distinguished Arkansan, and I am honored to recognize him today in the United States Congress. His friendship will be greatly missed by all who knew him.

PERSONAL EXPLANATION

HON. ALBIO SIRES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. SIRES. Madam Speaker, on March 5, 2008, I missed rollcall vote No. 98. Had I been present, I would have voted ''yes'' on rollcall 98.

THIRD ANNUAL ''ARNIE DWORKIS MEMORIAL'' DIALYSIS AWARENESS WALK

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. MITCHELL. Madam Speaker, I rise today to commemorate the Annual Arnie Dworkis Memorial Dialysis Awareness Walk, taking place this Sunday, March 9, 2008. The Sunset Kiwanis Club of Fountain Hills has organized this wonderful and exciting event for the third year running.

I would particularly like to honor Edward Stizza and Susan Obst-Dworkis for coordinating this annual event, and for their efforts and activities to educate the community about chronic kidney disease and end stage renal disease. The proceeds from the Arnie Dworkis Memorial Dialysis Awareness Walk will benefit the Dialysis Patient Citizens Group, which was founded by Mr. Stizza and his friend and fellow dialysis patient, Arnie Dworkis. After Arnie passed away in 2005, Mr. Stizza established the walk to honor the life of his friend. I am glad to say that by making this tribute, Mr. Stizza and Ms. Susan Obst Dworkis have educated thousands of people about this disease.

Currently, one in nine American adults will be affected by chronic kidney disease. More the 20 million Americans are personally suffering from the disease, which, if left untreated, can lead to end stage renal disease. With the assistance of Mr. Stizza and Ms. Obst-Dworkis, we can raise the public awareness of this debilitating disease, and the plight of the more than 400,000 Americans who are on kidney dialysis today.

I am hopeful that this event will educate the public on what can be done to prevent and treat kidney disease. It will undoubtedly contribute to support and funding to those whose lives are intimately touched by the chronic kidney disease.

SUNSET MEMORIAL

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. FRANKS of Arizona. Madam Speaker, I stand once again before this body with yet another Sunset Memorial.

It is March 6, 2008 in the land of the free and the home of the brave, and before the sun set today in America, almost 4,000 more defenseless unborn children were killed by abortion on demand—just today. That is more than the number of innocent American lives that were lost on September 11; only it happens every day.

It has now been exactly 12,827 days since the travesty called Roe v. Wade was handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million of our own children.

Some of them, Madam Speaker, cried and screamed as they died, but because it was amniotic fluid passing over their vocal cords instead of air, we couldn't hear them.

All of them had at least four things in common.

They were each just little babies who had done nothing wrong to anyone. Each one of them died a nameless and lonely death. And each of their mothers, whether she realizes it immediately or not, will never be the same. And all the gifts that these children might have brought to humanity are now lost forever.

Yet even in the full glare of such tragedy, this generation clings to a blind, invincible ignorance while history repeats itself and our own silent genocide mercilessly annihilates the most helpless of all victims to date, those yet unborn.

Madam Speaker, perhaps it is important for those of us in this Chamber to remind ourselves again of why we are really all here.

Thomas Jefferson said, ''The care of human life and its happiness and not its destruction is the chief and only object of good government.''

The phrase in the 14th amendment capsulizes our entire Constitution. It says: ''No state shall deprive any person of life, liberty or property without due process of law.'' Madam Speaker, protecting the lives of our innocent citizens and their constitutional rights is why we are all here. It is our sworn oath.

The bedrock foundation of this Republic is that clarion Declaration of the self-evident truth that all human beings are created equal and endowed by their creator with the unalienable rights of life, liberty and the pursuit of happiness. Every conflict and battle our Nation has ever faced can be traced to our commitment to this core self-evident truth. It has made us the beacon of hope for the entire world. It is who we are.

And yet, Madam Speaker, another day has passed, and we in this body have failed again to honor that foundational commitment. We failed our sworn oath and our God-given responsibility as we broke faith with nearly 4,000 more innocent American babies who died today without the protection we should have been giving them.

But perhaps tonight, Madam Speaker, maybe someone new who hears this sunset memorial will finally realize that abortion really does kill little babies, that it hurts mothers in ways that we can never express, and that 12,827 days spent killing nearly 50 million unborn children in America is enough; and that the America that rejected human slavery and marched into Europe to arrest the Nazi Holocaust, is still courageous and compassionate enough to find a better way for mothers and their babies than abortion on demand.

So tonight, Madam Speaker, may we each remind ourselves that our own days in this sunshine of life are also numbered and that all too soon each of us will walk from these Chambers for the very last time.

And if it should be that this Congress is allowed to convene on yet another day to come, may that be the day when we finally hear the cries of the innocent unborn. May that be the day we find the humanity, the courage, and the will to embrace together our human and our constitutional duty to protect the least of these, our tiny American brothers and sisters, from this murderous scourge upon our Nation called abortion on demand.

It is March 6, 2008—12,827 days since Roe v. Wade first stained the foundation of this Nation with the blood of its own children—this, in the land of the free and the home of the brave.

PAYING TRIBUTE TO D.L. ''DUSTY'' DICKENS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. PORTER. Madam Speaker, I rise to honor my friend, D.L. ''Dusty'' Dickens, for her years of dedicated service to the Clark County School District.

Dusty, who is originally from Santa Monica, California, attended Stevens-Henager College in Salt Lake City, Utah and later received an AMA certificate in Management from the University of Nevada, Las Vegas. Dusty was also licensed as a realtor in the State of Nevada in 1978 after attending the Education Dynamics Institute of Real Estate.

Over the past three decades, Dusty has served the Southern Nevada community, spending much of her time in the Facilities Division as the Director of the Demographics, Zoning and Realty Department. During her tenure in the Facilities Division, Dusty was responsible for a number of sizable land acquisition programs and was instrumental in recommending site locations for 200 schools. Dusty was also the co-author of the ''Open Schools/Open Doors and Educational Access Agreements'' which allows governmental entities and the state university system reciprocal use of public/school facilities. She also had a prominent role in the development of the school siting methodology for data driven decisions to site new schools.

Given the exponential growth in Clark County in recent years, Dusty has been instrumental in ensuring that our educational services have kept pace with demand. In addition to her distinguished performance in the Demographics, Zoning and Realty Department, Dusty has served as facilitator for the school district's Investment in Excellence Program and as liaison for the School Name Committee. She has also had the opportunity to represent the school district on committees for the City of Las Vegas, City of North Las Vegas, City of Henderson, and Clark County for land use and master plan developments.

Madam Speaker, I am proud to pay tribute to D.L. ''Dusty'' Dickens. Her service to Clark County has been instrumental and is to be commended. I would like to congratulate Dusty and her family including her husband, Lester and their four children on this honor by the school district. I applaud Dusty for her leadership and congratulate her on this much deserved recognition of having a school named in her honor.

CONGRATULATING THE INDIANA GIRLS BASKETBALL STATE CHAMPIONS AT PLYMOUTH HIGH SCHOOL

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. DONNELLY. Madam Speaker, today I rise before you to extend congratulations to the Plymouth High School Lady Pilgrims girls basketball team. The Lady Pilgrims succeeded in clinching the 3A state championship on March 1, 2008 at Conseco Fieldhouse in Indianapolis with a thrilling 47–46 victory over Indianapolis Chatard.

The Lady Pilgrims worked tirelessly this season to win their second Semi-State title in Plymouth High School history. This significant victory led to their first State title ever for the girls' basketball team.

The Plymouth team consisted of thirteen outstanding young women, including: Seniors Leslie Swihart, Laura Garrity, Jessica McMillen, Jessica Centa and Brittany Payne; Juniors Alex Starr, Brittany Davis, Danielle Hayden, Lyzz Smith and Erin McNeil; Sophomore Chelsea Benge; and Freshmen Marisa Green and Meagan Barron.

Also, we should not fail to acknowledge the support structure around the team. Head Coach Dave Cox with assistants Lindsay Houin, Dave Duncan and Russ Teall guided the Pilgrims to victory. The team received tremendous community support as evidenced by the busloads of fans that traveled to Indianapolis for the game and the thunderous applause of supporters who gathered to welcome the team home after their victory.

I offer my congratulations to the members of the girls' basketball team of Plymouth High School, the coaching staff, the school administration and community, and the surrounding Plymouth community for their accomplishments this season on the road to the 3A State Championship.

HONORING JAMES LAPIN

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. ENGEL. Madam Speaker, James Lapin, an active member of the Hebrew Institute of Riverdale, is truly a giving person. Mr. Lapin really understands the importance of doing and not just talking about giving. This is something he demonstrated by donating a kidney to a woman through a match made by the Halachic Organ Donor Society.

At the Hebrew Institute of Riverdale he is a frequent participant in many of the Bayrit's programs and has been instrumental in continuing Abraham and Sarah's Tent, the innovative program at HIR that provides free Shabbat dinner every Friday. He also shows his concern for our youth by being a big brother in the Big Sibling program of the Jewish Youth Encounter Program.

James and his wife Ann are parents of Gavriella and Sarit and have lived in Riverdale since their marriage in 2001. He is a graduate of the BA/MBA program of the University of Judaism and now works for Columbia University.

For his true selflessness and good works, he is presented with the Andrew Zucker Community Service Award.

PROVIDING FOR APPOINTMENT OF JOHN W. McCARTER AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2008

Ms. SCHAKOWSKY. Mr. Speaker, I rise in strong support of the appointment of John McCarter to serve on the Smithsonian Institution's Board of Regents.

The Board of Regents is responsible for a variety of issues related to the Smithsonian Institution, including budgets, planning documents, proposed programs and construction, appointments to Smithsonian advisory boards, and legislative initiatives. Given the variety and importance of the Board's responsibilities in managing the public's most cherished cultural institutions, and given the recent controversies regarding Smithsonian leadership, we must support the appointment of members to the Board of Regents who will ensure that the Smithsonian Institution will fulfill its critical mission in perpetuity. That is why I am pleased to support John McCarter's appointment.

John McCarter has an accomplished history of service in both the public and private sector. Currently, he serves as President and Chief Executive Officer of The Field Museum, a jewel in the crown of cultural attractions in Chicago, and one of the greatest natural history museums in the world. The Field Museum attracts over 1 million visitors each year; its collection includes over 23 million specimens, a number which continues to grow due to its ongoing expeditions and research in 94 countries around the world; and its staff includes 72 Ph.D.s.

Under John's leadership, the Field Museum has undertaken a series of projects to rebuild and restore the museum. During his tenure the Museum has created several new permanent and traveling exhibits, including the ''Tutankhamen and the Golden Age of the Pharaohs'' exhibit in 2006, which has toured to Philadelphia, London, and soon Dallas, to sold out crowds. The museum has also expanded its educational role in the community, establishing partnerships with science teachers in the community and organizing activities for inner-city schools.

A native Chicagoan, John previously was Senior Vice President of Booz Allen & Hamilton, Inc. Earlier in his career, he served as President of DeKalb Corporation, and was Budget Director of the State of Illinois under Governor Richard B. Ogilvie. John was also a White House Fellow during the administration of Lyndon B. Johnson, and is currently a trustee of the University of Chicago and a board member and former Chairman of Chicago's Public Television Station Channel 11. McCarter is a graduate of Princeton University and Harvard Business School, and also attended the London School of Economics.

It is my honor to support the appointment of John McCarter to the Smithsonian Institution's Board of Regents. John's service to the Field Museum, to the City of Chicago, to Illinois, and to the country, will make him an invaluable addition to the Board.

ST. MARY MEDICAL CENTER PROVIDES EXCEPTIONAL HEALTH CARE

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mrs. McMORRIS RODGERS. Madam Speaker, I rise today to congratulate St. Mary Medical Center for recently being named among the top 1 percent of hospitals in the Nation. St. Mary is one of only 49 hospitals in the Nation to be recognized with the Premier-Care Science Select Practice National Quality Award. The award is given to those facilities with the best patient outcomes and operating efficiency.

St. Mary Medical Center, located in Walla Walla, WA, was founded in 1880 by the Sisters of Providence. At the time, it was the first non-military hospital in Washington State east of the Cascades. Today, the hospital continues its 120 year commitment to providing excellent acute care, attracting patients from throughout the region.

This is not the first time St. Mary Medical Center has been recognized as a top performer. In 2007, the hospital was named among the top 100 hospitals in the Nation by 2 independent research companies. The national attention St. Mary Medical Center has received is a testament to the exceptional attention and care they give to each patient.

Madam Speaker, I rise today to commend St. Mary Medical Center for setting the standard for clinical excellence, and for providing excellent health care to the Walla Walla community. I invite my colleagues to join me in congratulating the doctors and employees of St. Mary Medical Center on this great achievement.

PAUL WELLSTONE MENTAL HEALTH AND ADDICTION EQUITY ACT OF 2007

HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. HERGER. Mr. Speaker, I would like to correct the record with respect to Mr. STARK's comments about Shasta Regional Medical Center. First, the hospital did not close. Second, the malpractice to which he refers occurred under the previous ownership of the hospital, then known as Redding Medical Center. The hospital did not have physician investment at that time. The individuals who were found guilty of fraud and malpractice were punished appropriately and are no longer affiliated with Shasta Regional Medical Center. The new ownership of that facility has performed an invaluable service to the local community by taking over a failing hospital and working to rebuild its reputation, and they deserve the thanks of every member of Congress for that service.

IN REMEMBRANCE OF DEREK OWENS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. KUCINICH. Madam Speaker, I rise today in remembrance of Derek Owens, a veteran Cleveland Police Officer who will be remembered for his unshakable commitment to the Cleveland community.

Derek Owens was born in Cleveland and remained in the area for most of his life. He graduated from the University of Toledo and later returned to Cleveland to earn his social Work degree from Cleveland State University in 1995. Owens was well known and will be fondly remembered in the neighborhoods in which he served for 10 years as a police officer. He often volunteered for neighborhood block watches and was recognized for his approachability, sense of humor and dedication to helping the community, even during his time off-duty.

Owens is survived by his wife, Erika, daughter Sydni and son, Chandler.

Madam Speaker and colleagues please join me in honoring Derek Owens, a vital member of the Cleveland community and dedicated Police Officer. May his commitment to the community serve as an example to all of us.

PERSONAL EXPLANATION

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. MILLER of Florida. Madam Speaker, I would like to offer a personal explanation of the reason I missed rollcall vote Nos. 88

through 90 on March 4, 2008. My plane was delayed due to bad weather in Atlanta.

I would have voted:

Rollcall vote No. 88, H.R. 1143—To authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park and for other purposes ''aye'';

Rollcall vote No. 89, H.R. 1311—To direct the Secretary of the Interior to convey the Alta-Hualapai Site to the city of Las Vegas, Nevada, for the development of a cancer treatment facility, ''aye''; and

Rollcall vote No. 90, H.R. 816—To provide for the release of certain land from the Sunrise Mountain Instant Study Area in the State of Nevada and to grant a right-of-way across the released land for the construction and maintenance of a flood control project, ''aye''.

IN HONOR OF SIXTY-THREE YEARS OF EDUCATIONAL EXCELLENCE AT TORAH ACADEMY OF MINNEAPOLIS

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mrs. BACHMANN. Madam Speaker, I rise today to honor the teachers, parents, and community of the Torah Academy in St. Louis Park, Minnesota. This weekend, at its annual banquet celebration, the Torah Academy will celebrate 63 years of educational excellence and service to children from pre-school through the eighth grade.

Founded in 1945, the Torah Academy provides a well-rounded and highly regarded education in the basics of reading, writing, and arithmetic, as well as Judaic studies. The teachers and staff there are committed to providing a nurturing environment and to instilling in students a lifelong love of learning.

Torah Academy depends upon the dedicated service of so many fine individual volunteers and corporate citizens to ensure that it meets its mission of educational excellence. At their banquet this weekend, the community will honor two in particular: Rabbi Joshua Borenstein, the Academy's outstanding Executive Director, and King Solutions, Inc.

King, founded by Meyer Bolnick and Mike Patterson, will be honored as the Business of Distinction as ''a business built on strong values, and a role model of responsibility and commitment to the community.'' Community service is an integral part of the work that King does in the Twin Cities area.

In addition to Rabbi Borenstein, who has served the Torah Academy community for a full decade, the Academy depends on many fine staff, including Rabbi Binyomin Ginsberg, Dean, and Mrs. Ginger Vance, Principal. I join the Minneapolis-area community this weekend in commending these outstanding educators and active citizens for their commitment to the core values and mission of Torah Academy.

HONORING THE LIFE AND WORK OF ADRIENNE SWENSON

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Ms. WOOLSEY. Madam Speaker, it is with great sadness that I rise today to recognize the passing of a good friend, who was one of Sonoma County's notable environmental activists and a conscience for social justice, Adrienne Swenson. Adrienne was 81 when she died in January of pulmonary disease. Adrienne touched the lives of thousands through her successful environmental conservation efforts, her commitment to social justice, and her work for the Democratic Party.

I knew Adrienne through all of these arenas and agree with her friends and colleagues, who are universal in their praise.

''She was a remarkable woman. She was a person committed to the idea that society could be improved,'' said David Thatcher, who along with others, helped Adrienne found the Peace and Justice Center of Sonoma County. ''She was a tower of strength in so many ways.''

But what was so remarkable about Adrienne was that in all her interests she always had a wider context in mind. Her work with the local United Nations community, her commitment to the peace process, her participation on the county planning commission—she integrated them all in the interest of trying to make a better society.

Born in San Francisco, Adrienne spent her life in California, except for 2 years in Spain when she and her husband, Len, and their three children lived what she once called ''the good life,'' traveling about Europe, studying art and learning Spanish.

A trip to Yosemite later introduced her to what became her favorite activities—family camping, backpacking, and birding. This led to her lifelong devotion to environmental issues, which interest she shared with her husband, a longtime Sierra Club leader.

Later, Adrienne served on the Manhattan Beach City Council while living in southern California, and on the Sonoma County Planning Commission after moving back to northern California. ''She really set a standard,'' said Bill Kortum, a member of the board of supervisors, which appointed her. ''She was always very well informed.''

Politically, Adrienne was active in the Santa Rosa Democratic Club and served on the Democratic Central Committee for nearly 20 years.

But where Adrienne really left her legacy was the Peace and Justice Center of Sonoma County.

''She had an incredible sense of justice in the face of overwhelming injustice,'' says Elizabeth Stinson, the center's director. ''She worked tirelessly for more than 30 years in every capacity you can think of.''

She was vehemently anti-war and opposed the occupation of Iraq. Standing on the corner at Mendocino and College avenues almost every week with a group of women, all dressed in black, she protested until she could no longer stand.

Madam Speaker, Adrienne Swenson would want us to carry on her work here in Congress, to be inspired by her tenacity and willingness to confront difficult subjects, knowing the world is better for her contributions to it.

IN SUPPORT OF THE GOALS OF A NATIONAL SIBLINGS DAY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mrs. MALONEY of New York. Madam Speaker, I rise today to show my support for the goals of a National Siblings Day for all Americans, a day to honor our sisters and brothers for the many ways in which they enrich our lives. This occasion would give us the opportunity to show appreciation for our siblings, much the same way that Mother's Day and Father's Day are celebrated, and completes the celebration of the whole family. One of my Manhattan constituents, Claudia Evart, has worked tirelessly to encourage everyone to honor their siblings on April 10th each year.

April 10th marks the birthday of Claudia's sister Lisette, who died tragically in 1972 at age 19 in a car accident that also killed their father. An additional tragedy struck in 1987, when Ms. Evart's older brother, Alan, died in an accident in his home. He was 36 years old.

Siblings make an important contribution to who we are. Often, when our parents are gone, our siblings are our only remaining family. And, sometimes, as in the case of my constituent Claudia Evart, Siblings Day will help us remember siblings whom we have lost at an early age.

I applaud these past 12 years of hard work by Claudia Evart who has created a loving tribute to her deceased siblings with her work to establish a National Siblings Day. Her inspired work should serve as a lesson to us all. Since 1998, 31 governors have issued gubernatorial proclamations in their states for Siblings Day: AL, AR, AZ, CO, CT, FL, IL, IA, KS, KY, LA, ME, MD, MA, MI, MS, MO, NE, NH, NJ, NM, NY, PA, RI, SC, VT, VA, WV, WA, WI and WY. Therefore, I now call on the Congress to recognize the importance of contributions of all family members, including our siblings, by supporting the goals of a National Siblings Day for all Americans.

PAUL WELLSTONE MENTAL HEALTH AND ADDICTION EQUITY ACT OF 2007

SPEECH OF

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2008

Ms. KAPTUR. Mr. Speaker, I am delighted that yesterday Congress was able to pass the long overdue Paul Wellstone Mental Health and Addiction Equity Act, finally vowing to end the discrepancy of health care and treatment available to patients with mental illness and addiction disorders. I commend Mr. KENNEDY and Mr. RAMSTAD for their steadfast and courageous efforts to bring this bill, and even more so, this issue, to the forefront of this Congress. This bill seeks to establish parity in coverage between mental health care and other forms of health care, ensuring greater access to treatment.

There are countless stories of Americans, including my own constituents in Ohio's 9th District, who are struggling not only with their mental illness, but with the costs of trying to treat it. Our local jails are jammed with inmates who present with serious mental illness as our sheriffs become innkeepers for the untreated mentally ill. Mental illness affects the majority of homeless in our Nation. Treating those who suffer from these cruel illnesses is long overdue. Following are accounts that show a striking difference among my constituents (whose names have been changed for privacy reasons) who have the necessary health coverage to help mange their illness, with those who do not.

Carol is a young woman not yet 30 years old, who had managed to hide her paranoid schizophrenia for several years with treatment until a recent breakdown exposed it in a very public way. She'd lost her job—and thus her health insurance—and was struggling. She had no way to afford COBRA payments, and without health insurance, had to stop treatment. The voices in her head told her to eat bananas and drink beer, and then to drive. After following these instructions, she was picked up by the local police for driving under the influence. It was then that her parents became aware of her true condition. Because she had no health insurance, they could not find a place which would admit her for proper treatment. Her court case for the DUI was placed on suspension because, in her state of psychotic crisis, she could not participate in her own defense. Her parents finally found a counselor through the community mental health system, but her medical bills continue to mount.

Mary's situation is similarly devastating. A single mother raising four children, Mary works in a job which does not offer health insurance. Although she has purchased a private policy, it is very limited and has additional restrictions on mental health care. Mary's teenage son began to experience severe mental health problems and was diagnosed with schizophrenia. She found care in a private facility, but reached her insurance limit quickly. Now without the ability to pay for his care, she has found it very difficult to successfully continue his treatment. He has since encountered legal difficulty, and has been placed in a juvenile justice center.

With comprehensive health coverage, Bob's situation is much more fortunate, and a model for how things should be. Bob is a professional with a well-paying job and a young family. However, a crisis sent him into a downward spiral ending in depression. His full insurance coverage afforded him the ability to ''shop around'' as they struggled to find him proper treatment. Bob eventually sought help through a private inpatient treatment facility. Following his stay, he and his family have continued the intensive therapy he was prescribed, which has enabled him to return to a life of productivity and has restored a sense of normalcy in his family.

The Paul Wellstone Mental Health and Addiction Equity Act will go a long way in ensuring that there are more success stories like Bob's, and fewer situations like that of Carol and Mary. And, by breaking down the barriers to treatment, this bill will also help erase the unfortunate stigma that prevents those in need of mental health and addiction treatment from seeking the care they need.

The Wellstone bill moves America forward and brings hope to millions who know the scourge of mental illness.

HONORING DETECTIVE LUIS RODRIGUEZ

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. ENGEL. Madam Speaker, the contribution of law enforcement to the community goes well beyond arrests and convictions, and if you are lucky, on occasion you come across someone with that extra sense of commitment to the motto ''protect and serve''. Detective Luis Rodriguez, a 20-year veteran of the New York City Police Department, is the Community Affairs Officer for the 50th Precinct, the liaison to schools, civic groups, tenant associations and houses of worship and Detective Rodriguez is one such officer who is always ready to go above and beyond and to offer a helping hand those in need.

Detective Rodriguez defines his job in terms of what he can do for the community by bringing human warmth to people who are facing stressful situations. Whenever anything occurs in the community whether a serious issue or a simple question, everyone knows that they can call Luis. We don't even need to use a title or last name, he is known simply as Luis. We know that we can count on him for guidance or to be there when needed.

He has had many awards for his work and credits his parents for raising him with a lot of trust. He is passing on this trust to two of his favorite people in the world, his children, Caitlin and Steven.

For his good work with the community, the Riverdale Jewish Community Council is awarding him the Martin Rollins Interfaith Brotherhood Award. I understand that Detective Rodriguez is retiring this summer and I want him to know that the community will miss him and that he can always count on us for a helping hand if ever he needs one.

THE CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2009

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. OBERSTAR. Madam Speaker, I am extremely pleased that the fiscal year (FY) 2009 Budget Resolution, approved by the Committee on the Budget, recognizes the critical importance of meeting our Nation's infrastructure investment needs, even while achieving a balanced budget by 2012. The Budget Resolution vigorously rejects the short-sighted policies of the President's budget, which cuts virtually every infrastructure investment program within the jurisdiction of the Committee on Transportation and Infrastructure, including highways, public transit, airports, Amtrak, wastewater treatment, and water resources development.

In contrast to the harmful cuts proposed by the administration, the resolution fully funds highway, transit, and highway safety programs at the levels originally authorized in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU). The resolution rejects both the negative $1 billion adjustment for Revenue Aligned Budget Authority, and the administration's proposal to cut highway and transit funding by an additional $1 billion below the authorized levels, which would be detrimental to short-term economic stimulus efforts, as well as long-term economic growth.

For the Airport Improvement Program, AIP, the resolution rejects the $765 million cut proposed by the administration, and instead provides the full amounts authorized in the FAA Reauthorization Act of 2007 (H.R. 2881), as approved by the House last year. Specifically, the proposed budget provides $3.9 billion for AIP in FY 2009, increasing to $4.1 billion by FY 2011. This funding will allow the AIP program to keep pace with inflationary cost increases, and begin to address the investment gap in airport safety and capacity needs.

For Amtrak, the resolution rejects the $525 million cut proposed by the administration, which would essentially shut down our national passenger rail system, and instead increases funding to meet the costs of Amtrak's new labor agreement, pursuant to Presidential Emergency Board 242.

For environmental infrastructure, the resolution rejects the administration's proposed cut to the Clean Water State Revolving Fund, CWSRF, program, the primary Federal program for funding wastewater infrastructure projects throughout the Nation. A year ago, the President requested $687.5 million in capitalization grants for CWSRFs for FY 2008. At that time, it was the lowest level requested by any administration since the creation of the program. For FY 2009, the administration requests a pitiful $555 million, a 20 percent cut from last year's appropriation of $689 million. The administration's proposal puts at risk the water quality gains achieved in recent decades, and the resolution correctly rejects this cut.

Finally, the resolution rejects the administration's proposal to cut funding for the Army Corps of Engineers by $845 million in FY 2009, and instead provides increased funding to begin to address the growing backlog of water resources development projects, including those authorized by the Water Resources Development Act of 2007.

The Committee on Transportation and Infrastructure firmly believes that infrastructure investment is fundamental to stimulating and sustaining long-term economic growth. Therefore, I am pleased that the budget resolution includes an Infrastructure Investment Reserve Fund, which will accommodate legislation to ''Rebuild America'' in FY 2009.

I look forward to working with Chairman SPRATT on continued improvements to our Nation's infrastructure, and I urge my colleagues to support the resolution.

PAUL WELLSTONE MENTAL HEALTH AND ADDICTION EQUITY ACT OF 2007

SPEECH OF

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2008

Mr. LEVIN. Mr. Speaker, I rise in strong support of the Paul Wellstone Mental Health and Addiction Equity Act of 2007.

Eleven years ago, the Congress came together to approve legislation that put the country on the road to mental health parity. But along that road, too many potholes remain unfilled. A letter I received last week from a Michigan psychologist reads, ''Every day I see families with 'good health coverage' discover that their loved ones cannot get the mental health care they need because their employer-sponsored health insurance sets arbitrary, one-size-fits-all limits on mental health treatment that it does not impose on other medical or surgical benefits.''

When the National Institute for Mental Health reports that 1 in 4 adults have a diagnosable mental disorder in any given year, and 1 in every 17 Americans suffers from a more serious mental condition, we know that it is time to take action. Whether it's a friend with signs of clinical depression, a son or daughter with a drug addiction or a parent with schizophrenia, too many people are not receiving the treatment that they need. In fact, a study conducted by the NIMH found that only 18 percent of Americans requiring mental health services received minimally adequate care.

We are all too familiar with the burden that inadequate access to mental health care can cause. People experiencing severe mental illnesses routinely exceed the number of allowable visits to a health care provider, leading to financial hardship or insufficient levels of care. Under the current system, a person seeking mental health services may have to wait months to get an appointment with a practitioner in his or her insurance plan's network, or have to pay a fortune out-of-pocket for mental health care.

The legislation before us ensures that Americans will have access to the mental health care they need by removing these barriers. Specifically, the bill requires health insurance companies that offer mental health benefits to offer them in a way that beneficiaries pay no more out of pocket than they would pay for physical and surgical health benefits. The bill also requires insurance companies that cover mental health benefits to cover the entire spectrum of them so that treatment for conditions like substance abuse and eating disorders will be covered.

All of us should join in supporting this important legislation to continue moving America along the road to parity, and the eventual elimination of discrimination, financial hardship and insufficient levels of care in our health care system.

PAUL WELLSTONE MENTAL HEALTH AND ADDICTION EQUITY ACT OF 2007

SPEECH OF

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2008

Mr. GARY G. MILLER of California. Mr. Speaker, I rise in reluctant opposition to H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act. To be clear, I support mental health parity and I commend my colleagues for coming together to ensure Americans can receive the care that is necessary; however, I have serious concerns about extraneous provisions that were added to the bill at the last minute.

This legislation, while seeking to increase access to mental health treatment, simultaneously raises the cost of doing business for companies who choose to provide low cost medication to the Medicaid program. In addition, the bill stifles the growth of certain specialty hospitals in an effort to bring more business to public hospitals. In a time when we should be encouraging the expansion of all types of medical care, we should not be punishing one part of the industry in order to pay for the expansion of another.

Providing access to quality mental health care is an important goal. Yet, I believe this goal can be achieved without harming unrelated aspects of the medical field, which is why I oppose H.R. 1424 and I support S. 558. If the House had brought up S. 558, which does include any of these problematic provisions, we could well be on our way to expanding mental health parity. I encourage the House to move forward with the Senate version so we can send this bill to the President as soon as possible.

HONORING CENTRALIA ORPHANS BASKETBALL TEAM

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. SHIMKUS. Madam Speaker, today I rise to honor the Centralia Orphans basketball team, which on Friday, February 15, 2008, became the first high school boys' basketball program in the State of Illinois—and just the second in the nation—to record its 2,000th victory.

The visiting Orphans defeated the arch-rival Mt. Vernon High School Rams 45–43 to reach the milestone.

Current members of the Orphans include Evan Burmester, Adrian Dabney, Ben Kracht, Stile Smith, Carlton Westbrook, Keith Johnson, Justin Keef, Devan Wells, Brandon Buchanan, Myron Cunningham, R.J. Kwiatkowski, and Mark McConnaughy. Their head coach is Lee Bennett, who is assisted by Brad Goewey, Ryan Blaha, and Doug Jack.

Since its beginning in 1906, the Centralia boys' basketball team has featured such standout players as future Olympic track star Dwight ''Dike'' Eddleman, future Harlem Globetrotter Bobby Joe Mason, and future Los Angeles Laker Dickie Garrett. The Orphans have won three Illinois State championships, all under legendary High School Hall of Fame Coach Arthur L. Trout.

I send congratulations to the players, coaches, students, alumni, and fans of Centralia High School on a remarkable achievement.

PAUL WELLSTONE MENTAL HEALTH AND ADDICTION EQUITY ACT OF 2007

SPEECH OF

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 2008

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I rise today on behalf of a teenager from Ben salem, Pennsylvania for whom mental health care came too late. I rise in favor of a health care system that works for those in need.

This legislation not only promotes fairness for those with mental illness, it also will not pre-empt stronger State laws. Laws, such as Pennsylvania's Act 106, which has saved countless lives.

I stand with a Republican State representative from my district—Gene DiGirolamo—as we fight to preserve these critical laws in conference. Mr. DiGiralomo of Bensalem is a leading advocate for mental health parity and has worked tirelessly for health care laws that are fair and just.

Mr. Speaker, this bill is bipartisan and long overdue. I urge my colleagues to join me in voting for it.

The Paul Wellstone Mental Health and Addiction Equity Act is designed to end discrimination against those seeking treatment for mental illness.

This discrimination is real, and it affects the lives of millions of people every day.

We have all heard the stories of the negative stigma surrounding post traumatic stress disorder and traumatic brain injury from veterans returning from battle, and each of us has a family member or friend who has struggled at one time or another with mental illness.

Reauthorizing this important measure has waited for more than a decade—that is too long.

I am proud to be supporting it today and proud to have fought to include provisions that will keep this bill from pre-empting stronger State laws.

Act 106 is an example of a life-saving, crime-reducing law in Pennsylvania that will be preserved because of this important bill.

Act 106 not only helps addicts regain control of their lives, but also makes our State a safer and more pleasant place to live.

This protection is just one of many important items included in this bill, and Act 106 is just one of many State laws that we should preserve.

Mr. Speaker, this bill is critically important and while I am proud to support it, I must register some reservations about how we go about paying for it.

As a fiscally conservative Blue Dog Democrat, upholding the PAYGO rules are important, but the offsets chosen for this legislation are ones that have been used for another piece of legislation.

We are a Nation at war and a Nation in debt. Each person in this country owes more than $30,000 in debt because of the reckless spending habits of the past.

We need to make sure we pay for the bills we pass, but I have some serious concerns about passing two bills—two Democratic priorities—that are paid for with the same money.

I urge our leadership, that as we go to conference on both of these pieces of legislation we ensure that we have a fiscally responsible approach that is also equitable for all those involved.

Mr. Speaker, this bill is a great step forward, and it has the support of doctors, nurses, and families across the country.

I am proud to cast my vote in favor of the Paul Wellstone Mental Health and Addiction Equity Act.

CONDEMNING THE ONGOING PALESTINIAN ROCKET ATTACKS ON ISRAELI CIVILIANS

SPEECH OF

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. PAUL. Mr. Speaker, I rise in opposition to H. Res. 951, a resolution to condemn Palestinian rocket attacks on Israeli civilians. As one who is consistently against war and violence, I obviously do not support the firing of rockets indiscriminately into civilian populations. I believe it is appalling that Palestinians are firing rockets that harm innocent Israelis, just as I believe it is appalling that Israel fires missiles into Palestinian areas where children and other non-combatants are killed and injured.

Unfortunately, legislation such as this is more likely to perpetuate violence in the Middle East than contribute to its abatement. It is our continued involvement and intervention—particularly when it appears to be one-sided—that reduces the incentive for opposing sides to reach a lasting peace agreement.

Additionally, this bill will continue the march toward war with Iran and Syria, as it contains provocative language targeting these countries. The legislation oversimplifies the Israel/Palestine conflict and the larger unrest in the Middle East by simply pointing the finger at Iran and Syria. This is another piece in a steady series of legislation passed in the House that intensifies enmity between the United States and Iran and Syria. My colleagues will recall that we saw a similar steady stream of provocative legislation against Iraq in the years before the U.S. attack on that country.

I strongly believe that we must cease making proclamations involving conflicts that have nothing to do with the United States. We incur the wrath of those who feel slighted while doing very little to slow or stop the violence.

PERSONAL EXPLANATION

HON. RIC KELLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. KELLER of Florida. Madam Speaker, I have remained in Orlando, Florida with my wife and our new daughter who was born on Monday, March 3rd. If I had been present yesterday, I would have voted in the following manner: Rollcall 91: ''yea''; Rollcall 92: ''yea''; Rollcall 93: ''yea''; Rollcall 94: ''nay''; Rollcall 95: ''nay''; Rollcall 96: ''nay''; Rollcall 97: ''yea''; Rollcall 98: ''yea''; Rollcall 99: ''nay''; Rollcall 100: ''yea''; Rollcall 101: ''yea''; Rollcall 102: ''yea''.

HONORING NELLIE RUTH RILEY LEWIS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise with a great sense of loss as I pay tribute to Nellie Ruth Riley Lewis, an educator, prominent Dallas community leader, and my friend who left us on March 1, 2008, at the age of 70. Throughout her life, Nellie Lewis was a well-known, respected figure in Dallas who leaves behind a legacy of accomplishments that will be remembered for years to come.

A native of North Carolina, Mrs. Lewis received her bachelor's degree from Howard University and her master's degree in education from George Washington University. For the first 17 years of her career, she taught in the public schools of Washington, DC, where she became the supervising director of reading for the District.

Mrs. Lewis moved to Dallas in 1977 with her late husband Dr. Lewis, where they were both employed with the Dallas Independent School District. During her 20 years with DISD, Mrs. Lewis' duties included serving as an instructional specialist, a curriculum coordinator, and an area director. She also served as director of learning services, the administrative assistant to four superintendents, and supervisor to a group of 10 elementary school principals.

She continued her lifelong devotion to education, even after her retirement from DISD, serving on several committees and as the president of the Dallas region of the National Alliance of Black School Educators.

In 1997, Mrs. Lewis received the Charles D. Moody Founder's Award, presented by the National Alliance of Black School Educators.

As our Nation experiences great technological innovation and success in the global market, the value of an education takes on even greater importance. Mrs. Lewis has exhibited the characteristics we seek in our educators, school administrators, and community activists.

Mrs. Lewis was married to Napoleon B. Lewis, who preceded her in death. In addition to her son, Mrs. Lewis is survived by three sisters: Inez Riley McClain of Fayetteville, NC; Carolyn Riley Payne and Deborah Riley, both of Seattle, WA; and three grandchildren.

On this day, Madam Speaker, I join her family, her friends, and all of Dallas and the Nation, in mourning the loss of a dear and special friend. She will be greatly missed.

CONGRESSIONAL CLUB CENTENNIAL

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. BISHOP of Georgia. Madam Speaker, I rise today, along with Representatives TODD TIAHRT, JEFF MILLER, DORIS MATSUI, JO-ANN EMERSON, and JOHN TANNER, to introduce a resolution to commemorate the Congressional Club on its 100th anniversary.

The Congressional Club was established in 1908 ''to promote sociability among its members, create a common meeting place, and further a personal acquaintance among the women of the Congressional circle.'' In the early 20th century, Members of Congress actually had little time for making friends outside of Congress or Government. It largely fell upon the wives to forge acquaintances in the Nation's Capital, since many of them led solitary lives while away from their home States.

In 1914, the club moved into a Beaux Arts-style mansion on the corner of New Hampshire Avenue and U Street, Northwest, in Washington, DC, where it continues to be the meeting place to this day. It has maintained its mission of serving as a place for spouses of Members of both the House and Senate to develop non-partisan friendships. In addition, its membership has been broadened to include both female and male spouses as more women have been elected to Congress over the last century.

The club also counts among its members spouses of Supreme Court Justices and the President's Cabinet, as well as former First Ladies. It has been a center for service since its founding—providing aid to our Nation's soldiers; supporting local police and fire departments; and hosting receptions for senior citizens, the disadvantaged, and spouses of Ambassadors. It is entirely self-supporting from membership dues and the sale of the Congressional club cookbook, which includes recipes and signatures of Members of Congress, First Ladies, Ambassadors, and members of the club.

It is interesting to note that 100 years ago this May, it took the charm of a determined wife of a Member of Congress to get the Federal legislation incorporating the club approved by the House of Representatives. The House Minority Leader, John Sharp Williams of Mississippi, had opposed the bill and was using parliamentary procedures to defeat the bill.

History has it that when Mrs. Williams, who favored the club, heard about her husband's opposition, she invited him to lunch the day the measure was on the House floor. After lunch, he withdrew his opposition and his request for a recorded vote, saying that ''it is the opinion of the gentleman from Mississippi that . . . there will not be a roll call because it would cause a great deal of unhappiness in Washington.''

As the proud spouse of the current president of the Congressional Club, Vivian Creighton Bishop, it likely would cause a great deal of happiness in my household and the households of many other Members if this resolution is voted upon in the near future. I am pleased to be the sponsor of this resolution commemorating the club on reaching this important milestone and I urge its quick adoption.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Ms. WOOLSEY. Madam Speaker, on March 5, 2008, I was unavoidably detained and was not able to record my votes for Rollcall No. 91–102.

Had I been present I would have voted:

Rollcall No. 91—"Yes"—To redesignate Dayton Aviation Heritage National Historic Park in the State of Ohio as "Wright Brothers-Dunbar National Historical Park", and for other purposes.

Rollcall No. 92—"Yes"—Supporting Taiwan's fourth direct and democratic presidential elections in March 2008.

Rollcall No. 93—"Yes"—Condemning the ongoing Palestinian rocket attacks on Israeli civilians, and for other purposes.

Rollcall No. 94—"Yes"—Providing for the consideration of H.R. 1014, Paul Wellstone Mental Health and Addiction Equity Act.

Rollcall No. 95—"Yes"—Providing for the consideration of H.R. 1014, Paul Wellstone Mental Health and Addiction Equity Act.

Rollcall No. 96—"Yes"—Providing for the consideration of H.R. 1014, Paul Wellstone Mental Health and Addiction Equity Act.

Rollcall No. 97—"Yes"—Cyndi Taylor Krier Post Office Building.

Rollcall No. 98—"Yes"—Expressing the sense of Congress that Earl Lloyd should be recognized and honored for breaking the color barrier and becoming the first African-American to play in the National Basketball Association League 58 years ago.

Rollcall No. 99—"Yes"—Paul Wellstone Mental Health and Addiction Equity Act.

Rollcall No. 100—"No"—Paul Wellstone Mental Health and Addiction Equity Act.

Rollcall No. 101—"Yes"—Paul Wellstone Mental Health and Addiction Equity Act.

Rollcall No. 102—"Yes"—Sgt. Michael M. Kashkoush Post Office Building.

PERSONAL EXPLANATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. GERLACH. Madam Speaker, on March 5, I was delayed in making my way to the floor of the House for rollcall 99. I missed the vote, but had I been present I would have voted nay.

A BILL TO INCREASE THE MAXIMUM AGE TO QUALIFY FOR COVERAGE AS A CHILD UNDER THE HEALTH BENEFITS PROGRAM FOR FEDERAL EMPLOYEES

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. DAVIS of Illinois. Madam Speaker, young adults are the fastest-growing age group among the uninsured. Almost 400,000 young adults (younger than 24) who graduate from college will be cut off from health insurance under their parents' plan or from their universities. A report by the Commonwealth Fund, a private foundation that aims to promote a high performing health care system in the United States, showed that 2 out of 5 college graduates are uninsured after they leave school.

Nationwide, 30.6 percent of 18- to 24-year olds are uninsured, making them the largest population without coverage in 2005. The numbers reflect an increase from 2004, when an estimated 13.7 million people age 19 to 29 had no coverage. As recently as 2000, just 2.5 million were without health insurance, according to a 2005 survey by the Commonwealth Fund.

Young adults enrolled as dependents in Federal Employee Health Benefits Plan (FEHBP) and their parents, will not have to worry about being uninsured if this legislation is enacted. This bill would raise the age young adults would qualify for health insurance under FEHBP from 22 to 25 years of age.

The federal government should not be contributing to the number of Americans that are uninsured. This bill would ensure that at least the dependents of federal employees between the age of 22 and 25 get the health care and coverage they need.

HONORING DR. GARLAND FORBES

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. BILIRAKIS. Madam Speaker, I rise today to honor Dr. Garland Forbes. A graduate of the University of Medicine and Dentistry of New Jersey, with an Endodontic Certificate from the Graduate Dental School of Ohio State University, Dr. Forbes has been providing quality care and comfort to patients in Pasco, Pinellas, and Hernando Counties with exemplary endodontic services.

However, his devotion to his community does not rest solely within his trained profession. He also organizes and executes his annual Plant 1,000 Trees Before You Die observance. In December of 2005, Dr. Forbes, with the help of Big Brothers and Big Sisters of America, distributed 1,000 trees to area dental office personnel and their staff.

In 2006, the event doubled with the distribution of 2,000 as Dr. Forbes partnered with the United Way and a local bank. The event reached further into the community as the public was invited to pick up trees to plant.

In 2007, Dr. Forbes again decided to increase the number of trees by one hundred percent, distributing 4,000 trees. Because of Dr. Forbes's efforts, more than 7,000 trees have now been planted in the Florida counties of Pasco, Pinellas, Hillsborough, Hernando, and Polk.

Madam Speaker, Dr. Forbes is a terrific example of how just one person can make a difference both locally and environmentally. His service to the community, through his endodontic services as well as his Plant 1,000 Trees Before You Die initiative truly serve as an inspiration to others. I am delighted today to acknowledge such an influential member of my community, and I hope that the example by which Dr. Forbes leads will serve as an incentive for others to contemplate how they too can serve their communities.

FIRST BAPTIST CHURCH OF INDIAN ROCKS HONORS ITS PASTOR CHARLIE MARTIN

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. YOUNG of Florida. Madam Speaker, I rise in celebration of one of the most dynamic and inspirational pastors my community in Pinellas County has known. Reverend Charles William Martin retires Sunday after 37 years as Pastor of the First Baptist Church of Indian Rocks in Largo, Florida.

This is my hometown church and Charlie has been my pastor, but more importantly he has been my friend. Charlie was born and raised in Arkansas and first felt the call to preach as a young man in 1960. He pursued this calling by completing work on his Bachelors of Arts in Religious Education at Trinity College in 1967 and his Doctor of Divinity at Trinity in 1986.

He found his true calling in 1971 when he accepted the charge to serve as pastor of the First Baptist Church of Indian Rocks, where he and his wife Stephanie have invested their heart and soul ever since. This is an amazing church of 5,300 members and a full-time staff of 18 pastors and associate staff. Under Charlie's leadership, First Baptist spreads the word of God in all forms, from its stirring music, emphasis on the scriptures, and his from the heart sermons. They have a wide variety of ministries, in all parts of our State, our Nation, and the world.

One of those ministries was the establishment of the Indian Rocks Christian School in 1984 with an enrollment of 42 students. Today more than 1,000 students attend the school which has earned a reputation of one of our county's best.

Perhaps the greatest testimony to Charlie's service to his congregation is the pride his church members have in being a part of his church community. There isn't a day that goes by that I don't see someone back home, here in our Nation's Capital, or even around the world that comes up to me and says, "I'm a member of Charlie's church."

First Baptist will hold an honor and praise weekend this Friday through Sunday to celebrate the service of Pastor Martin and Stephanie. All of us who know Charlie are confident that this will not be the beginning of his retirement as he will always remain active in the church and his ministries. In fact, he and Stephanie are moving up to North Carolina where they are starting a church there.

Madam Speaker, Pastor Charlie Martin is a friend to many and has shared God's word and God's grace with countless thousands of people throughout his life. He is a friend of Members of this House as he was our guest chaplain in April 1999. And he is a special friend of this Congressman and of my wife Beverly and our family. He has been there for us many, many times—in times of celebration and in times of grief. Please join me in saying thank you to Charlie and Stephanie and in offering our best wishes as they open a new

chapter in their lives. It is my hope that God gives them many joyous years together with each other and with their five children and nine grandchildren.

God bless you and keep you, Charlie Martin.

TRIBUTE TO THE SAN ANTONIO CHAPTER OF THE AMERICAN RED CROSS

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. RODRIGUEZ. Madam Speaker, today I am greatly honored to recognize the San Antonio Area Chapter of the American Red Cross. As you launch your 2008 Heroes for the American Red Cross Campaign, I wish to commend the many important contributions made to our communities by this admirable organization over the years.

Every day, they serve over 2.4 million people living in the 23 counties across South Central Texas with invaluable support for natural disaster and preventative services. Since the chapter's founding in 1916, your volunteers have been at the forefront when emergencies and disasters have impacted our communities. Across the nation, the American Red Cross's noble work has come to represent hope and relief for people when unpredictable and difficult problems arise.

The San Antonio Area Chapter of the Red Cross has provided disaster relief services to 491 families, or more than 1,600 people. As many in my community can recall, the Red Cross helped over 1,100 people, supplied shelter for over 800 persons, and provided much needed financial help to many families in Eagle Pass who were devastated by the 2007 tornado. 465 of their volunteers worked selflessly in response to this disaster, and I am truly grateful for their service.

In addition to responding to emergencies such as these, they help members of the community prepare themselves for these types of disasters. In teaching 21,405 people in our region how to save lives with first aid and offering CPR courses, they empower the entire area. Moreover, they help our members of the armed services and their families by operating a 24- hour emergency call center. They also serve as a valuable connection to other social service agencies as is evident by the 5,300 referrals made last year which enabled people to get more help when they needed it most.

As one of the largest chapters in the country with roughly 1,500 volunteers and 55 paid staff members, their dedication and devotion to the Red Cross' humanitarian mission has left an indelible mark in South Central Texas. I am very proud and deeply honored to represent this district knowing such people are working unselfishly to make our cities and towns stronger and safer. I would like to thank them for all they have given to the region, and I wish them continued success in their mission.

HONORING THE 150TH ANNIVERSARY OF GUNDLACH BUNDSCHU WINERY OF SONOMA COUNTY, CA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize Gundlach Bundschu Winery in Sonoma County, California on the 1501h anniversary of its founding.

In the 150 years since the winery was established on March 12, 1858, California's wine industry has become the fourth largest wine producing region in the world and Gundlach Bundschu has played an integral part in that growth. It is the oldest family owned winery in the state and the sixth generation of the founding family continues to live, farm and pioneer the production of fine wines on the same vineyard land that was originally purchased by their great-grandfather's grandfather.

Each generation has weathered unique challenges that defined them and the California wine industry and has met those challenges with ingenuity and resolve. Company offices and wine vaults were destroyed in the 1906 San Francisco earthquake, severely curtailing what had been a thriving business. The family was able to continue with limited production until the passage of prohibition in 1919, which forced the winery to close. After the repeal of prohibition, Gundlach Bundschu wine grapes were once again in demand, but the family winery wasn't restored until 1973. Today, the modern winery is dedicated to sustainable farming at its best.

The family has always been an integral part of the community and a leader in civic affairs. They were instrumental in initiating the first Vintage Festival in Sonoma, a celebration of the annual grape harvest that has been held continuously for 110 years. Now, in celebration of its Sesquicentennial, Gundlach Bundschu has commissioned a theatrical presentation that will tour nine cities throughout the United States in the spring and fall of 2008.

Madam Speaker, it is appropriate at this time that we acknowledge Gundlach Bundschu on the 150th anniversary of its founding. As California's oldest family owned winery, Gundlach Bundschu is truly a testament to the enduring quality and character of California wine, and to its place among the nation's finest wineries.

HONORING DAVID L. HYMAN OF PHILADELPHIA

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. FATTAH. Madam Speaker, it is my honor to salute today a great and valued citizen of Philadelphia who is receiving one of our city's truly prestigious awards for members of the legal community.

David L. Hyman, Esquire earns his living as Managing Partner and partner for Business Development at Kleinbard, Bell & Brecker LLP, one of Philadelphia's outstanding law firms, where he leads the government relations practice. But that barely begins to describe the depth and breadth of his commitment to the city he loves.

David is a soft-spoken man with a ready and infectious smile who travels the fast lane of Philadelphia governance, religious, philanthropic and civic life, skilled at winning confidence and making things happen.

I have known David for more than two decades, since our days of pickup basketball at the Bright Hope Baptist Church in North Philadelphia. We have spent our declining jumpshot years on many of the same critical issues and causes, improving the lives and life chances for our young and underserved citizens.

David settled in Philadelphia to launch a legal career after graduating cum laude from the University of Pennsylvania in 1975 and from the University of California, Davis, School of Law in 1980. He served as Law Clerk for United States District Court Judge Peter B. Scuderi.

David is former Co-President and current advisory board member of Operation Understanding, a unique Philadelphia program that brings together African American and Jewish teenagers and trains them for cooperative leadership roles. He has been a bridge builder and passionate advocate for these two communities. –

More recently, David L. Hyman served for eight years as Chairman of the Philadelphia Facilities Management Corporation, which oversees the Philadelphia Gas Works. He continues as Vice Chairman of the Greater Philadelphia Tourism Marketing Corporation, which spreads the good word about our city, and serves on the board of the Building Industry Association of Philadelphia among numerous other private, public and nonprofit appointments. He has also been a champion for development, community improvement and empowerment in Mount Airy and across Northwest Philadelphia, along with his wife Farah Jimenez, the executive director of Mount Airy USA.

David L. Hyman has served the American Jewish Committee and its Philadelphia/Southern New Jersey chapter as President and Board Chairman. Now the organization he has led so ably and selflessly is returning the favor.

On Wednesday March 12, 2008, at the Rittenhouse Hotel, David L. Hyman, Esquire will receive the 2008 Judge Learned Hand Award of the AJC.

The significance of this award can be judged by the man for whom it is named. Judge Learned Hand, according to the AJC citation, served as senior judge of the United States Circuit Court of Appeals for the Second Circuit from 1924 to 1951. Widely admired as a dean of American jurists, Judge Hand was renowned for his extensive range of decisions which he rendered in more than two thousand cases.

David L. Hyman fittingly receives an award presented each year to a member of the Philadelphia legal community whose social conscience and devotion to philanthropy mirrors the century-old values of the American Jewish Committee. He is the 28th recipient of Philadelphia's Learned Hand Award. –The American Jewish Committee proudly proclaimed that, for more than 100 years, it has "worked to safeguard minorities, fight terrorism, anti-Semitism, hatred and bigotry, pursue social justice, advance human dignity,

support Israel's right to exist in peace and security, defend religious freedom and provide humanitarian relief to those in need.''

By choosing David L. Hyman for this recognition, the American Jewish Committee brings honor to the award itself and to the legal profession of Philadelphia. I extend my own best wishes to this richly deserving super citizen in our midst, and I say: Mazel Tov, Counselor.

PERSONAL EXPLANATION

HON. JEFF FORTENBERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. FORTENBERRY. Madam Speaker, on Tuesday, March 4, 2008, I was inadvertently detained and thus I missed rollcall votes Nos. 88, 89, and 90. Had I been present, I would have voted ''yea'' on all three votes.

IN HONOR OF ANDY WILLNER

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. PALLONE. Madam Speaker, I rise today to honor Andy Willner's lasting contributions and dedication while serving as NY/NJ Baykeeper Executive Director. Mr. Willner's commitment to safeguarding the Hudson-Raritan Estuary helped eliminate pollution and restored efficiency in the estuary's streams and shores for almost twenty years.

In March Mr. Willner will retire after eighteen years of service as Baykeeper. On March 7, 2008, at the Liberty House Restaurant in Liberty State Park, the Baykeeper's Founders Fete will honor Mr. Willner for all he has done in keeping New Jersey and New York waterways safe.

Mr. Willner began his distinguished career as a sailing vessel captain, city planner and boat builder. He has always concerned himself with environmental issues and has thus participated in numerous conferences concerning shore protection and keeping our harbors safe.

Later, he served as member on the Dredge Materials Management Work Group and the Hackensack Meadowlands Special Area Management Plan among the various environmental organizations he was a part of. Mr. Willner has received many renowned awards for his work including the ''Hero of the Harbor'' Award as well as the Stewardship Recognition Award from the New York State Department of Environmental Conservation.

Mr. Willner began his work with the NY/NJ Baykeeper in 1989 and has served as Executive Director for eighteen years. His work with the Baykeeper included bringing attention to coastal issues, protecting our shores, and eliminating pollution in our waters. With the momentous efforts of Andy Willner, the Hudson-Raritan Estuary has been kept safe and protected for nearly twenty years.

Madam Speaker, I sincerely hope that my colleagues will join me in celebrating the work of Andy Willner. His continual efforts to keep our waters protected will continue to benefit and inspire the people of New Jersey.

PASS FREE TRADE AGREEMENTS

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. REICHERT. Madam Speaker, While I am pleased that the House has once again renewed Andean trade preferences, I think this bill highlights more than ever the need to pass pending free trade agreements that have languished for far too long without consideration. We must continue to open markets to encourage American companies to innovate and compete with their global counterparts. This grows our economy and creates jobs.

I am proud to represent a district in Washington State that integrates our nation's leading technology innovators with a vibrant and highly productive small business community. Opening new global markets gives them incentives to improve their products, produce more goods, and employ more American workers. I have seen these job-creating effects first-hand, with trade accounting for 1 out of every 3 jobs in my state.

In this time of economic uncertainty, Congress must act now to advance America's broader trade agenda. We cannot allow important agreements with Panama and Korea to remain on hold while Europe and China continue to knock down trade barriers and improve their competitiveness in the global economy. And surely recent provocative comments by the leader of Venezuela helps put into perspective the urgent need to use the power of trade in Colombia. I urge my colleagues in the Majority to stop the delays and pass these free trade agreements. Let's advance the trade measures needed to grow our economy, create jobs, and not only improve our relations with global partners, but also to foster global peace and freedom.

CONGRATULATING THE INDIANA GIRLS BASKETBALL STATE RUNNERS-UP OF WASHINGTON HIGH SCHOOL IN SOUTH BEND, INDIANA

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. DONNELLY. Madam Speaker, today I congratulate the South Bend Washington High School Lady Panthers, the 2008 State Runners-Up in the 4A girls basketball division.

In their quest towards this title, the Lady Panthers compiled a 23-2 record on the road to their third consecutive trip to Conseco Fieldhouse in Indianapolis. Unfortunately the team faced a disappointing loss there, but they can still be proud of their reign as South Bend's premier girls basketball team.

The South Bend Washington team consisted of 12 outstanding young women: Seniors Emily Phillips, Vanessa Wiley, Meagan Phillips and Shalana Murray; Juniors Skylar Diggins, Karis Phillips, Alandrea Pfeifer-Nailon, Takoia Larry and Rakeesha Lane; Sophomore Avante Newsome-Gunn; Freshmen Terran Scott and Alexis Macon.

Head Coach Marilyn Coddens was assisted by Don Coddens. Officials such as Mayor Steve Luecke, School Superintendent Robert Zimmerman, Washington Principal George McCullough Jr., and Athletic Director Patrick Mackowiak lent support and encouragement throughout the season.

The city of South Bend and the surrounding area rallied behind the Lady Panthers. In what has become a winter tradition on the West Side of South Bend, thousands of fans gathered to send off the team and to travel south for the big game where they made the event at the Fieldhouse feel like a home game.

Again, I offer my congratulations to the members of the girls basketball team of South Bend Washington High School on their Semi-State title and their fearless, spirited play at the Championship game.

HONORING MAXINE HALPERN

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. ENGEL. Madam Speaker, Maxine Halpern has involved herself deeply in Jewish affairs internationally, nationally, and locally. She is a born and bred Bronxite who graduated from City University of New York.

Maxine is the daughter of two World War II veterans, the U.S. Army and the Royal Air Force. Traveling to England to visit family began at an early age and touring foreign lands became a lifelong interest, having traveled to over 40 countries on 5 continents as well as throughout much of the United States.

She is a supporter of over 50 philanthropies both secular and religious. Maxine has been awarded the Nahum Goldman Leadership Award, and is a member of the Simon Wiesenthal Center's international Leadership Council, among other equally prestigious organizations.

She is also active in local Jewish communal life as a member of the board of trustees, as vice president, and as president of the Riverdale Temple. She was appointed founding president of the Congregation Shaarei Shalom. For all of her outstanding contributions to community life, the Riverdale Jewish Community Council presents her with the Michael Schreck Community Builder Award.

RECOGNIZING MICHAEL K. (MICKEY) ENGLETT FOR EXCELLENCE

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. MILLER of Florida. Madam Speaker, on behalf of the U.S. Congress, it is an honor for me to rise today in recognition of Michael K. Englett and his induction into the Florida Community College Activities Association Women's Basketball Hall of Fame.

For the past 18 years, Okaloosa County and the surrounding community have benefited significantly from the service of Mr. Michael Englett, dean of student services and director of athletics for Okaloosa-Walton College. Mr. Englett's vision of a comprehensive athletic program transformed Okaloosa-Walton College and propelled the school beyond the

standard of excellence. Under Mr. Englett's direction, sports complexes were constructed, a strength center was erected, the gymnasium was renovated, and intercollegiate athletics were reinstated, after nearly 12 years of their absence.

In addition to his outstanding modifications to student life, Mr. Englett developed the Raider Club to supplement institutional scholarship assistance. In just 13 years, the Raider Club has raised over $1 million in fundraising and has substantially increased scholarship aid.

During his tenure at Okaloosa-Walton, Mr. Englett expanded college athletics to encompass much more than sports. He devised a plan for gender equity, increased graduation rates, and because of his efforts, saw his team win 14 Panhandle Conference Championships. His fusion of athletics into college life elevated the school from academic excellence to overall distinction.

Northwest Florida is greatly indebted to Mr. Englett's foresight and ingenuity. His immense dedication to the community has led to an increased enrollment at Okaloosa-Walton College and a greater academic environment.

Madam Speaker, on behalf of the U.S. Congress, I am proud to recognize Michael K. Englett on his outstanding achievements and exemplary service in Okaloosa County and northwest Florida.

TRIBUTE TO LANCE CORPORAL GENTIAN MARKU

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. KNOLLENBERG. Madam Speaker, I want to pay tribute to a hero, LCpl Gentian Marku of Warren, Michigan. Today, I ask that the House of Representatives honor and remember this exceptional young man who died serving his country.

Gentian Marko immigrated with his family to the United States in 1997, at the height of civil unrest in Albania. Once arriving in the United States, Gentian left behind his troubled childhood, and became the intelligent, diligent, and responsible young man that we know. After graduating from Warren Woods Tower High School in 2001, Gentian had hoped to become a police officer. At the recommendation of his father, a former first captain in the Albanian military police, Gentian joined the Marine Corps to help his chances at acceptance to the police academy.

After enlisting in the Marines in August 2002, Gentian was assigned to the First Battalion, Marine Expeditionary Force. In 2003, Gentian returned to Albania during a 2-week exercise with the Marines and served as a translator during meetings with the Albanian military and civilian leaders. Gentian had said it was one of his proudest moments being able to do something for both of his countries.

On November 25, 2004, Lance Corporal Marku was killed in action in Fallujah, Iraq, in the Anbar province. At the time, the Marines had awarded him medals for good conduct, humanitarian service, combat action and other activities.

My thoughts, prayers, and deepest gratitude for their sacrifice go to Gentian's family. There are no words that can relieve their pain and I can only offer to convey my deep respect and highest appreciation.

Madam Speaker, Lance Corporal Marku gave the ultimate sacrifice not only for the freedom and security of his family and our country, but for the people of Iraq. I wish to remember his bravery, conviction, and selflessness as he is honored today.

CONGRATULATING WILLIAM P. BURKE, THE RECIPIENT OF THE GREATER PITTSTON FRIENDLY SONS OF ST. PATRICK 2008 ACHIEVEMENT AWARD

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to William P. Burke, of West Pittston, Pennsylvania, who is the 2008 recipient of the Greater Pittston Friendly Sons of St. Patrick Achievement Award.

He graduated in 1956 from St. John's High School in Pittston and later from the Wilkes-Barre Business College where he majored in finance and accounting.

Mr. Burke served in the U.S. Army, First Armored Division, Fort Hood, Texas, from 1961 to 1963. Mr. Burke has been an active member of the Friendly Sons of St. Patrick for 52 years.

President Harry S. Truman was guest speaker at the first Friendly Sons banquet Mr. Burke attended. Mr. Burke is a sustaining member and past president of the organization. He was the recipient of the Man of the Year Award in 1991.

Mr. Burke is a charter member of the Wolfe Tone Luzerne County Division I Ancient Order of Hibernians and is presently chairman of the standing committee. He is a member of the President John F. Kennedy Council 372 Knights of Columbus and its Fourth Degree, serving as comptroller for the past 40 years. He is also a member of the Knights of Columbus Choir.

Mr. Burke is a member of St. Casimir, St. John the Baptist, St. John the Evangelist, and St. Joseph Parish, Pittston, where he serves as an usher and a senior altar server. He is also a member of the parish finance council.

Mr. Burke has been a baseball coach in the West Pittston Little League and a basketball coach for the Wyoming Area Catholic High School.

He has served as chairman of the West Pittston Democrat Organization and he is a former member of the Luzerne County Democrat Executive Committee. He also served as parade chairman for the Pittston Tomato Festival.

Mr. Burke is a member of Fox Hill Country Club and the West Side Social Club, Avoca. After 37 years of employment with Pope and Talbot Company, he served for several years as director of purchasing for Luzerne County, a post from which he retired in 2006.

Mr. Burke and his wife, Nora, are the parents of three children. They also have nine grandchildren.

Madam Speaker, please join me in congratulating Mr. Burke on the occasion of this special honor. Mr. Burke's dedication to family and community has improved the quality of life and highlighted the value of service above self.

HONOR THE LIFE OF LIEUTENANT RAFAEL VAZQUEZ

HON. RON KLEIN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. KLEIN of Florida. Madam Speaker, I rise today to honor the life of Lieutenant Rafael Vazquez of the Palm Beach Fire Rescue. Known as ''Ray,'' this brave firefighter died tragically on Monday, March 3, as a result of a random shooting in West Palm Beach, Florida.

The details of Lt. Vazquez's death are heartbreaking. The 42-year-old lieutenant had just finished eating lunch with his wife, Michele, and their 4-year-old son when, ever the caring parent, Ray decided to go back inside the restaurant to exchange a toy that had come with his child's meal.

It was a fateful decision. Once inside, Ray was met by a deranged gunman, Alburn Edward Blake, who opened fire. When it was over, Lt. Vazquez lay dead and four others were injured. Then Alburn Edward Blake turned the gun on himself.

Ray's life was one of tireless dedication toward protecting his fellow citizens. Formerly a firefighter with the town of Lake Park, he was hired by the Palm Beach Fire Rescue in February 2001 and was promoted to Rescue Lieutenant in January 2007. He had been assigned to Rescue 28 in Royal Palm Beach, Florida. Lt. Vazquez is survived by his wife Michele, an officer with Palm Springs Public Safety, and their 5 children, ages 4–21.

In closing, I think the best way to honor Ray's life in Congress is to let his wife Michele speak for him in her own words. She says, ''I don't understand why these horrible things happen. But no horrible thing can take away our memories. My husband was an outstanding father and the most giving husband. He was my best friend; I'm going to miss him so much.''

A dedicated firefighter, father, and human being, Lt. Ray Vazquez deserves all the honor and praise this distinguished body can bestow upon him.

INTRODUCTION OF THE FEDERAL LAND ASSISTANCE, MANAGEMENT, AND ENHANCEMENT ACT (FLAME ACT)

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. RAHALL. Madam Speaker, today I am introducing the Federal Land Assistance, Management and Enhancement Act, or the FLAME Act.

Last year, our country saw the devastating effects of catastrophic, emergency wildland fires in southern California. For the past several years, we have witnessed tragic fire seasons that have put American lives and our

treasured public lands in harm's way. Fire seasons are getting longer and more intense due to climate change, drought, and other factors.

As a result, Federal fire suppression spending has increased substantially over the past 10 years and projections appear to indicate that this trend will continue into the foreseeable future.

The dramatic rise in these costs is eroding other nonfire programs and impacting the core mission of the Federal land management agencies. In the case of the Forest Service, for example, wildland fire suppression activities now account for approximately 48 percent of its budget. This year's alarming and irresponsible budget request from the Forest Service, which cuts over half of the funding for State and private forestry, continues the sad trend: our Forest Service is turning into the fire service.

Furthermore, both the Forest Service and the Department of the Interior have had to ''Rob Peter to Pay Paul'' by borrowing funds from other agency accounts to cover the escalating costs of wildland fire suppression. Last year, for example, the Forest Service spent $741 million more than was budgeted for wildland fire suppression, and the Department of the Interior spent $249 million more than was budgeted for wildland fire suppression. And in the case of the Forest Service, the costs of catastrophic, emergency wildland fire suppression activities account for the vast majority of suppression expenditures, as 2 percent of fires account for 80 percent of costs.

Madam Speaker, it is clear that something needs to be done to resolve this problem. That is why today I am introducing the FLAME Act.

The FLAME Act establishes a Federal FLAME fund for catastrophic, emergency wildland fire suppression activities. The FLAME fund would be separate from the budgeted and appropriated agency wildland fire suppression funding and is to be used only for catastrophic, emergency wildland fires. The Federal land management agencies will continue to fund anticipated and predicted wildland fire suppression activities within their annual budgets.

The Secretary of Agriculture and the Secretary of the Interior may declare catastrophic, emergency wildland fire suppression activities eligible for the FLAME fund by issuing a Suppression Emergency Declaration. The declaration will evaluate the size, severity, and threat of the individual wildland fire incident.

The FLAME Act continues our stewardship of all lands by making funds available for catastrophic, emergency wildland fire suppression activities on State and private land consistent with existing agreements. Funds will also be available for catastrophic, emergency wildland fire suppression on Indian lands.

The FLAME Act also requires that the Secretary of Agriculture and the Secretary of the Interior submit a long-overdue report to Congress containing a cohesive wildland fire management strategy. This report will improve efforts to prevent fires on our public lands. This report will address critical fire prevention issues such as identifying a system for assessing the level of fire risk to communities, and indentifying a system to ensure that the highest priority fuels reduction projects are being funded first.

Madam Speaker, catastrophic, emergency wildland fires can cause tragic loss of life. and property. I am proud to be joined in introducing the FLAME Act today by my colleagues Mr. NORM DICKS and Mr. RAÚL GRIJALVA. I look forward to working together to ensure that our country has the necessary tools to combat catastrophic, emergency wildland fires.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Ms. WOOLSEY. Madam Speaker, on March 4, 2008, I was unavoidably detained and was not able to record my votes for rollcall Nos. 88–90.

Had I been present I would have voted:

Rollcall No. 88—''yes''—To authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes.

Rollcall No. 89—''yes''—To direct the Secretary of the Interior to convey the Alta-Hualapai Site to the city of Las Vegas, Nevada, for the development of a cancer treatment facility.

Rollcall No. 90—''yes''—To provide for the release of certain land from the Sunrise Mountain Instant Study Area in the State of Nevada and to grant a right-of-way across the released land for the construction and maintenance of a flood control project.

IN RECOGNITION OF MRS. CORA SAXON

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. ROGERS of Alabama. Madam Speaker, I would like to request the House's attention today to pay recognition to a special day in the life of a constituent of mine, Mrs. Cora Saxon.

On March 17th, Mrs. Saxon will celebrate her 100th birthday. To help commemorate this special occasion, her friends and family are surprising her with a luncheon in Anniston, Alabama on March 8th.

Mrs. Saxon was born in Clay County, Alabama and was the first daughter born into the family. She was named after each of her aunts, taking her full birth name as Susie Cora Cordia Betty Jo Marie. She later married Henry Elbert Saxon with whom she had one daughter, two grandchildren, and four great grandchildren. She is expecting great great grandchildren to be born in April.

In 1941, Mrs. Saxon and her husband bought a farm on which she later began making candies for a living. Over the years, her small enterprise grew and thrived and was later named Saxon Distributors and Candy Kitchen, Inc. From their humble beginnings, her company grew to 14 stores across Alabama, Georgia and Tennessee.

I would like to congratulate Mrs. Saxon on reaching this important milestone in her life. I wish her a happy birthday and the best in the future, and of course, thank her for so many sweet memories.

ON THE LOSS OF EVE CARSON

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 2008

Mr. PRICE of North Carolina. Madam Speaker, I received news today of a horrific event that has shocked and deeply saddened the University of North Carolina at Chapel Hill community, which I represent.

The Chapel Hill police informed us today that UNC's student body president, Eve Carson, had been shot to death a short distance from campus yesterday morning. This senseless act of violence ended the life of a promising young leader and left a community of family, friends and admirers mourning in disbelief. The police department is sparing no effort to find the people who committed this heinous act and to bring them to justice.

Eve was originally from Athens, Georgia. Since the time she arrived in Chapel Hill in 2004, she excelled in her college career. In addition to being elected student body president, she was a Morehead Scholar, a North Carolina Fellow, a member of the Phi Beta Kappa honor society, and was double majoring in political science and biology.

Eve put a high priority on service to her community. During her college career. she mentored middle school students, taught science to elementary school students, and served as a running coach for young girls.

To Eve, service knew no borders. She spent her summers volunteering in Ecuador, Egypt and Ghana, and she co-chaired a student organization devoted to alleviating hunger around the world.

I recently met Eve at a reception hosted by UNC's Chancellor James Moeser. My wife and I were impressed with this lovely young woman who—it was clear to see—had so much potential to make a difference in the world. She expressed to me her interest in working abroad after graduating in May, perhaps in Africa. At the time of her death, my office was working to help her find a way to realize her goal.

Unfortunately, Eve will not be able to realize that goal.

Our community is deeply sad at the loss of this special person. We also regret the loss for all those who would have been touched by Eves big heart in the future. This is truly a loss for us all.

Our thoughts and prayers are with Eve's family and friends and with the UNC community as they gather on Polk Place this afternoon to remember Eve and to grieve together.

Madam Speaker, I ask permission to include a brief biography of Eve Marie Carson at this point in the RECORD.

BIOGRAPHY OF EVE MARIE CARSON

Eve Marie Carson, 22, was elected student body president at the University of North Carolina at Chapel Hill in February 2007. Her term would have ended in April.

A native of Athens, GA, Eve was born Nov. 19, 1985. She came to Carolina in the fall of 2004 as the recipient of a prestigious Morehead Scholarship. A member of the Phi Beta Kappa honor society, she was a pre-medicine student majoring in both political science and biology. As a North Carolina Fellow, she was part of a four-year leadership development program for undergraduates.

While at UNC-Chapel Hill, she was extremely active in both leadership and service

roles. As student body president, she was also a member of the UNC-Chapel Hill Board of Trustees. She served as co-president of the Honors Program Student Executive Board and as a member of the Committee on Scholarships Awards and Student Aid; the Academic Advising Program, and the Chancellor's committee for University Teaching Awards.

Teaching and working with children were key service interests for Eve. In 2006, she taught science at Frank Porter Graham Elementary School in Chapel Hill as part of UNC's INSPIRE program, whose mission is to encourage young students to pursue science as an interest. In her junior year, Carson was a tutor at Githens Middle School in Durham. She was also an assistant coach in the Girls on the Run of the Triangle, a character development program for girls ages 8–12 that uses running to teach values and a sense of self.

Eve's service extended well beyond the Triangle, however. In the spring of her sophomore year, she participated in a study abroad in Havana, Cuba, and she spent her summers working and volunteering in Ecuador, Egypt and Ghana as part of the Morehead Summer Enrichment program. ''I credit my prior experiences, especially my past two Morehead summers, for preparing me to get along with pretty much whatever comes my way,'' she wrote in an e-mail posted on the Morehead Web site. On campus, she became involved in Nourish International, an organization started by UNC students in 2002 for hunger relief. Eve served as freshman volunteer coordinator (2004) and co-chair (2005) for the group.

The daughter of Bob Carson and Teresa Bethke, Eve was also the student body president of her high school, Clarke Central, in Athens, GA. When she ran for the same office at Carolina, she was elected with 55 percent of the vote in a runoff with a bigger turnout than the previous year's general election.

Daily Digest

HIGHLIGHTS

Senate passed S. 2663, Consumer Product Safety Modernization Act.

Senate

Chamber Action

Routine Proceedings, pages S1661–S1718

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 2723–2730, S. Res. 475, and S. Con. Res. 69. **Page S1703**

Measures Passed:

Consumer Product Safety Modernization Act: By 79 yeas and 13 nays (Vote No. 41), Senate passed H.R. 4040, to establish consumer product safety standards and other safety requirements for children's products and to reauthorize and modernize the Consumer Product Safety Commission, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 2663, Senate companion measure, as amended. **Pages S1669–97**

Consumer Product Safety Commission Reform Act: Senate continued consideration of S. 2663, to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, taking action on the following amendments proposed thereto: **Pages S1669–97**

Adopted:

Pryor (for Feinstein) Amendment No. 4104, to prohibit the manufacture, sale, or distribution in commerce of certain children's products and child care articles that contain specified phthalates. **Pages S1669, S1693**

Pryor (for Klobuchar) Amendment No. 4088, to authorize the Commission by rule to exempt lead crystal from the ban on lead in children's products if the Commission determines that the lead content is not absorbable and does not have an adverse impact on public safety. **Pages S1693–94**

Pryor (for Dodd) Modified Amendment No. 4092, to encourage and ensure the use of safe equestrian helmets. **Pages S1693–94**

Pryor (for McCaskill) Amendment No. 4101, to revise the section on Inspector General reports. **Pages S1693–94**

Pryor (for Boxer) Amendment No. 4112, to clarify the requirement to include cautionary statements on advertisements. **Pages S1693–94**

Pryor (for Landrieu) Amendment No. 4120, to authorize the Consumer Product Safety Commission to identify and validate alternative technologies for the facilitation of recalls of durable infant or toddler products. **Pages S1693, S1694–95**

Pryor (for Collins) Amendment No. 4123, to provide that Federal employees shall be limited to the remedies available under chapters 12 and 23 of title 5, United States Code, for any violation of the whistleblower provisions. **Pages S1693, S1695**

Pryor (for Klobuchar) Amendment No. 4128, to revise the inaccessible component rule for children's products. **Pages S1693, S1695**

Pryor (for Nelson (FL)/Klobuchar) Modified Amendment No. 4130, to require the Consumer Product Safety Commission to promulgate consumer product safety rules with respect to durable infant or toddler products and to improve provisions related to registration of such products. **Pages S1682–93, S1695**

Pryor (for Obama/Cardin) Amendment No. 4113, to clarify and expand requirements with respect to information in recall notices. **Pages S1693, S1695**

Pryor (for Obama) Amendment No. 4114, to require the Comptroller General of the United States conduct a study and report on the effectiveness of authorities relating to the safety of imported consumer products. **Pages S1693, S1695–96**

Pryor (for Durbin/Hatch) Amendment No. 4141, to modify the automatic residential garage door operators standards requirements. **Pages S1693, S1696**

Pryor (for Inouye) Amendment No. 4136, of a perfecting nature. **Pages S1693, S1696**

Pryor (for Inouye) Amendment No. 4137, to modify the scope of products to which section 15(b) applies. **Pages S1693, S1696**

Pryor (for Inouye) Amendment No. 4138, to revise the section requiring a study of preventable injuries and deaths of minority children related to certain consumer products. **Pages S1693, S1696**

Pryor (for Snowe) Amendment No. 4143, to ensure that the Commission appropriately addresses impacts on small businesses of the revised civil penalties provisions. **Pages S1693, S1696**

Pryor (for Kyl) Modified Amendment No. 4116, to provide that attorney-client privileged information shall retain the same protections that would apply in private civil litigation if private counsel is retained to pursue an enforcement action authorized under this Act. **Pages S1693, S1696**

Pryor (for Kyl) Modified Amendment No. 4118, to require a court to review the reasonableness of fees paid to private counsel retained in an enforcement action that is authorized under this Act. **Pages S1693, S1696**

Pryor Amendment No. 4090, of a technical nature. **Pages S1669, S1693**

Cardin Amendment No. 4103, to require the Consumer Product Safety Commission to develop training standards for product safety inspectors. **Pages S1669, S1693**

Dorgan Amendment No. 4098, to ban the importation of toys made by companies that have a persistent pattern of violating consumer product safety standards. **Pages S1669, S1693**

Pryor (for Casey) Modified Amendment No. 4109, to require the Consumer Product Safety Commission to study the use of formaldehyde in the manufacturing of textiles and apparel articles and to prescribe consumer product safety standards with respect to such articles. **Pages S1669, S1693**

Pryor (for Cornyn) Modified Amendment No. 4108, to provide appropriate procedures for individual actions by whistleblowers, to provide for the appropriate assessment of costs and expenses in whistleblower cases. **Pages S1669, S1693, S1696**

Rejected:

Vitter Amendment No. 4097, to allow the prevailing party in certain civil actions related to consumer product safety rules to recover attorney fees. (By 56 yeas and 39 nays (Vote No. 40), Senate tabled the amendment). **Pages S1669–71**

Withdrawn:

Dorgan Amendment No. 4122, to strike the provision allowing the Commission to certify a proprietary laboratory for third party testing. **Page S1669**

DeMint Amendment No. 4124, to strike section 31, relating to garage door opener standards. **Page S1669**

Brown/Casey Amendment No. 4132, to authorize the temporary refusal of admission into the customs territory of the United States of consumer products manufactured by companies that have violated consumer product safety rules. **Pages S1679–82**

During consideration of this measure today, Senate also took the following action:

The motion to invoke cloture on the bill was withdrawn. **Page S1694**

Subsequently, S. 2663 was returned to the Senate calendar. **Page S1694**

Iowa State University of Science and Technology: Senate agreed to S. Res. 475, congratulating Iowa State University of Science and Technology on its 150 years of leadership and service to the United States and the world as Iowa's land-grant university. **Pages S1716–17**

Nomination Confirmed: Senate confirmed the following nomination:

Hector E. Morales, of Texas, to be Permanent Representative of the United States of America to the Organization of American States, with the rank of Ambassador. **Page S1718**

Messages from the House: **Page S1702**

Measures Referred: **Page S1702**

Measures Placed on the Calendar: **Pages S1661–62, S1702–03**

Measures Read the First Time: **Pages S1703, S1717–18**

Executive Reports of Committees: **Page S1703**

Additional Cosponsors: **Pages S1703–05**

Statements on Introduced Bills/Resolutions: **Pages S1705–12**

Additional Statements: **Pages S1701–02**

Amendments Submitted: **Pages S1712–16**

Authorities for Committees to Meet: **Page S1716**

Record Votes: Two record votes were taken today. (Total—41) **Pages S1671, S1697**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:00 p.m., until 10:00 a.m. on Friday, March 7, 2008. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1718.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF COMMERCE

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2009 for the Department of

Commerce, after receiving testimony from Carlos Gutierrez, Secretary of Commerce.

APPROPRIATIONS: DEPARTMENT OF TRANSPORTATION

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2009 for the Department of Transportation, after receiving testimony from Mary E. Peters, Secretary, and Phyllis F. Scheinberg, Assistant Secretary for Budget and Programs, and Chief Financial Officer, both of the Department of Transportation.

DEFENSE AUTHORIZATION REQUEST

Committee on Armed Services: Committee concluded a hearing to examine the defense authorization request for fiscal year 2009 for the U.S. Southern and Northern Command, and the future years defense program, after receiving testimony from General Victor E. Renuart, Jr., USAF, Commander, North American Aerospace Defense Command and United States Northern Command, and Admiral James G. Stavridis, USN, Commander, United States Southern Command, both of the Department of Defense.

GOVERNMENT SPONSORED ENTERPRISES REGULATION REFORM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine reforming the regulation of government sponsored enterprises, after receiving testimony from William B. Shear, Director, Financial Markets and Community Investment, Government Accountability Office; Vincent E. Malta, National Association of Realtors, and Nancy O. Andrews, Low Income Investment Fund, both of San Francisco, California; Kieran P. Quinn, Mortgage Bankers Association, Atlanta, Georgia; and Gerald M. Howard, National Association of Home Builders, McLean, Virginia.

BUSINESS MEETING

Committee on the Budget: Committee ordered favorably reported an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal year 2008 and for fiscal years 2010 through 2013.

U.S. COAST GUARD BUDGET

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine the President's proposed budget request for fiscal year 2009 for the U.S. Coast Guard and conduct oversight, after receiving testimony from Admiral Thad W. Allen, Commandant, United States Coast Guard, Department of Homeland Security; and Stephen L. Caldwell, Director, Homeland Security and Justice Issues, Government Accountability Office.

ADMINISTRATION'S 2008 TRADE AGENDA

Committee on Finance: Committee concluded a hearing to examine the Administration's 2008 trade agenda, focusing on Trade Adjustment Assistance, pending free trade agreements, and the Doha Development Round of multilateral trade negotiations, after receiving testimony from Ambassador Susan C. Schwab, United States Trade Representative.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nomination of Douglas H. Shulman, of the District of Columbia, to be Commissioner of Internal Revenue.

Also, Committee reported the following subcommittee assignments for the 110th Congress.

Subcommittee on Health Care: Senators Rockefeller (Chairman), Kerry, Bingaman, Lincoln, Wyden, Stabenow, Cantwell, Salazar, Hatch, Grassley, Snowe, Kyl, Roberts, Bunning, and Ensign;

Subcommittee on Taxation, IRS Oversight, And Long-Term Growth: Senators Conrad (Chairman), Baucus, Wyden, Cantwell, Schumer, Stabenow, Salazar, Kyl, Roberts, Sununu, Snowe, Crapo, and Hatch;

Subcommittee on Energy, Natural Resources, And Infrastructure: Senators Bingaman (Chairman), Conrad, Kerry, Lincoln, Wyden, Cantwell, Salazar, Bunning, Smith, Hatch, Crapo, Ensign, and Sununu;

Subcommittee on Social Security, Pensions, And Family Policy: Senators Kerry (Chairman), Rockefeller, Conrad, Schumer, Ensign, Kyl, and Sununu; and

Subcommittee on International Trade And Global Competitiveness: Senators Lincoln (Chairman), Baucus, Rockefeller, Bingaman, Stabenow, Schumer, Smith, Crapo, Snowe, Roberts, and Bunning.

(The chairman and ranking minority member are ex officio members of all subcommittees.)

CURRENT UNEMPLOYMENT

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine unemployment in the economy, focusing on ways to secure families and build opportunities, after receiving testimony from M. Patricia Smith, New York Department of Labor, Albany; former Senator William E. Brock, III, Annapolis, Maryland; Alan B. Krueger, Princeton University, Princeton, New Jersey; and Ronica Jackson, Boston, Massachusetts.

INDIAN COUNTRY FACILITIES

Committee on Indian Affairs: Committee concluded a hearing to examine the state of facilities in Indian

country, focusing on jails, schools, and health facilities, after receiving testimony from Randy Grinnell, Deputy Director for Management Operations, and Gary Hartz, Director, Office of Environmental Health and Engineering, both of the Indian Health Services, Department of Health and Human Services; Jack Rever, Director, Facilities, Environmental, Safety and Cultural Resources, and Pat Ragsdale, Director, Office of Law Enforcement Services, both of the Department of the Interior; Domingo Herraiz, Director, Bureau of Justice Assistance, Department of Justice; Valerie Davidson and Rick Boyce, both of the Alaska Native Tribal Health Consortium, Anchorage; Wendsler Nosie, San Carlos Apache Tribe, San Carlos, Arizona; and Monty Roessel, Rough Rock Community School, Rough Rock, Arizona.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following:

S. 2304, to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants for the improved mental health treatment and services provided to offenders with mental illnesses, with an amendment in the nature of a substitute;

S. 2449, to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, with amendment;

S. 352, to provide for media coverage of Federal court proceedings, with amendments; and

The nominations of Kevin J. O'Connor, of Connecticut, to be Associate Attorney General, and Gregory G. Katsas, of Massachusetts, to be an Assistant Attorney General, both of the Department of Justice, Brian Stacy Miller, to be United States District Judge for the Eastern District of Arkansas, James Randal Hall, to be United States District Judge for the Southern District of Georgia, William Joseph Hawe, to be United States Marshal for the Western District of Washington, Stanley Thomas Anderson, to be United States District Judge for the Western District of Tennessee, and John A. Mendez, to be United States District Judge for the Eastern District of California.

VETERANS ORGANIZATIONS

Committee on Veterans' Affairs: Committee concluded a joint hearing with the House Committee on Veterans Affairs to examine a sundry of associations' outlook on veterans affairs issues and to receive their legislative presentations, after receiving testimony from Warren G. King, Sr., American Ex-Prisoners of War, Randy L. Pleva, Sr., Paralyzed Veterans of America, Lawrence Schulman, Jewish War Veterans of the United States, Norman Jones, Jr., Blinded Veterans Association, John Rowan, Vietnam Veterans of America, Sergeant Major H. Gene Overstreet, USMC (Ret.), Non Commissioned Officers Association of the United States of America, and Richard M. Dean, Air Force Sergeants Association, all of Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 20 public bills, H.R. 5541–5560; and 8 resolutions, H. Con. Res. 311; and H. Res. 1024–1030 were introduced. **Pages H1416–17**

Additional Cosponsors: **Pages H1417–18**

Report Filed: A report was filed today as follows:

H.R. 1312, to expedite adjudication of employer petitions for aliens of extraordinary artistic ability, with an amendment (H. Rept. 110–540). **Page H1416**

Generations Invigorating Volunteerism and Education Act: The House began consideration of H.R. 2857, to reauthorize and reform the national service laws. Further proceedings were postponed.

Pages H1345–93, H1393–98

Agreed to table the appeal of the ruling of the chair on a point of order sustained against the Daniel E. Lungren motion to recommit the bill to the Committee on Education and Labor with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 221 yeas to 191 nays with 1 voting ''present'', Roll No. 107. **Pages H1395–98**

Representative Kuhl moved to recommit the bill to the Committee on Education and Labor with instructions to report the same back to the House

promptly with amendments. Further proceedings on the motion were postponed. **Pages H1397–98**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H1356**

Accepted:

McCarthy (NY) manager's amendment (No. 1 printed in H. Rept. 110–539) that makes various technical changes and clarifications and includes the following key changes: makes various technical changes to Learn and Serve America (Subtitle B); clarifies matching requirements of AmeriCorps State/National (Subtitle C); strengthens Senior Corps by phasing in competition for the Retired Senior Volunteer Program (RSVP) by 2013 and creating incentive grants to encourage high performance among the Senior Corps programs with a priority for RSVP programs; and provides New Service Initiatives including a new national service pilot program to support individuals seeking to do service for small, eligible entities and a Silver Scholarship program for individuals 55 years of age and older who perform 600 hours of service. Expands scope to include community colleges serving predominantly minority student populations. Gives priority to areas which the President has declared to be major disaster areas; **Pages H1376–81**

McKeon amendment (No. 2 printed in H. Rept. 110–539) that requires the Corporation to establish priorities for programs funded under the national service laws for programs that recruit veterans into service opportunities, promote community-based efforts to meet the needs of military families while a family member is deployed, and promote community-based efforts to meet the needs of military families when a member of the family returns from a deployment. The amendment also requires the Corporation to annually report to Congress on the number and percentage of national service positions eligible for the education award that are filled by veterans, and to establish annual goals for increasing those numbers and percentages; **Pages H1381–82**

Matsui amendment (No. 3 printed in H. Rept. 110–539) that integrates two competitive funding streams and seeks to improve collaboration between state and national entities; **Pages H1382–83**

McDermott amendment (No. 4 printed in H. Rept. 110–539) that establishes a temporary Congressional Commission on Civic Service within the Legislative Branch. The Commission would be tasked with making recommendations to Congress about how to improve opportunities for public service; **Pages H1383–85**

English (PA) amendment (No. 5 printed in H. Rept. 110–539) that adds a section at end of bill that it is the Sense of Congress that the Corporation for National and Community Service should make the maximum effort possible to coordinate the recruiting and assignment procedures of their various programs to allow senior citizens and their grandchildren to share volunteer opportunities and/or be assigned to the same geographic areas during their period of service; **Pages H1385–86**

English (PA) amendment (No. 6 printed in H. Rept. 110–539) that adds a section to bill that it is the Sense of Congress that the Corporation for National and Community Service should make the maximum effort possible to coordinate with the National Endowment for the Humanities to provide opportunities for young people enrolled in NACS programs to collect oral histories from senior citizens in the communities where they serve; **Pages H1386–87**

English (PA) amendment (No. 7 printed in H. Rept. 110–539) that requires the Board of Directors of the Corporation for National and Community Service to coordinate with veterans' organizations serving veterans with disabilities to provide opportunities for young people enrolled in existing NACS programs to serve as drivers in the DAV Transportation Network on a full-time, part-time, or as-needed basis; **Pages H1387–88**

Sutton amendment (No. 8 printed in H. Rept. 110–539) that requires the Corporation for National and Community Service to consider whether an area has a mortgage foreclosure rate greater than the national average when considering applications from States and other eligible entities; **Pages H1388–89**

Sutton amendment (No. 9 printed in H. Rept. 110–539) that requires the Corporation for National and Community Service to conduct a study to identify specific areas of need for displaced workers and how existing programs and activities carried out under the national service laws can better serve displaced workers and communities affected by plant closings and job losses. The amendment also requires the Corporation to develop and carry out a pilot program based on the findings of the study; and **Pages H1389–90**

Inslee amendment (No. 11 printed in H. Rept. 110–539) that adds an Energy Conservation Corps, which would seek to address the nation's energy and transportation infrastructure needs while providing work and service opportunities (by a recorded vote of 252 ayes to 161 noes, Roll No. 106). **Pages H1391–93, H1394–95**

Rejected:

Flake amendment (No. 10 printed in H. Rept. 110–539) that sought to strike the ''summer of service'' grant program and reduce the authorized

amount designated for the program (by a recorded vote of 153 ayes to 260 noes, Roll No. 105).

Pages H1390–91, H1394

H. Res. 1015, the rule providing for consideration of the bill, was agreed to by a recorded vote of 222 ayes to 190 noes, Roll No. 104, after agreeing to order the previous question by a yea-and-nay vote of 217 yeas to 193 nays with 1 voting "present", Roll No. 103. **Pages H1345–49**

Recess: The House recessed at 1:21 p.m. and reconvened at 1:31 p.m. **Page H1393**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, March 10th for morning hour debate and further, when the House adjourns on Wednesday, March 12th, it adjourn to meet at 10:30 a.m. on Thursday, March 13th. **Page H1408**

Quorum Calls—Votes: Two yea-and-nay votes and three recorded votes developed during the proceedings of today and appear on pages H1347–48, H1348, H1394, H1394–95, H1397. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:39 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Food Safety and Inspection Service. Testimony was heard from Mark Keenum, Under Secretary, Farm and Foreign Agricultural Service, USDA.

COMMERCE, JUSTICE, SCIENCE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science and Related Agencies continued hearing on NASA. Testimony was heard from Michael D. Griffin, Administrator, NASA.

SELECT INTELLIGENCE APPROPRIATIONS

Committee on Appropriations: Select Intelligence Oversight Panel met in executive session to hold a hearing on National Intelligence Program Budget. Testimony was heard from Donald Kerr, Principal Deputy Director, National Intelligence, Office of the Director of National Intelligence.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on U.S. Corps of Engineers. Testimony was heard from the following officials of the Department of the Army: John Paul Woodley, Jr., Assistant Secretary, Civil Works; and LTG Robert Van Antwerp, Chief of Engineers.

The Subcommittee also held a hearing on Department of Energy—Environmental Management Legacy Management. Testimony was heard from the following officials of the Department of Energy: Jim Rispoli, Assistant Secretary, Environmental Management; and Michael Owen, Director, Office of Legacy Management.

FINANCIAL SERVICES, GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Financial Services and General Government held a hearing on OMB. Testimony was heard from Jim Nussle, Director, OMB.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Border Security Programs and Operations—Challenges and Priorities. Testimony was heard from the following officials of the Department of Homeland Security: W. Ralph Basham, Commissioner, U.S. Customs and Border Protection; and Robert Mocny, Director, U.S.-Visitor and Immigration Status Indicator Technology; and Richard Stana, Director, Homeland Security and Justice Issues, GAO.

INTERIOR, ENVIRONMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on National Park Service. Testimony was heard from Mary A. Bomar, Director, National Park Service, Department of the Interior.

LABOR, HHS, EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Secretary of Labor, Fiscal Year 2009 Budget Overview. Testimony was heard from Elaine Chao, Secretary of Labor.

LEGISLATIVE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing on GPO. Testimony was heard from Robert Tapella, Public Printer, GPO.

MILITARY CONSTRUCTION, VETERANS' AFFAIRS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction, Veterans' Affairs, and Related

Agencies met in executive session to hold a hearing on Central Command. Testimony was heard from ADM William J. Fallon, USN, Commander, U.S. Central Command, Department of Defense.

The Subcommittee also held a hearing on Department of Veterans' Affairs-Medical Care. Testimony was heard from Michael J. Kussman, Under Secretary, Health, Department of Veterans Affairs.

STATE, FOREIGN OPERATIONS APPROPRIATIONS

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs held a hearing on Fiscal Year 2008 Emergency Supplemental Request for State, Foreign Operations and Related Programs. Testimony was heard from John D. Negroponte, Deputy Secretary of State.

TRANSPORTATION, HUD APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies held a hearing on FAA-Fiscal Year 2009 Budget Request. Testimony was heard from Robert Sturgell, Acting Administrator, FAA, Department of Transportation.

NAVY BUDGET

Committee on Armed Services: Held a hearing on Fiscal Year 2009 National Defense Authorization Budget Request from the Department of the Navy. Testimony was heard from the following officials of the Department of the Navy: Donald C. Winter, Secretary; ADM Gary Roughead, USN, Chief of Naval Operations; and GEN James J. Conway, USMC, Commandant, U.S. Marine Corps.

FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

Committee on Energy and Commerce: Subcommittee on Health began consideration of H.R. 1108, Family Smoking Prevention and Tobacco Control Act.

CREDIT UNION REGULATORY RELIEF

Committee on Financial Services: Held a hearing entitled ''The Need for Credit Union Regulatory Relief and Improvements.'' Testimony was heard from JoAnn M. Johnson, Chairman, National Credit Union Administration; and public witnesses.

CHEMICAL FACILITY ANTI-TERRORISM ACT

Committee on Homeland Security: Ordered reported, as amended, the Chemical Facility Anti-Terrorism Act of 2008.

AUTOMOBILE ARBITRATION FAIRNESS ACT OF 2008

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 5312, Automobile Arbitration Fairness Act of 2008. Testimony was heard from public witnesses.

PRIORITIZING RESOURCES AND ORGANIZATION FOR INTELLECTUAL PROPERTY ACT OF 2007

Committee on the Judiciary: Subcommittee on Courts, The Internet, and Intellectual Property approved full Committee action, as amended, H.R. 4279, Prioritizing Resources and Organization for Intellectual Property Act of 2007.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Subcommittee on National Parks, Forests and Public Lands held a hearing on the following bills: H.R. 877, Adams National Historical Park Boundary Addition Act; H.R. 1423, Dorothy Buell Memorial Visitor Center Lease Act; H.R. 1693, National Liberty Memorial Act; H.R. 2675, HALE Scouts Act; H.R. 3651, Utah National Guard Readiness Act; and H.R. 3734, Morley Nelson Snake River Birds of Prey National Conservation Area Act. Testimony was heard from Representative Simpson; Katherine H. Stevenson, Acting Assistant Director, Business Services, National Park Service, Department of the Interior; Gregory C. Smith, Director of Lands, Forest Service, USDA; and public witnesses.

FEDERAL WORKFORCE PAID PARENTAL LEAVE

Committee on Oversight and Government Reform: Subcommittee on Federal Workforce, Postal Service and the District of Columbia held a hearing on Investing in the Future of the Federal Workforce: Paid Parental Leave Improves Recruitment and Retention. Testimony was heard from Daniel Beard, Chief Administrative Officer, House of Representatives; Nancy Kichak, Associate Director, Strategic Human Resources, OPM; and public witnesses.

HOMELAND SECURITY R&D BUDGET

Committee on Science and Technology: Subcommittee on Technology and Innovation held a hearing on the Department of Homeland Security's R&D Budget Priorities for Fiscal Year 2009. Testimony was heard from the following officials of the Department of Homeland Security: Jay M. Cohen, Under Secretary, Science and Technology; Vayl Oxford, Director, Domestic Nuclear Detection Office; and George Ryan, Director, Testing and Evaluation Standards, Science and Technology Directorate.

FEDERAL SMALL BUSINESS CONTRACTS

Committee on Small Business: Held a hearing entitled "Are New Procurement Methods Beneficial to Small Business Contractors?" Testimony was heard from Paul Dennett, Administrator, Office of Federal Procurement Policy, OMB; Jim Williams, Commissioner, Federal Acquisition Services, GSA; Deputy Commanding GEN Ron Johnson, USA, Corps of Engineers, Department of the Army; and public witnesses.

SMALL/MINORITY BUSINESS FEDERAL CONTRACTS

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing on Doing Business with the Government: The Record and Goals for Small, Minority, and Disadvantaged Businesses. Testimony was heard from Stephen Ayers, Acting Architect of the Capitol; Terrie Rouse, Chief Executive Officer for Visitor Services, Capital Visitor Center; Michael J. Rigas, Deputy Associate Administrator, Office of Small Business Utilization, GSA; Roger Mosier, Vice President, John F. Kennedy Center for the Performing Arts; Albert Sligh, Director, Office of Management, FEMA, Department of Homeland Security; Era Marshall, Director, Office of Equal Employment and Minority Affairs, Smithsonian Institution; and public witnesses.

BRIEFING—INTELLIGENCE BUDGET OVERVIEW

Permanent Select Committee on Intelligence: Met in executive session to hold a briefing on Intelligence Budget Overview—DNI. The Committee was briefed by departmental witnesses.

ECONOMY ADRIFT—ANSWER RENEWABLE ENERGY

Select Committee on Energy Independence and Global Warming: Held a hearing entitled "Blowing in the Wind: Renewable Energy as the Answer to an Economy Adrift." Testimony was heard from public witnesses.

Joint Meetings

FUTURE OF THE FEDERAL WORKFORCE

Joint Economic Committee: Committee concluded a joint hearing with the House Committee on Oversight and Government Reform Subcommittee on Federal Workforce, Postal Service, and the District of Columbia to examine investing in the future of the federal workforce, focusing on paid parental leave to improve recruitment and retention, after receiving testimony from Daniel P. Beard, Chief Administrative Officer, United States House of Representatives; Nancy H. Kichak, Associate Director for Strategic Human Resources Policy, Office of Personnel Management; Jane Waldfogel, Columbia University, New York, New York; and Sharyn Tejani, National Partnership for Women and Families, Vicky Lovell, Institute for Women's Policy Research, Colleen M. Kelley, National Treasury Employees Union, Mary Jean Burke, American Federation of Government Employees (AFL–CIO), and Amy S. Costantino, all of Washington, D.C.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D207)*

S. 2571, to make technical corrections to the Federal Insecticide, Fungicide, and Rodenticide Act. Signed on March 6, 2008. (Public Law 110–193)

COMMITTEE MEETINGS FOR FRIDAY, MARCH 7, 2008

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Oversight and Government Reform, hearing on "Executive Compensation II: CEO Pay and the Mortgage Crisis," 10 a.m., 2154 Rayburn.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the current employment situation of 2008, 9:30 a.m., SD–628.

Next Meeting of the **SENATE**

10:00 a.m., Friday, March 7

Senate Chamber

Program for Friday: Senate will be in a period of morning business.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

12:30 a.m., Monday, March 10

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

Bachmann, Michele, Minn., E316, E319, E324
Berry, Marion, Ark., E321
Bilirakis, Gus M., Fla., E328
Bishop, Sanford D., Jr., Ga., E327
Brady, Kevin, Tex., E319
Burgess, Michael C., Tex., E316
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