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House of Representatives

The House met at 8:30 a.m. and was called to order by the Speaker pro tempore (Mr. HOYER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 17, 2008.

I hereby appoint the Honorable STENY H. HOYER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Dr. Alan N. Keiran, Chief of Staff, Office of the Senate Chaplain, offered the following prayer:

Lord God, creator of heaven and Earth, as we open this legislative day, we pause to consider the grandeur of Your creative genius. We are struck by the vastness of space and the countless heavenly bodies that light the night sky. Likewise, we observe with awe and wonder Your magnificent handiwork in the advent of springtime, often being moved to worship You for the botanic beauty we are privileged to enjoy. To You alone, O God most high, belong all praise and glory.

We pray for Your grace to guide the Members and former Members of this body on this very special day, as they serve those who have elected them to public office and the Nation we all love.

We also pray for all those who are attending the Pontiff's mass this morning, that they would sense Your presence in life-changing ways. May Your spirit empower people of faith to seek You with all their hearts and minds.

We pause as well to pray for those in harm's way and their families. Be with those wearing the cloth of our Nation in the long watches of the night in places far from home. Bring them solace in times of deep loneliness and hope for a joyous homecoming.

May we all know Your peace that passes understanding, Your hope that sustains us in times of trial, and Your love that fills the deepest recesses of our hearts.

We pray in the Name that is above every name. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. MCNULTY 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.

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday April 10, 2008, the House will stand in recess subject to the call of the Chair to receive the former Members of Congress.

Accordingly (at 8 o'clock and 35 minutes a.m.), the House stood in recess subject to the call of the Chair.

RECEPTION OF FORMER MEMBERS OF CONGRESS

The Speaker pro tempore presided.

The SPEAKER pro tempore. On behalf of the House, I consider it a great honor on behalf of Speaker PELOSI, Leader BOEHNER and myself to welcome not only former colleagues but very good friends. I am particularly pleased to recognize the former Speaker of the House, Bob Michel. I know that's technically not accurate. I tried to get him the votes to get that office, but another person intervened. But we are certainly pleased to recognize and welcome back the distinguished minority leader to the House, a good friend. I, of course, somewhat parochial, particularly want to recognize my good friend, Senator Joe Tydings. When I first ran for the Maryland State Senate, I had a little tiny brochure. On the front page of that brochure were two people—Senator Tydings, who had been elected in 1964 and myself in 1966—both former Presidents of the Young Democrats of Maryland, walking down the street. So to that extent, if you're really upset with my being here, Senator Tydings has some responsibility for that. You can talk to him.

Also, the first Young Democrats convention I attended, the President of the Young Democrats of Maryland was a gentleman named Goodloe Byron. Goodloe E. Byron. He served with me in the State Senate. He came to Congress before me, tragically passed away at an extraordinarily young age, and his wife, as all of you know, succeeded him. A friend of mine for 40 years—she was 7 at the time when we first met—Beverly Byron. It's particularly good to recognize you and to welcome all of you back to the House.

The Chair will now recognize the Honorable Dennis Hertel. It's a particular pleasure for me to recognize Dennis Hertel because, as some of you know, he came to the Congress the same year I came to the Congress. He left the Congress not at the request of the citizens of Michigan but at the request of the citizens who served in the State legislature. They divided his district up not in three ways but in four

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ways, all that had Democratic incumbents. He chose not to take any of them on. They were all relieved by that. You have done well in choosing him as your leader for this year.

The chair is yours.

Mr. HERTEL (presiding). I want to thank Leader HOYER, not only for his very kind remarks today and for taking the time to be with us but the fact that he has always come to help us with our one day of session here as former Members of Congress. It's very, very much appreciated that Leader HOYER with his busy schedule always has time to come forward for us.

Mr. Jim Slattery from Kansas, the President of our Association, cannot be with us today because he has left our position as President of the Former Members Association to become a candidate for the United States Senate in Kansas for the Democratic nomination. And so because he is pursuing that worthy goal, we have Jay Rhodes, who has been our Vice President from Arizona and done such an excellent job. Jay will step up to become President of the Association and take on those duties today.

The Chair recognizes Jay Rhodes of Arizona, the acting President of the Association of Former Members of Congress.

Mr. RHODES. I apologize for a little delay in getting things going. There's been some confusion about the access to the floor of our international guests who have always been welcomed to the floor during this ceremony but for some reason that has not occurred, so they will be in the galleries. I'm sorry about that. That's not the way we wanted things to happen.

Mr. HOYER, thank you very much. And thank you for giving us access to the Chamber. We have a very special event, if you will, which is to honor a very distinguished statesman, the former majority leader of the United States Senate, Senator George Mitchell of Maine. As far as I am concerned, that's the highest rank that you have achieved. You have achieved others, but being the majority leader of the Senate is something to behold and something to beholden to. We are proud that you are a member of our Association, the Former Members of Congress, and we are proud to recognize your service to our country as majority leader. As a peacekeeper. I think you had more success in making peace in Ireland than you have in baseball. But certainly your work in trying to uncover and rectify the use and misuse of performance-enhancing drugs, especially in professional baseball, is something that I know you're proud of and we're proud of. We believe that your work will have taken our national pastime and restored its luster. We are very pleased and happy that you have assisted the country again in a very important effort.

It's a great pleasure for me as the President of this Association to welcome you and to present to you our Distinguished Service Award and to ask you if you would say a few words to our group.

Mr. MITCHELL. Thank you very much, Congressman Rhodes. Thanks to Congressman HOYER and to all of our colleagues here. Let me say that I am grateful to you for the kind words, Congressman Rhodes, and grateful to all of the Members Association for the honor that you have bestowed upon me. I think it's fitting that this ceremony of former Members be held in the House Chamber.

I recall very clearly when I was elected majority leader of the Senate and I attended the first official function with the Speaker. Prior to the function, we met and I said, well, we have to decide who goes first. He said, yes. We can discuss that, he said, but I'd just like to call to your attention that the position of Speaker is mentioned in the Constitution and in the laws of the United States, but nowhere in either the Constitution or any law is there any reference to a majority leader of the United States Senate. He said, but I'm perfectly prepared to discuss who should go first.

I said, well, I think you've made it rather clear. Ever since then, I have deferred to every Speaker and, in fact, every Member of the House I ever met because it made such a powerful impression on me, about the primacy of the House of Representatives in our system of government.

Service in the Congress or in comparable bodies around the world like the Dail in Ireland, where I know there are many here today, and from Canada and other countries is, of course, a high honor and a great privilege. My service in the United States Senate, including my 6 years as Senate majority leader, was one of the highest honors of my life. I was fortunate thereafter to engage in other public service activities, including 5 years in Northern Ireland where I served as chairman of the peace negotiations and of other activities in bringing to a close the conflict in Northern Ireland. But nothing will ever for me exceed the honor of having been a Member of the United States Congress. I know that every former Member here, indeed all former Members, has shared that view. It was not very long ago, of course, that I served. Then as now, there were challenges facing our Nation. Then as now, there were differences between the parties. But I hope that now as then the current Members will rise to the challenge and be able to meet the very important problems and address the issues facing our great country and the world.

In conclusion, I thank everyone here very much. You know, for most human beings, life is in essence a never-ending search for respect. First and most important, self-respect and then the respect of others. There is no one certain route to gaining respect, but I have always felt that the best way was through service to others. And so I think that Members of Congress, despite the fact that in ours, as in every democratic society, there is a lot of criticism, a lot of complaint, nonetheless, I think every Member of Congress has earned and deserves the respect of the people for their dedication and their service to others.

Thank you all very much for this great honor.

Mr. RHODES. Senator, thank you very much for your comments. I think the significance of your comments is the fact that you and Members of the other body do recognize that it is one Congress composed of two separate and equal bodies. We appreciate that portion of your comments as much as anything else.

We do have a scrapbook with remembrances from your former colleagues, both in the House and the Senate, appreciating your service. And, of course, the plaque. Now I will read the plaque since I've got my glasses on. Actually I don't have my glasses on.

Senator, you've got a lot of these. It just says that we recognize your lifetime of service to this body, this body being the Congress, not the Senate, and to our country. And we appreciate it very, very much and we appreciate your being with us this morning.

And so I present to you, A, the scrapbook; and, B, the plaque—I hope that your wall space has room for it—again from a grateful Nation.

Thank you very, very much.

Mr. MITCHELL. I guarantee you my wall space will have room for this, a very prominent place on my wall. Thank you very much, Jay.

Mr. RHODES. Thank you, sir.

Mr. HERTEL. The Chair recognizes the distinguished majority leader, the gentleman from Maryland (Mr. HOYER).

Mr. RHODES. Do you want to recognize Mr. HOYER or do you want me to recognize Mr. HOYER?

Mr. HERTEL. We can both recognize Mr. HOYER.

Mr. RHODES. Mr. HOYER, you're recognized.

Mr. HOYER. May I use this podium?

Mr. RHODES. You may do whatever you wish, Mr. Majority Leader.

Mr. HOYER. Let me come over here.

I tell a story when I greet, as so many of you have, constituents to the floor of the House. I tell them the story that few Members of the House did I come with a more negative perception of than John Rousselot, as you can imagine. John Rousselot had quite a reputation around the country. And I say that to them for the purpose of saying that I ended up thinking John Rousselot was one of the really delightful human beings with whom I served, notwithstanding our deep disagreements. Some of you who served during his term will recall, as we know, John had a problem with his leg, but he used to delight, as you recall, going over to that rostrum and talking to you us. You remember that, Bob, I am sure, very well. He did it, however, not in a confrontational way but with a twinkle in his eye, as if to say, I'm coming over

here and I'm going to tell you guys what you really ought to be doing. And I really always enjoyed it.

When Jay said, well, I'm not going to speak from that rostrum, I'm going to come over here, it reminded me of that.

Unfortunately, as all of you know through the years now, the aisle has become more a wall than an aisle. A division has grown. I lament, I really do, Bob Michel's loss from the House and from the country's service in this body—he still serves our country as all of you do as well—because he was, with Tip O'Neill, two unifying leaders who tried to bring us together, not agreeing necessarily but disagree in a sense of trying to get together to solve problems with our different perspectives being involved. As all of you know, I have a deep affection for Bob Michel for that reason. But I always come here—before I was majority leader I came here—because I want to thank all of you for the service you have given to our country, the friendship you have given to me and so many others in this body.

Some of you I see on a regular basis. The Historical Society obviously making such a continued contribution. I saw Ben Gilman 2 days ago at a breakfast at which I spoke. But I really wanted to reiterate the welcome of Speaker PELOSI to all of you back to the House.

I also want to recognize our friends, and I'm not sure which one of you are here, from Great Britain, from Ireland. As a matter of fact, I think there are 19 Irish Parliamentarians here. There are a couple from Greece and New Zealand; Great Britain, as I said; and Canada. So we have five nations represented who with the United States have something in common with one of them, Great Britain. And we have much in common with all of us. We welcome you to the House. You are friends and great allies at a time of challenge for the global community, both in terms of economics, in terms of terrorism, in terms of moving our international community towards a more peaceful resolution of its problems.

Senator Mitchell. Did he leave? I'm sorry. I should have said that at the beginning. I was going to invite Senator Mitchell, based upon his experience in Northern Ireland, if he might visit us here and see if he can resolve the differences between the Senate and the House. I thought that might be a very useful contribution to the country. We're having some problems. You may have noticed. The Senate is a strange body, Senator Tydings. We're trying to work with them, but it is very difficult.

In any event, I want to welcome all of you back and thank you for what you have done for our country on both sides of the aisle, as Americans, not as Republicans or as Democrats but as Americans, and say how honored I am to have the opportunity to join with you on this day when you return, to remember what you have done here, but to also remember the friendships that we have made here.

Good luck to you. Thank you very much.

Mr. HERTEL. I want to thank the majority leader. Let me say that it's very appropriate that my Republican friend Mr. Rhodes and I both introduced the majority leader because if there was an award for statesmanship for an incumbent, I think our majority leader would certainly achieve that.

It's something to always follow the model that Tip O'Neill set for us, of being bipartisan in the ways that affect our country. I remember the great affection that Tip O'Neill had for Bob Michel and how they worked together, even though they fought on issues on a daily and weekly basis of importance to our country. I remember Tip O'Neill telling me about the love he had for one of his very best friends, Jerry Ford, the President from Michigan, a Republican, who was as partisan as Tip when he was the minority leader here in the House. What I have seen in the distinguished majority leader is taking from the Speakers that I was honored to serve under, taking the intellectual abilities of Mr. Foley and the partisan aggressiveness of Mr. Wright and the wisdom and the common touch of Tip O'Neill, and that is embodied in our distinguished majority leader. He then carries forth the fact that you can be an active partisan on behalf of your party in your beliefs and at the same time reach over and work with the minority and understand their viewpoint even as you are strong and aggressive on the principles that you believe in. So we thank the distinguished majority leader again for taking the time to be with us and for his leadership on behalf of our country.

The Chair would like to also thank Mr. MCNULTY from New York. Chairman MCNULTY has always been very generous with his time, also, with the former Members and we appreciate his time today with such a busy schedule.

The Clerk will take the roll.

The Clerk called the roll of the former Members of Congress, and the following former Members answered to their names:

FORMER MEMBERS OF CONGRESS PARTICIPATING IN 38TH ANNUAL SPRING MEETING THURSDAY, APRIL 17, 2008

Mr. Broyhill of North Carolina
Mr. Buechner of Missouri
Mrs. Byron of Maryland
Mr. DeNardis of Connecticut
Mr. DioGuardi of New York
Mr. Frey of Florida
Mr. Garcia of New York
Mr. Gilman of New York
Mr. Goodling of Pennsylvania
Mr. Hertel of Michigan
Mr. Hockbrueckner of New York
Mr. Hughes of New Jersey
Mrs. Kennelly of Connecticut
Mr. Konnyu of California
Mr. Kramer of Colorado
Mr. Kyros of Maine
Mrs. Long of Louisiana
Mr. McHugh of New York
Mr. Michel of Illinois
Mr. Nichols of Kansas
Mr. Parris of Virginia
Mr. Rhodes of Arizona
Mr. Sarasin of Connecticut
Mr. Shaw of Florida
Mr. Thomas of Georgia
Mr. Zeliff of New Hampshire

Mr. HERTEL. The Chair announces that 26 former Members of Congress have responded to their names.

The Chair recognizes the President of the Association, Mr. Rhodes, the distinguished gentleman from Arizona.

Mr. RHODES. Thank you, Mr. Hertel. For those of you who don't quite understand what the cast of characters is here, you would have expected that our friend Jim Slattery from Kansas would be standing here as President of the Association. Jim made a decision to return to Kansas and to run for the Senate. He also made the decision that that commitment of time and effort would not allow him to devote the time and effort that he had remaining on his term of office as President of the Association, so he did resign. The by-laws really don't say a lot about when an officer resigns to run for office again, but they do say when the President is not here, the Vice President shall act as President. And so I am technically the Vice President and I am here acting as the President. If anybody wants to challenge me, do so now or forever hold your peace. Within the ordinary course of events within the next few days or so, I will be elected to be President, and then you will have no challenge whatsoever. But I am here for Jim and I want to acknowledge Jim's service to the Association, to the Congress and to the country. He has served this Association extremely well. We have made great progress, building on progress that began about 6 years ago, or more, with Matt McHugh and then with Larry LaRocco and then with Jack Buechner. Your association has grown in stature and in numbers and in activities. We're going to outline a lot of that activity here for you today.

It is also a great pleasure for me to welcome to our meeting former Parliamentarians from Canada, from the United Kingdom, from Ireland, from Greece, and from Turkey. We are very, very honored to have you with us. We are very honored to have the kind of association that we have with your respective associations. We hope to continue to have those grow as well. And we will continue to carry out the activities that have made us, I think, a more vibrant and, I think, a more productive portion, quasi-governmental portion of the Government of the United States. We have accomplished a lot and we have a lot more to do.

I look forward very much to a 2-year term as President. I am going to be assisted very ably by Congressman Hertel, who will be the Vice President, and by Congressman Buechner, who has graciously agreed to continue in the post of Past President. I don't think Jack has a vote, but he does have

a role to play because he has been extremely active in the growth of the organization and we need his experience and we need his advice and we appreciate the fact that he is going to continue in that role. That's the last nice thing I'm going to say about you.

But I'm going to introduce you, because I want you to tell the Association what you and we have been doing in the area of democracy building.

Jack, welcome back. It is good to see you.

Mr. BUECHNER. If the gentleman will yield, I am glad to be back. I want to thank everyone for participating in the programs that we've put together on the international end of it. In particular, something new for the association is its participation in the International Election Monitors Institute, the IEMI. It's a joint project of our association with our sister organizations in Ottawa and Brussels. I am pleased that some of our Canadian and European delegates, our colleagues active in the IEMI, have made the trip to D.C. to be with us today. Of course, joining the Prime Minister of Great Britain and also the Pope. What a great time to be in Washington, D.C., for the springtime.

The first goal of our institute is to take former legislators, and I am going to use the term ''legislators'' rather than Parliamentarians or Members of Congress. I happened to see something the other day that ''parliament'' comes from the French word which is basically parle, to talk. Congress comes from the Roman word which is a gathering of enemies. And I thought, I wonder if the Founding Fathers were playing a little joke when they called it a Congress. These legislators we have taken from the EU, from the United States and Canada and we have training sessions in proper election monitoring.

It's easy to think that because you've run for office and held office that you know something about elections. Well, you may know something about a ridings in Calgary or about a congressional district in South Carolina, but that doesn't mean you know what you're doing in Chad, and we're not talking about Florida chads, we're talking about the country of Chad or someplace that is having an ongoing uprising by a minority party or a different tribal distincts. The Orange Revolution taught us a whole lot about what election observations were all about. Sometimes it was just sitting and making sure that the guys in charge—sometimes gals in charge—were not manipulating the vote. So we have been able to put together these training sessions and we've hosted other meetings. We have gotten a 3-year grant from the Canadian International Development Agency. We've sent dozens of U.S., Canadian and European former legislators who have gone through this training and are now well-versed in an actual set of responsibilities and challenges that come with election observation. A part that's very significant is a code of conduct, to make sure that when our representatives are in these different election areas, that they know what they are supposed to be doing and what they are not supposed to be doing. This is an interesting thing, especially for United States politicians going someplace where the microscope is always on whatever it is we do. A mere stumble can sometimes, and I don't mean physically, but a turn of phrase.

One of the things that happens, you should know, is that sometimes the electoral mechanism, somebody in a country will look at one of our representatives and say, well, what do you think we should do? The inclination is, well, I'd throw that ballot out. Or I'd accept that ballot. One of the things we train our representatives to do is to be cool and to step back and to say, it's your election, not our election, and we're just here to make sure that the world knows what goes on here. Now you decide what to do with that ballot. It's a very, very powerful thing.

We have had an international delegation that went to the Morocco elections. We had 52 observers from 19 countries. We deployed to 12 regions in Morocco and visited 375 polling stations. In addition, observers participated in briefings and meetings before election day to ascertain the political and legal climate in which the Moroccan electorate could cast their votes. We saw a well-organized and transparent election on September 7. Moroccan authorities had trained polling officials well and ensured that voters were given the opportunity to cast a secret ballot without undue influence. There were reported irregularities, but the overall impression gathered by IEMI monitors was that the Government of Morocco should be congratulated on a free, fair, and transparent election process.

But one of the problems was participation. An awful lot of people said, you know, even though I've got the first opportunity to vote, I think that the King's going to influence it or the Islamic parties are going to be overrepresented, that they had the same kind of skepticism that we in the West frequently have to encounter, that low turnout of 37 percent, but a high number of protest votes. One vote we saw at the polling station said, I can't vote for any of these idiots, which is sort of the ''none of the above'' with a little more emphasis. But it showed there was an evidence for further political reform necessary in Morocco. Former Parliamentarians can play a crucial role in encouraging widespread engagement in the process. It is IEMI's hope that over the next few years leading up to Morocco's 2012 elections, former legislators will be invited to assist in developing reforms such as civic education or effective political leadership.

In addition to participating in those missions and conducting several training sessions, the IEMI has created a strategic plan which envisions its expansion over the next 5 years. Part of that vision is to become active not just in election observation missions but in democracy building work, now being carried out worldwide by U.S., Canadian and European NGOs. For example, former legislators could play a crucial role in aiding a peaceful transition of government following an election. We could work with newly elected legislators as they begin their work in a representative democracy. We could share our experience when it comes to the nuts and bolts—we all know about the nuts in the legislative branch—but, for example, the work of committees or relying on a professional staff. In many countries, there are no professional personnel to work with the legislators. I recall one of the first things that happened when I was a new member of the Association is we actually helped the Ukrainian Parliament train what were basically law students and political science students, train somebody to work with the Parliament because there was no one there. And in the Russian Duma in the early stages, if you wanted to introduce a bill, you had to actually bring enough paper to print copies for every member of the Duma. That was just one of those little things that starts a democracy rolling, but you have to deal with it. We believe that via the Institute, we are positioning ourselves to play an integral part in democracy building.

Before I yield back the floor, let me recognize Doug Rowland, if you would stand up. Doug is the President of our Canadian counterpart, our neighbor to the north, but is also the President currently of the IEMI. He deserves a round of recognition. Doug, thank you for your efforts and for all the members of the board.

With that, Mr. President, I thank you for giving me the opportunity to report on the IEMI.

Mr. RHODES. Jack, thank you very much.

Jack mentioned that the root meaning of the word ''parliament'' is talk. Jack demonstrates the fact that he really is a parliamentarian, because there's nothing about which he cannot talk at length. I wonder, though, if you know what the root meaning of the word Congress is. If you look up Congress in a dictionary, the first definition is sexual intercourse. Then it gets into what you said it was, which is conversation amongst others. Fortunately, I think that we mostly do the latter, I hope.

Another of our international programs is something that I would like to have our friend Beverly Byron from Maryland report on. We have done quite a number of external programs that Beverly is an expert on and will share her expertise with us, hopefully as a Congressman and not as a Parliamentarian.

Mr. HERTEL. The Chair recognizes the distinguished Congresswoman from Maryland, Beverly Byron.

Mrs. BYRON. I'm afraid to touch that podium after his remarks.

Mr. RHODES. I don't blame you.

Mrs. BYRON. Let me first of all thank our acting temporary President—until this afternoon.

Mr. RHODES. Are you going to challenge me?

Mrs. BYRON. Oh, I don't know. It's early in the day. I've got probably a couple of hours. You can never tell.

Let me say that I have been tasked to talk about a program that I think is one that the acting Members and the former Members have put together and have worked very hard—the Study Groups on Germany, Turkey, Japan and Mexico. I originally thought I was just going to be talking about the German Study Group which I have been interested in and have no problem with the pronunciation on the German names, but I have Turkey, Japan and Mexico. And so bear with me as we go along.

The Association serves as the secretariat for the Congressional Study Groups. Germany is the largest and most active exchange program. It is U.S. Members of Congress and Parliamentarians of Germany. It is a bipartisan organization, much as this one is, and they alternate the Chairs, Democrats and Republicans, on the U.S. side. The German group is celebrating its 25-year anniversary this year. The primary goal of the Study Group is to establish a dialogue between Members of Congress and their counterparts in the Bundestag. The group has a Distinguished Visitors Program where they bring high-ranking German elected officials to the Capitol. Last year, the Study Group on Germany organized events featuring political leaders such as Chancellor Angela Merkel; Dr. Norbert Lammert, President of the German Bundestag; and Minister Sigmar Gabriel, Federal Minister for the Environment. Every year, the Study Group brings approximately eight Members of Congress together with sometimes an equal number, sometimes more, of the German legislators for several days, focusing on discussions with a predetermined agenda. The Parliamentarians usually are joined by several former Members of Congress and former Members of the Bundestag. They also have officials of the two federal governments attending, think-tank and foundation representatives, and members of the German-American corporate community. In 2007, the annual Congress-Bundestag seminar took place in Hamburg, Germany. This year the Study Group is going to be in Utah for its 25th annual seminar and it will be taking place in the current U.S. president of that organization, Rob Bishop's, district. The upcoming program is going to discuss topics such as NATO, relations with China, and renewable energy. Our program this morning is on the energy issue. I think it's one that we all are very much interested in.

We need to thank the Study Group's supporters because it could not operate without financial support. Here comes the advertisement: Craig Kennedy and the German Marshall Fund are extremely active. The Marshall Fund has funded this program for many years. The Business Advisory Council also donates support on the administrative side of the Study Group and current companies such as Airbus, Allianz, BASF, Daimler, Deutsche Telekom, DHL Americas, EDS, Eli Lilly, Fresenius, Lufthansa, RGIT, SAP, Siemens, and Volkswagen, to name but a few.

Modeled after the Congressional Study Group on Germany, the Association has established other Study Groups. The Turkish group in 2005. Turkey as we all know is important for so many reasons: Peace in the greater Middle East, the expansion of the European Union, the transformation of NATO. The Study Group on Turkey brings current Members of Congress together with their legislative peers, government officials and business representatives in Turkey and serves currently as a platform for participants to learn about U.S.-Turkish relations firsthand. Thanks to funding from the Turkish Coalition of America, the Economic Policy Research Foundation of Turkey and TOBB, the German Marshall Fund also funds some of the work with the Turkish group, and a group of corporate sponsors, the Study Group on Turkey has brought important guests to Capitol Hill. That includes then Turkish Foreign Minister Abdullah Gul, who is now President of Turkey; Assistant Secretary of State Daniel Fried; and many delegations of Turkish Parliamentarians.

The Congressional Study Group on Turkey also conducts an annual U.S.-Turkey seminar. In 2007, that conference took place in Ankara and Istanbul. A congressional delegation met as we did when we were Members with high-level representatives, including Speaker of the Grand National Assembly of Turkey Arinc, as well as Turkish Prime Minister Erdogan. Discussions included Iraq and Turkey's bid to join the EU. This year's seminar will take place in May in Memphis in the district of Representative Steve Cohen. Members of Congress and their counterparts in the Turkish Grand National Assembly will discuss issues such as, once again, energy security, civil society, and the Middle East.

The Association also serves as the secretariat for the Congressional Study Group on Japan. This was founded in 1993 in cooperation with the East-West Center in Hawaii. The Congressional Study Group on Japan is a bipartisan group of 89 Members of the House and Senate. The Japanese Group arranges opportunities for Members of Congress to meet their counterparts in the Japanese Diet in addition to presentations by American and Japanese experts about various aspects of U.S.-Japanese relations. Recently featured guests have included Japanese Ambassador to the United States Ryozo Kato; then Foreign Minister Taro Aso; and Head of the U.S. Delegation to the Six-Party Talks, Ambassador Chris Hill. The Congressional Study Group on Japan is funded by the Japan-U.S. Friendship Commission.

Last but not least we have the Congressional Study Group on Mexico. It is a unique organization in that it serves as a bipartisan forum of legislators and congressional staffers to engage in issue-specific dialogue with Mexican elected officials and government representatives. By being involved in the group, the two countries' political decision-makers receive a comprehensive picture of the issues revolving around U.S.-Mexico relations. We are working closely with the Woodrow Wilson Center on the Mexico project.

These Study Groups are examples of how the Former Members Association can provide an educational service to current Members and working together furthering issues for our Nation. I look forward to being a part of the Study Groups. I think those of you that are not involved in it would get a great deal of satisfaction in having an opportunity to see that we are still continuing as former Members in many of the areas and issues that we have been involved in.

I thank you, the new acting-temporary-prospective President, for the time this morning.

Mr. RHODES. Thank you, Congresswoman Byron, very much not only for your remarks but for your participation. It's very valuable to all of us. As Beverly has said, the value of these Study Groups is bilateral. I think that we and our sitting Members whom we involve in these exchanges learn a lot and I think that the counterparts in the other countries also learn from us, and we learn basically that many of our problems are very, very similar. It's fascinating and it's a great experience.

I next want to have Matt McHugh come forward and report to you on our various student-based exchange programs which we loosely call Congress to Campus. Matt has been intimately involved in the expansion and growth of the Congress to Campus Program which has been dramatic and a very great reward to an awful lot of former Members of Congress and hopefully to some students out there in the world. But from time to time, Matt, I think we learn more than they do. Matt is a longtime, very, very valuable member of the Association and we appreciate very much everything that you do for us.

Mr. MCHUGH. Thanks very much, Jay.

As he indicated, my role this morning is to present our report on the Congress to Campus Program which as many of you know is now run exclusively by our Association in cooperation with the Stennis Center. David Skaggs, who did such a great job for us for some years, is now the Secretary of Education in Colorado. But the transition from his organization, the Council

on Excellence in Government, has been very smooth and successful. As most of you know, the Congress to Campus Program is the Association's flagship program for our members. It sends bipartisan teams of former Members to colleges, universities and high schools across the country to educate the next generation of leaders on the importance of civic engagement. The participating students benefit from the interaction with our Association members whose knowledge and experience, as we know, are a unique resource. But at the same time our members benefit, as Jay has said, through our continued involvement in public service and the ability to engage these young people on issues of importance to them.

During each visit, our bipartisan team conducts classes, meets individually with students and faculty, speaks to campus media, participates in both campus and community forums, and meets with local citizens. Institutions are encouraged to market our visits to the entire campus community, not just to those students who are majoring in political science, history or government. Over the course of 2½ days, hundreds of students are exposed to the former Members' message regarding the significance of public service. There is one more visit scheduled for this academic year, after which we begin recruiting schools for next year. The program has made both domestic and international visits this academic year, including a visit to campuses in the United Kingdom and Canada and, for the first time, two separate visits to campuses in Mexico. By the end of next week, the program will have made 26 campus visits in this academic year. More than 30 members of our Association have made visits this academic year, and I want to take the opportunity to thank all of you who have participated in the program and certainly encourage those of you who have not had the opportunity as yet to do so, it's a great experience for us.

I also want to extend our thanks to the campuses, the faculty and staff members and students who worked so diligently on each of these visits. Without their hard work, these visits would not have been possible. We rely heavily on the universities to take the lead in coordinating logistics relating to each visit and appreciate the time they devote to ensuring their students will receive the benefits of the program.

We have also continued, as I mentioned at the beginning, our relationship with the Stennis Center for Public Service in the administration of the program. Association and Stennis Center staff work very closely together on a day-by-day basis to make the program such a great success. We appreciate both the staff support and the steady financial contribution we get from the Stennis Center each area. We look forward to working with them in the years ahead as well.

I am also pleased to announce that in the next academic year for the first time we will be receiving a financial contribution and some support from the Joyce and Donald Rumsfeld Foundation. The Foundation's generous grant will enable our Association to reach out to more students and more schools, many of whom have not participated in the past. And so on behalf of our members, I want to thank Secretary Rumsfeld for recognizing the importance of our reaching out to the next generation of leaders.

We have also continued working with the People to People Ambassador Program that brings young people to our Nation's capital for a week of events centered on the concepts of character and leadership. These students are far younger than those who participate in the Congress to Campus activities, but they have already demonstrated a commitment to the ideals that the Congress to Campus Program seeks to promote. The Association's involvement in this program allows our members living in the Washington area to speak to these younger students on the importance of public service and to answer any questions they might have. A number of our members, as you know, are working full time still and the People to People engagements allow them to continue their public service in this particular way. The events are typically held in the early morning at suburban locations. Again, I want to thank all of our colleagues who have participated in this program. I want to mention in particular our colleague Orval Hansen of Idaho. I don't know if Orval is here this morning. If not, he deserves recognition, because he has made it to nine of these visits early in the morning to meet with these younger students, seven of those visits in the last month alone. That is enormous dedication, and we are grateful to him in particular.

I want to conclude by again expressing appreciation to all of those who have made the Congress to Campus Program such a great success and by encouraging all of my friends here to participate. As you know, a democracy can prosper only if its citizens are engaged, and as former legislators we have a particular responsibility, I think, to encourage others to do so, particularly our young people.

Thank you very much.

Mr. RHODES. Matt, thank you very much. I just want to echo what Matt says about the Person to Person program. I've participated in one, which started at 6:45 a.m. in far out Bethesda. This is all junior high school kids. At 6:45 they are up and dressed and scrubbed and raring to go. I'm standing there saying, what am I doing out here at 6:45 in the morning? It's worth it.

I want to emphasize what Matt emphasized, which is that the purpose of this kind of activity is not to say to a kid, this is how you prepare yourself to run for Congress, or to run for public office. The purpose is to say to them, a career in public service is a career worth pursuing. Public service encompasses a whole lot of things. Being a teacher, being a fireman, being a policeman, a garbage collector or, like a garbage collector, a Congressman. But the point is to emphasize to the young people that public service is not a career to be shunned, it's a career to be sought.

Matt, your leadership on this is greatly appreciated.

My next project is to try to introduce a real hero for the Association. It's difficult to do because he knows he's a hero and will tell you himself if I don't do it. Lou Frey has served as President of the Association, and for the last 11 years Lou has chaired our annual dinner which, as I think you probably all know, is the lifeblood of the Association. When it became clear, Beverly, that I was going to become President, I called Lou and I said to him, Lou, you've got to do it 2 more years. Lou said, I can't. I'm tired. I'm tired of the whole thing. I don't want to do it.

I said, Lou, please?

And he said, Okay, I'm in for 2 more.

Lou has not only done the dinner, he has started several other projects for us. I would call upon the Honorable Member from the State of Florida, Mr. Frey, to enlighten us as to what he has been doing. We would all like to know.

Mr. FREY. Thank you, Jay. Thank you very much, Mr. President.

I would first like to also acknowledge the tremendous work that your predecessor, Jim Slattery, did. He did an incredible job. He worked incredibly hard. You two worked together to give us great leadership as I'm sure that you and Dennis will do the same. I did start the Statesmanship Dinner 11 years ago and it was a good idea. The only bad one was not figuring out who was going to be the chairman of it. We still haven't done too good a job on that. This was our most successful dinner. We honored all the women who have served in the Congress and were serving in the Congress. Speaker PELOSI was kind enough to come and accept the award. And also Lindy Boggs was the honorary chairman whom we all dearly love. She and Cokie were there. It was a really, really nice event. Beverly Byron did a great deal of work; Nancy Johnson. Incredible group they had to help us raise money. It was the biggest crowd we've ever had, thanks to the efforts of many of the women who served in the Congress. As you know, that is our big fund-raising event and we use it for a lot of different activities.

One of the things that we have found in my State, and I'm sure it isn't true in your State, but basically we are civically illiterate. Forty percent of the adults in Florida cannot tell you the three branches of government. Seventy-three percent of the fourth graders in a multiple choice test can't pick out the Constitution as our leading document. I'm talking about my State. I happen to have seen the statistics, and I would suggest that maybe we're not alone in this area. But in Florida

we don't teach civics. Many States in our country don't teach civics. One of the things that we have been trying to look at as an organization is how do we reach out to the students. How do we reach out to the teachers so that they'll have something to turn to if they're interested in teaching civics. Of course, one of the answers is the Internet. What we did last year is we experimented with programs that the former Members would do on key issues and used the Internet to get it out to high schools and colleges around the country. That worked pretty good. This year we're going to take it to another step. We're going to really put together a library, if you will, for teachers. We're working with the Presidential Classroom teachers, we're going to work with the institute that I have, and the former Members.

Let's take a subject like electoral college. We will have a 50-minute lesson plan for teachers, 30 minutes will be a discussion by the former Members on that issue, 20 minutes for the teachers themselves. We'll put maybe 50 of these together over the next 3 or 4 years so that the teachers all around the country can punch in for free, get that lesson plan, and teach civics. How in the world can you have a country that is as great as ours and the people don't know what they have? Thomas Jefferson said a country that's half ignorant never was and never will be free. We've probably lost a couple of generations. I'm not sure how we'll ever get those back. But we are not going to lose the younger generation. We're going to reach out to them as we're doing in these programs, the stuff that Matt is doing. I think we can make an incredible difference in terms of our young people, not preaching party but preaching what we have and what our country's about. So they'll make a decision. Whatever it will be, we may agree or disagree, but at least it will be a decision based on some facts and on some knowledge.

I want to thank many of you for help with the book we're writing, the second edition of the Former Members book. As you know, the first edition is used in many colleges. The second one, if you haven't sent your final ideas in on your rules of politics, please do. It will go to the publisher in August. We were honored about a month and a half before President Ford died, I had been trying to get him for really a couple of years to do it, he sent us five pages on what his political rules of life were, which will be really interesting. That book will be out certainly in August. We hope that it will add to what teachers can use, not necessarily from an academic style but as a supplement to what really goes on in this wonderful place.

I want you to know that, according to the Washington Post, we're back for an annual ''schmoozefest'' and it will get ''boozy'' tonight. I don't know where the reporter is to listen to all these things that this group is doing. I'm very proud to be part of this. I'm proud of how we continue to put back. This is not really a social organization anymore. It is really an organization of people who have given to the country and now can't give 100 percent but try and give as much as they can back to this country. It is certainly needed. I don't think there's any group of people who have more knowledge, who have more ability and don't have any skin in the game in terms of any personal involvement in what's going on.

I thank each and every one of you for what you're doing. I think it's great. I think, as the President said, there's a lot more we can do, and we will do. Thanks to this organization, a lot of young people and people not only here but with our colleagues, a lot of people around the world are going to have more idea of what's going on and why understanding what we've been given in this great country is really worthwhile.

Thank you very much, Mr. President.

Mr. RHODES. Lou, thank you.

I'm going to insert something into the script here that wasn't here, but I'm going to ask you to help us as far as the dinner is concerned because one of the greatest conundrums that we face is trying to identify somebody whom we, A, should honor; B, would like to honor; and, C, who will sell tables. If you have any thoughts and suggestions along those lines, we would greatly appreciate hearing them. Quickly.

A couple of other programs that we have going that you should know about. One is a golf tournament. We've had the golf tournament for quite a few years. It brings together sitting Members and former Members. This is generally not bipartisan. We generally pit each other against each other on a partisan basis. But it's fun. But this year we've changed the format slightly and it is going to be a charitable event, and we hope that that will expand it greatly. The charity is a fund for disabled veterans, especially veterans from Iraq and Afghanistan. The tournament is on July 14 at the Army/Navy Club. I encourage you, A, to participate; and, B, to encourage others to participate as well. I think it's a cause that we all would agree is well worthwhile.

I should tell you that the Association sponsors, on a sporadic basis but generally biennially, a study trip for our members abroad. Last fall we took about 40 of our members to Ireland. In retribution, the former members of the Irish Parliament have sent 30 of their members here this week. I don't know if that's because of the way we behaved or misbehaved in Ireland. I did not go. I have talked with many of our friends who did go and the one thing that's unanimous is that they had a good time. The other thing that's unanimous is they don't know exactly what they did that was so much fun, but they had a good time. We appreciate you all being here with us very, very much. And we're coming back.

I want to take a minute to thank Jim Slattery for his service as President of the Association. Jim and I had known each other pretty well when we were both Members, but we got to know each other a lot better over the course of the last couple of years. Jim and I did a Congress to Campus visit together to Baker University in Baldwin, Kansas. It was a very, very rewarding experience. I can't emphasize enough what Matt said to you, that if you haven't done a Congress to Campus, do it. You will profit from it and you will benefit from it. And hopefully somebody else will, too. But you definitely will. You will definitely come away with the feeling that the generation that's coming up is not all bad. There are some good people and there are some very, very enthusiastic and intelligent people who want to contribute. It's well worth the time.

We have a plaque for Jim. It will read just sort of like what I said the plaque for Mr. Mitchell read, which is: Thank you very much. We appreciate your participation, your association and your friendship, and we wish you the best.

Now this is a bipartisan organization and we don't take sides. I will say to you that I wish Jim Slattery physically the best. Not necessarily politically but physically. I know that he misses us and we miss him, and we're very, very supportive of his desire to return to public service.

I want to thank Dennis Hertel and Mike Parker and Jack Buechner for their service to the Association, both current and in the future. And I want to recognize our professional staff. As any bureaucracy as we have grown more successful, we've grown more staff. We currently have five permanent staff, led by Pete Weichlein, whom you all know; but joined by Whitney Novak, who is an Executive Assistant; and Tracy Fine, who is a Program Officer; and Rebecca Zylberman, who is a Senior Program Officer. It must mean she's older than Tracy. I'm not sure what that means. And Sudha David-Wilp who is without peer in terms of what she does for us in putting together the international programs. She is terrific. Once again our great welcome to our visitors from other countries, from other former Parliaments.

Before I do the sad thing, which I really am not enthusiastic about doing, I want to recognize one particular member of our Association, and that's our former Republican leader, Mr. Michel. We appreciate your continued support, your continued activity, your continued love of your country and all that you do for all of us. Thank you for being here with us this morning, Bob.

Now I need to read the list. It seems that this list gets longer and I'm not sure what that means about all of us, but this is the list of those of our Members who have passed in the course of the past year since our last annual meeting. They are:

Robin Beard of Tennessee
Daniel Baugh Brewster of Maryland
Frank Welsh Burke of Kentucky
Julia Carson of Indiana
Donald Clancy of Ohio
Jo Ann Davis of Virginia
Mendel Davis of South Carolina
Bill Dickinson of Alabama
Jennifer Dunn of Washington
John Flynt of Georgia
Paul Gillmor of Ohio
Gilbert Gude of Maryland
Augustus Hawkins of California
Peter Hoagland of Nebraska
William Hungate of Missouri
Henry Hyde of Illinois
Tom Lantos of California
John Mackie of Michigan
Wiley Mayne of Iowa
Thomas Meskill of Connecticut
Howard Metzenbaum of Ohio
Joseph G. Minish of New Jersey
Parren J. Mitchell of Maryland
George Sangmeister of Illinois
Robert Sweeney of Ohio
Craig Thomas of Wyoming
Guy Vander Jagt of Michigan
Charles Vanik of Ohio
Joseph Waggonner of Louisiana
Robert Young of Missouri.

I would like for you to stand up and let's have just a moment of silence for our fallen comrades.

Thank you.

Mr. HOYER mentioned that things aren't as friendly and as engaging as they were when we were here. That's all true. I have thought many times sitting out there where you are about the words that we see in front of us, Justice, Tolerance and Liberty. To the extent that we have liberty, and I believe that we do, and to the extent that we have justice and I believe that we do, we're lacking in tolerance. I would say to all of us that we might take it upon ourselves to talk to our sitting colleagues from time to time and say to them, we wish you guys would get along a little better and work harder on the business of the country rather than on your own reelections and your own egos. I think that probably is almost a duty for us, to remind them that this body doesn't exist for single individuals, it exists for the body and it exists for the institution and it exists to forward the business of the country.

I don't think that that's outside the purview of the charter of the former Members of Congress. That's not lobbying an issue. It's lobbying attitude and it's lobbying getting things done. There's only one way to get into this organization, and that's to get elected. There are only three ways to leave. Two of them are not pleasant. There's nobody sitting here now who took the way out with your boots on, but several of us who left because we were defeated in elections and several of us chose to resign, or retire, but we are former Members of this institution and I think that we ought to assert ourselves with our sitting colleagues when we feel that they are not forwarding the interests of the country as much as we would like for them to do and the country would like for them to do.

Mr. Speaker, that concludes the annual report of the Former Members of Congress. And we did it 5 minutes early.

I yield back the balance of my time.

Mr. HERTEL. I want to thank the President for his presentation and his leadership today and commend him, because this is a record time for our association. I think it's because our association has gone from having some retired people that were a bit long-winded to having more and more active people and go right to the point about, as we have seen this morning, reporting on the activities of the Association, how we have reached out to the Nation and the world as far as leadership for democracy and public service.

I want to take a moment just to thank Ken Kramer, a board member, for all his leadership, Ken from Colorado; and Barbara Kennelly for her leadership on the board and with our association across the board; Mr. Zeliff from New Hampshire for all he's done in support of our association. And to go through the list of the people that made the presentations today: Mr. Buechner, who's just done such an excellent job all these years of giving advice and counsel and leading our association. Mr. Matt McHugh from New York who was past President, also who continues to demonstrate and lead in the area of public service, especially for our young people now today. Lou Frey, who has been with us all these years as past President but chairman of our Dinner Committee and without his leadership we would not have the opportunity to do the things we are doing in our country and around the world with the finances that he has helped raise, especially for our Congress to Campus Program where we now reach over 60 campuses per year.

And, finally, to thank Doug Rowland from Canada, the past President there of their parliamentary association that we helped with in their infancy but now he has shown great leadership of the highest order in the IEMI and helping us with training election monitors not only for ourselves but for other former parliamentarians in an international organization with the European Union and the association of former Canadian parliamentarians.

Let me close by just summarizing what Jay, our President, said about our staff. We simply have the best staff in Washington, D.C. I think we can say that in one sentence.

The Chair again wishes to thank all the former Members of the House for their presence here today. Before terminating these proceedings, the Chair would like to invite those former Members who did not respond when the roll was taken to give their names to the Reading Clerks for inclusion in the roll. The Chair wishes to thank the other former Members of the House for their presence here today. Good luck to you all.

The Chair would advise that the House will reconvene at approximately 10:30 a.m. this morning.

Mr. GILMAN. Mr. Speaker, before we adjourn, could we identify and ask our distinguished visiting Parliamentarians to rise and make them a part of our CONGRESSIONAL RECORD today.

Mr. HERTEL. They are in the gallery. We recognize them now, Mr. Gilman, and we thank them all for coming.

Our proceedings are adjourned. Thank you.

Accordingly (at 9 o'clock and 58 minutes a.m.), the House continued in recess.

□ 1032

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. TAUSCHER) at 10 o'clock and 32 minutes a.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. BRALEY of Iowa. Madam Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the CONGRESSIONAL RECORD and that all Members and former Members who spoke during the recess have the privilege of revising and extending their remarks.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 1-minute requests per side.

A PLAN TO SUPPORT OUR ECONOMY AND OUR INFRASTRUCTURE NEEDS

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

Mr. BLUMENAUER. Madam Speaker, JOHN MCCAIN has famously said that he doesn't know much about economic issues. But it's paradoxical that the Republican presidential candidate's idea for helping a troubled economy is to put people out of work and make traffic congestion worse and freight movement harder.

His proposal to stop collecting the gas tax will cut critical funding that keeps commuters, freight and our economy running. And when the trust fund is moving into deficit for the first time in our history he will only make that problem worse.

It will also lead to the loss of over 300,000 highway-related jobs, while there's no evidence that huge oil companies will cut their prices when they get this gas tax ''Holiday''. It is the

worst kind of pandering to mortgage the future to serve current political needs.

Instead, it's time for our presidential candidates to talk about their vision, their plan to support our economy and our infrastructure needs.

OLYMPIC TORCH THUGS

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

Mr. PITTS. Madam Speaker, with the Olympic torch traveling the world right now, we are seeing the Chinese Government's true repressive colors. Everywhere it stops, it is accompanied by a group of Chinese guards who have been called ''thugs'' in the press.

I am not surprised that Chinese leaders would send secret police along to protect the torch, but I am surprised the United States would be so complicit in putting down dissent that they would allow members of the Chinese secret police into the United States to ensure the security of the relay.

Are we so concerned with appeasing China that we could not ensure the security of the flame ourselves?

The group designated to protect the torch is from the paramilitary People's Armed Police, the same force that helped to violently quash the recent protests in Tibet, now using brute force to ensure that protestors in cities like Paris, London and San Francisco, will not interrupt the ceremonial relay.

Maybe the Chinese need to be reminded that repression and torture are not Olympic sports.

IT'S NOT NEARLY ENOUGH

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

Mr. COHEN. Madam Speaker, as many as 2.8 million Americans could lose their homes in the next 5 years due to the subprime mortgage crisis, yet the Bush administration refuses to properly address the crisis.

Last month the administration was willing to bail out Bear Stearns, but when they announced their plans to overhaul the regulation of financial institutions, they failed to properly address any of the needs of families who face the loss of their homes in the coming months.

The housing crisis demands bold action, and this House has already responded by passing legislation that would expand affordable mortgage loans opportunities to families at risk of foreclosure.

We've also passed bills that would raise Fannie Mae and Freddie Mac loan limits to increase liquidity in the mortgage market and that would increase the supply of affordable housing. And now we have a plan that would help 1.5 million homeowners afford foreclosure.

Madam Speaker, we hope the administration will join us in supporting these important bills that will provide necessary relief to those families feeling the impact of the housing crisis.

LAST CURTAIN CALL FOR FREE SPEECH IN FRANCE

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

Mr. POE. Madam Speaker, the curtain has dropped on the stage of free speech in Paris, France for actress Brigitte Bardot. The birthplace of enlightenment has now become home to conformity and political correctness, and rigid speech control.

In France, if speech is offensive, a person can be fined and imprisoned. That's what French prosecutors are trying to do to Brigitte Bardot, claiming she incited racial hatred toward the Muslim community.

Bardot wrote comments in a letter to Nicolas Sarkozy that offended Muslims. Bardot, an animal rights activist, denounced a Muslim festival that including slaughtering sheep by saying she was ''fed up with being led by this population which is destroying us, and destroying France.''

Now the French speech control police claim it's a crime to speak ill of Muslims. So much for freedom of speech in progressive France.

Speech control is a throwback to the Dark Ages when no one could say anything bad about the king. Gone is the citizen Voltaire's philosophy of ''I may disapprove of what you say, but I will defend it to the death for you to say it.''

But today French citizens that speak their mind may face the modern day Bastille if they offend Muslims or hurt their feelings. It looks like the last curtain call for actress Brigitte Bardot and free speech in France.

And that's just the way it is.

CONGRATULATING MARK SMITH ON HIS RETIREMENT AS PRESIDENT OF THE IOWA FEDERATION OF LABOR

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

Mr. BRALEY of Iowa. Madam Speaker, I rise today to honor my friend and my hero, Mark Smith, and to congratulate Mark on his retirement as President of the Iowa Federation of Labor.

Over the past 34 years, Mark has been a fierce advocate for Iowa's working families. He started as an instructor at the University of Iowa Labor Center in 1974; was elected Secretary-Treasurer of the Iowa Fed in 1979, and served in that position until he was elected President of the Iowa Federation of Labor in 1997.

Mark has dedicated his life to the cause of working men and women in Iowa. Protecting the rights of workers has been a long and difficult struggle, and no one has given more time and energy to the cause than Mark Smith.

Mark is living proof that one person can make an enormous difference in the lives of thousands of individuals. Many of the people he helped never knew what he did for them and never had a chance to thank him personally. I stand here today on their behalf, because I want Mark to know that nameless people here are honoring his lifetime of heroic efforts. His lifetime of service leaves a legacy that challenges future generations of labor leaders to continue his efforts to further the cause of working families.

Mark may have retired from office, but he will never retire from his real passion, speaking out against injustice and pushing people to do more to take care of each other.

CONGRATULATIONS TO ITALIAN PRIME MINISTER SILVIO BERLUSCONI

(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, this week Silvio Berlusconi has been reelected as Prime Minister of Italy. His coalition won a strong majority in the Italian Parliament.

Prime Minister-elect Berlusconi, the conservative leader of the Forza Italia political party and the new People of Freedom party, had been a strong ally of the United States in his previous tenure as Prime Minister. No doubt his reelection will mean a strengthening of our partnership with the people of Italy who have so positively influenced American culture.

Berlusconi's election follows a growing line of European leaders, including Chancellor Angela Merkel of Germany and President Nicolas Sarkozy of France, who have run on a platform of greater support for a strong alliance with America. Additional presidents promoting improved friendship with America have recently been elected in Indonesia, Serbia, Liberia, Peru, Korea and Russia.

America has earned admiration of most nations in the world, as identified yesterday by Pope Benedict XVI at the White House as he indicated America is the beacon of liberty and freedom.

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

CHILDREN ARE A PRECIOUS RESOURCE

(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. Madam Speaker, as the co-chair of the Congressional Children's Caucus, I have worked on issues dealing with child

abuse and mentoring, questions of health care for children.

Today in Texas, a court will undertake one of the most challenging legal cases of child custody ever to have been witnessed in the United States. As a strong opponent of child abuse and misuse of our children and affirmation of how precious they are, I ask the Court to make the right and determined decisions based on individual cases. We should not judge the parental rights based upon our opposition to the views of the Fundamental Church of Jesus Christ of Latter Day Saints.

Just as I supported the return of Elian Gonzalez to his parents, I now support the concept that these parents and children should not be divided and separated because of our opposition to some of the legal practices of their parents.

We must respect the first amendment, but also the precious right of children and parents being together. There must not be a biased determination.

The children are still our precious resource, and if no harm has been done by their parents then the courts must act in the best interests of the children.

FREE FLOW OF INFORMATION ACT

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

Mr. PENCE. Madam Speaker, 3 years ago, I authored H.R. 2102, the Free Flow of Information Act, with my colleague RICK BOUCHER from the State of Virginia.

As a conservative who believes in limited government, I believe the only check on government power in real time is a free and independent press. And the Free Flow of Information Act is not about protecting reporters, it's about protecting the public's right to know.

American people should know, Madam Speaker, we're at a unique moment in the history of this legislation. The overwhelming bipartisan House passage of the Free Flow of Information Act has now been joined with Senate action that includes the leadership of Senator RICHARD LUGAR, Senator ARLEN SPECTER, Senator PATRICK LEAHY and others. Senator BARACK OBAMA and Senator HILLARY CLINTON add themselves as cosponsors of the bill this week, and I heartily welcome the strong endorsement of Senator JOHN MCCAIN of this legislation.

I believe there's now a bipartisan majority in both the House and the Senate to support this vital legislation and ensure the vitality of a free and independent press for generations to come.

We just need one vote in the other body. And I believe we'll put a stitch in this tear in the first amendment freedom of the press.

THIS IS THE PEOPLE'S HOUSE

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

Mr. YARMUTH. Madam Speaker, I rise today because I'm very concerned about statements I've heard from all three Presidential candidates over the last few weeks. We hear constantly, I will do this, I will do that, I will do this, all referring to matters that have to be adopted by the United States Congress. And I would remind them that article I, section 1 of the Constitution says, all legislative powers herein granted shall be vested in a Congress of the United States.

So while we certainly look to the President as a partner in our policies, we know, as we've seen over the last couple of years, that this President, this White House ignores, the first article of the Constitution.

I would urge all three candidates, whoever is President, whoever he or she may be in 2009, re-read the Constitution, because this is the people's House. The founders' brilliance said that the people will speak as to the laws that they will obey through their representatives in Congress.

I again urge the President, the next President to re-read the Constitution and adhere to article I. Many of us wear this button because we're very concerned that people forget that this is their House.

ENOUGH IS ENOUGH

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

Mr. KUHL of New York. Madam Speaker, it seems that every day we read about gas and diesel prices hitting a new record high as the pain at the pump continues to ravish hard-working Americans of their hard-earned money. The once nightmare scenario of $4 a gallon gasoline may soon become an even harsher reality.

While we have sat patiently and waited for Speaker PELOSI's commonsense solution, the cost of gas has soared $1.05 since the Democrats took the gavel. This increase represents more than a 43 percent jump in old prices. Enough is enough.

I'm sure that I'm not the only Member of Congress listening to their constituents worry about the consequences of the majority's inaction on energy legislation. And while our constituents cannot afford to drive to work or take their children to school, Democrats have voted four times to raise energy taxes in the 110th Congress.

Higher energy taxes mean higher gas prices, something that our constituents do not want or need.

It is time for Speaker PELOSI to fulfill her promise to the American people. Instead of voting to increase taxes again, Congress should immediately adopt legislation which will give America lower energy prices without raising taxes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to stand in the well or put documents on the podium when another Member is under recognition.

□ 1045

GIVE TAX RELIEF TO THE PEOPLE WHO REALLY NEED IT

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

Mr. HODES. Madam Speaker, while many of us are standing up for tax cuts for working middle class families, there are some on the other side who want to continue to provide tax breaks to millionaires, billionaires, and even to big oil companies earning record profits. For the last 7 years, we've watched these record giveaways to the wealthiest people and corporations turn our budget surpluses into record deficits.

The administration's fiscal mess is so bad that President Bush has borrowed more money from foreign countries than all 42 of his predecessors combined leaving our children in debt to unfriendly foreign leaders. American taxpayers are paying Iraq's bill while we have serious needs at home.

Yesterday, in my home State, New Hampshire, gas prices hit record highs, and nearly 4,300 New Hampshire families may lose their homes to foreclosure. It's time to help middle class families caught in the economic squeeze.

Now, I'm committed to changing the way Washington does business by giving tax relief to the people who truly need it. We can't fix our economy with the same policies that led to the economic slide.

WE NEED TO SEE THE DEMOCRATS' NEW PLAN FOR LOWER GAS PRICES

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

Mr. WESTMORELAND. Madam Speaker, April 28, 2006, a press release by Anita Lowe: These skyrocketing gas prices are a reflection of the Republican energy plan. We need a long-term strategy to lower gas prices and meet our energy needs. Yet Republicans passed up a golden opportunity in major energy bills last year. Democrats have a plan to give American families the relief they deserve. Democrats, Madam Speaker, have been in charge for 16 months and gas prices have gone up over $1.25 a gallon.

April 18, 2006, in a press release, then-Minority Leader NANCY PELOSI: But

the Republicans' bills clearly have done nothing to lower gas prices as the price of a barrel of oil has settled above $70 a barrel, the highest price in our history.

Today, Madam Speaker, oil closed at $114 a barrel. Democrats have a plan to lower gas prices taking America in a new direction. We're ready to see this new plan. I don't understand why the Democratic leadership won't bring out the new plan, why there is not an outcry from their membership to see the new plan.

MR. PRESIDENT, REAL PEOPLE NEED YOUR HELP TO REDUCE OIL PRICES

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

Mr. MURPHY of Connecticut. Madam Speaker, let's talk about what this House has done already without any participation from our Republican colleagues or from the President of the United States.

We've passed legislation cracking down on those who would take advantage of this situation by price gouging with little to no participation from the other side of the aisle and a President's threatened veto. We've passed legislation cracking down on the multinational oil cartels who would fix prices at much damage to American consumers without little to any help from the other side of the aisle and a threatened Presidential veto. And we've passed legislation rescinding the billions in tax giveaways that the prior Congress gave to the oil companies and turned them around to give them to tax benefits for homeowners and businesses who want to invest in renewable energy without any help from the other side of the aisle and with the President threatening a veto.

Madam Speaker, people are hurting, real people, not oil company executives, and we need both sides of the aisle and the President of the United States working to fix it.

RECOGNIZE WORLD HEMOPHILIA DAY

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

Mr. PRICE of Georgia. Madam Speaker, I'm pleased to rise today in celebration of World Hemophilia Day in which we recognize the serious challenges of those worldwide who suffer from hemophilia, a day in which we raise awareness to fight for a cure.

Hemophilia is a rare genetic disorder in which the blood doesn't clot causing excessive bleeding and easy bruising. Without proper treatment, it can lead to organ damage, serious joint and muscle problems, and terrible pain. Those with hemophilia often live in a world unknown to others, anxious about even minor injuries or cuts because what is minor for most people can be a major problem for those with hemophilia.

As a physician, I'm confident that with attention, diligence, innovation, and scientific progress, we will improve the lives of those afflicted with this troubling disease and realize a cure.

Madam Speaker, hemophilia is a daunting condition requiring vigilant care, but we see a day where patients need not fear its pain or its consequences. I'm proud to stand today in support of World Hemophilia Day.

WITH ECONOMIC DOWNTURN, IRAQ MONEY CAN BE BETTER SPENT AT HOME

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, as taxpayers filed their income tax this week, many were probably wondering just how much of their individual taxes would be invested in Iraq instead of here in the U.S. at home. Consider that every single second, the Bush administration is spending $4,000 in Iraq. That means that income taxes paid by the average taxpayer would not even cover the cost of one second of this war.

This country is already facing difficult economic times. We cannot afford to continue spending $339 million a day on a war that has no strategy for victory. If we invested one day of this sum in America instead, we could give 2.6 million American children access to medical and dental care, or we could hire more than 2,000 more border patrol agents to protect our borders. And we could send 18,000 more students to college.

Madam Speaker, at a time when Americans are getting squeezed at the pump and the supermarket and are suffering in the housing market, Washington Republicans need to realize that we should prioritize the needs of America over those of Iraq.

WHAT HAPPENED TO THE PROMISE OF CLEANING UP WASHINGTON?

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

Mr. GARRETT of New Jersey. Madam Speaker, I come today to the floor to point out something that's really already been pointed out in the press, and that is, as they say, that the Democrats, unfortunately, have horrifically failed as the majority party getting most anything done. Now, they made promises after promises to help the American people, and maybe it's no surprise that most of those promises have come to naught and have been broken.

This is most evident by the recent Democrat budget. It includes a massive $683 billion tax increase which only further burdens our children, kills jobs, hurts small businesses, and basically just punishes the American family. And worst of all, this budget was created to finance wasteful spending and the special interests here in Washington.

So what happened to all of those promises of cleaning up Washington and cutting spending? Well, it seems they simply got lost in the shuffle of all of their spending taxpayers' dollars.

PASS A CAP-AND-TRADE SYSTEM

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

Mr. INSLEE. Madam Speaker, I want to share a little note of optimism we heard yesterday in our Global Warming and Energy Independence Committee. We had a group of venture capitalists and investors come before us, and they told us that they were supremely confident that America can create a clean-energy economy that is based on new types of technology so we can solve our global warming problem and wean ourselves off our addiction of Middle Eastern oil. It was very heartening. But they told us they need one thing to really open up the floodgates of technology. They need a cap-and-trade system to cap carbon dioxide and really spur investment.

The President yesterday gave short shrift to that. He was disappointing. We've got to provide leadership here to get this job done. His message was sort of a ''can't-do'' message for a ''can-do'' people, we Americans. Let's get this job done. Pass a cap-and-trade system. We will have a burst of new economic growth in this country.

MR. CARTER, RECONSIDER YOUR PLANS TO MEET WITH HAMAS

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

Mrs. BLACKBURN. Madam Speaker, on behalf of my constituents in Tennessee's Seventh District, I rise to protest President Jimmy Carter's decision to meet with the leadership of Hamas, a group designated by the U.S. State Department as international terrorists. They see this as an outrageous act, something that is a disgrace to the men and women who have protected this Nation.

Madam Speaker, Islamo-Fascist terrorism is the plague of our time. Every American official, past and present, should stand ready to help destroy it and to eradicate its philosophy of hate. My constituents feel that by meeting with Hamas, Mr. Carter a former President, undermines the critical goal and only goads the enemy further.

I urge Mr. Carter to reconsider his ill-conceived plan, join the rest of us in our collective to eradicate Islamo-Fascist terrorism and to halt any plan to prop up the enemy.

THE STATE DEPARTMENT SHOULD NOT HAVE RENEWED BLACKWATER'S CONTRACT

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

Ms. SCHAKOWSKY. Madam Speaker, only a week after the State Department renewed Blackwater's contract, the Bush administration was at it again giving more praise to Blackwater, the private military contractors. Last Friday, Ambassador Crocker said contractors ''like Blackwater are absolutely essential.''

But was it absolutely essential for Blackwater to gun down 17 innocent Iraqis? Was it absolutely essential for a Blackwater employee to kill a guard to the Vice President of Iraq? Was it absolutely essential for a Blackwater helicopter to drop CS gas on a traffic jam in Baghdad?

It has been months, and some in cases years, since these incidents and we still don't have the results of those investigations. Instead, our government has ignored those abuses and renewed Blackwater's contract and then a week later said they are absolutely essential. What kind of country do we live in where it's acceptable for the United States government to praise and reward a company that kills innocent people?

The only thing that is absolutely essential is that we end this State Department's dependence on private military contractors now.

WE NEED CAPABILITY TO CREATE OUR NEW ENERGY

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

Mr. WAMP. Madam Speaker, the nexus between national security, energy, and the environment is one of the most important issues of our time. And on energy, I'm an all-of-the-above Republican. It is wise to conserve, and we need to promote conservation. It is wise to advance energy efficiency technologies. We need to invest. But new capacity, new energy sources are also sorely lacking. We need new national gas supplies in this country. We need refinery capacity. We need our own oil, albeit limited. But we've got to, number one, grow our capability to create energy in our country to be energy independent.

I want to talk about nuclear energy because the cars of the future are going to run off of lithium batteries, some form of electric. We've got to have new capacity. We need nuclear energy in this country to be self-sufficient even on transportation. If we're going to reduce our carbon footprint, don't leave nuclear off the table.

This is a time to come together for new energy technologies, to promote an in-tech agenda, to actually balance the budget again with a robust manufacturing economy. It's pro-American.

DEVELOPING NEW SOURCES OF FUEL

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

Mr. BROUN of Georgia. Madam Speaker, I rise today to ask for us Americans to consider what is going to be best for the people of this country and stop pandering to the environmental wackos.

We have to develop alternative sources of fuel. We have to tap into our own energy sources. We have to make nuclear energy easier to put in place, to build reactors, and to make it less costly to do so. We need to tap into our own oil sources. If we're going to lower the cost of gasoline, we have to build more refineries. If we're going to lower the cost of diesel fuel, we're going to have to tap into ANWR and off the gulf coast. It's absolutely critical for our economy to do this.

We need to look for alternative sources of energy but we have energy sources here today. Let's go get them.

GENERAL LEAVE

Mr. GEORGE MILLER of California. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on the bill, H.R. 5715, into the RECORD.

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

There was no objection.

ENSURING CONTINUED ACCESS TO STUDENT LOANS ACT OF 2008

The SPEAKER pro tempore. Pursuant to House Resolution 1107 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. 5715.

□ 1100

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. 5715) to ensure continued availability of access to the Federal student loan program for students and families, with Mrs. TAUSCHER (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on Wednesday, April 16, 2008, 34 minutes remained in general debate.

The gentleman from California (Mr. MILLER) has 15½ minutes remaining and the gentleman from California (Mr. MCKEON) has 18½ minutes remaining.

Mr. GEORGE MILLER of California. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, Members of the House, today we continue the consideration of H.R. 5715, the Ensuring Continued Access to Student Loans Act of 2008. This is legislation that was reported from the Committee on Education and Labor with unanimous bipartisan support. Once again today, I want to thank my colleagues on the committee on both sides of the aisle and the staff on both sides of the committee for working in a manner which allowed us to report this bill in very short order to the House for its consideration, and on working with the Department of Education, the Secretary of Education, Margaret Spellings, for her cooperation in helping us with this legislation so that we can assure the parents, families, and students of this country that there will be no interruption in their access to student loans.

As the lending season starts to progress now, as students are getting their letters of acceptance, thinking about the next semesters of education and next year's education, as that lending season comes into its fullness, we want to make sure that there is no disruption.

We are concerned about a disruption because of the general disruption that is taking place in the Nation's credit markets, and specifically, concern about whether or not there will be a spillover onto the student loan markets so that students will have difficulty finding those loans.

We have worked with the Department of Education, we have worked with the administration, we have worked with the Republican members of the committee and our own caucus to devise a system of relief that is available to the Secretary and to the administration in the event that that should happen. And really what we're doing is three things: One, we're making sure that the existing law and the existing program for such an emergency, the Lender of Last Resort program, is functioning, that agreements are reached between the Secretary of Education and the Secretary of Treasury, and we've been told by the Secretary of Education that she has informed the members of the committee that that has been done, that the Secretary meet with the guarantee agencies that might stand in the stead of those lenders that cannot make those loans to make sure that there is a smooth transition between them and the universities and colleges, and that that program is in place.

Also, that schools are aware that they can apply to qualify for the Direct Lending program. Many colleges and universities use that today. They may want to consider that so, again, there is smooth transition should the private lending market not be able to come forward with the student loans, they could direct their students to either of those two programs.

And, finally, to try and help the private sector credit markets for student loans, as this bill does, to give standby

authority to the Secretary to purchase those government loans from the traditional lenders in the student loan field so that we might develop some liquidity in that market so that they can then take the money they receive from the Secretary and make a new tranche of student loans. If she purchases those loans, that money could only be used to provide a new set of student loans for the students for the coming year.

And we also raised the loan limit for students, for undergraduates, because we understand that the private student loan market is in very rough shape, and there are some students who use private loans to fill a small gap between the total cost of their education and what they were able to borrow. We think by raising the limit, we will be able to help most of those students in that situation.

So this is an important piece of legislation. It's legislation that we look to be acted upon in the Senate in a very timely fashion and then to be sent to the President, we believe, for his signature. And then we will have completed a series of standby authorities and a series of processes that we should be able to assure families and students that there will be no major interruption in the student lending for the remainder of this year and next year.

With that, I will reserve the balance of my time.

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

Today we are continuing the debate on H.R. 5715, the Ensuring Continued Access to Student Loans Act of 2008. This bill is a first step to prevent a crisis before it happens in the student loan program, and its consideration has come not a minute too soon. Peak lending season begins in July, and we cannot, we must not, wait until a student is denied a loan to put mechanisms in place to deal with the turmoil in the student loan market.

To date, 60 lenders have suspended their participation in all or part of the FFEL program. This includes 10 nonprofit State loan agencies affecting students in Pennsylvania, Texas, Colorado, Iowa, Indiana, Massachusetts, Michigan, Missouri, New Hampshire and Minnesota. These are not minor players exiting the program. Nine out of the top 10 consolidation lenders have stopped offering these loans, while 20 out of the top 100 originators have stopped making Stafford and PLUS loans. These 60 lenders account for 13 percent of the total Stafford and PLUS loan volume and 76 percent of total consolidation loan volume.

In fiscal year 2006, these lenders originated more than $6.5 billion in Stafford and PLUS loans to more than 800,000 students and parents, and more than $55 billion in consolidation loans to more than 1.8 million borrowers.

The bill before us includes necessary reforms to ensure the Department of Education can respond if students have access problems as lending season gets underway. First, it will allow students to receive additional financing that will help them stay in school if they are denied private, nonfederal loans. Second, the bill clarifies aspects of the Lender of Last Resort program, easing participation for students and schools and ensuring funds will be available should they become necessary. Third, the bill ensures that lenders have the authority to provide PLUS loans to struggling parents who are facing difficulties with their home mortgage. And, fourth, the bill grants new flexibility for parents with a new optional grace period that permits parents to defer PLUS loan payments until after the children graduate.

Finally, the bill authorizes the Department of Education to invest in or agree to the future purchase of outstanding loans which could free up capital and allow lenders to make new loans in the upcoming school year.

I want to thank the chairman for moving very rapidly on this situation. That's not our modus operandi around here; generally we wait until we're in the middle of a crisis to fix this. I hope that I'm wrong in thinking that there may be a crisis coming, but I think it is very appropriate to take these positive steps to ease or prevent a problem that could arise very shortly.

I again thank the chairman for his efforts. He has not been well this week, but you wouldn't notice it. He shows up at every meeting, and he has worked very hard. I hope he takes some time over the weekend to get some rest and gets feeling better for next week.

I strongly support this bill, and I encourage my colleagues to vote for it.

Madam Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. If I might, I have one additional speaker, but the speaker is on his way to the floor. If you want to go ahead, then we will have that speaker, and I think we will yield back our time.

Mr. MCKEON. Madam Chairman, I am happy to yield 3 minutes at this time to the gentleman from Pennsylvania, ranking member on our Subcommittee for Healthy Families, Mr. PLATTS.

Mr. PLATTS. I thank the ranking member for yielding me the time.

I rise in support of H.R. 5715, the Ensuring Access to Student Loans Act. While not a complete solution to the current credit crunch that exists in the student loan market, this bill is a very important and strong starting point to ensure that students can continue to obtain affordable loans for their education.

I am especially pleased that the manager's amendment included a provision that I was planning to offer as a standalone amendment to the underlying bill. Specifically, this provision will permit the Secretary of Education to enter into forward purchasing agreements with student loan lenders when purchasing loans through the newly established secondary market. This contractual agreement will provide the necessary confidence for lenders to not only participate in the market, but to continue to originate loans for students.

Some lenders, such as the Pennsylvania Higher Education Assistance Agency, PHEAA, in my home State, have recently announced that they will not be originating additional loans due to the unstable market conditions. This could result in difficulties for students in Pennsylvania, and elsewhere, in obtaining the loans they need.

It is imperative that Secretary Spellings at the Department of Education continue to work with Congress, as well as Secretary Paulson at the Department of Treasury and Chairman Bernanke at the Federal Reserve Bank, to provide access to capital sources for use in originating and purchasing loans.

Last month, I joined with the majority of my colleagues in the Pennsylvania delegation in sending a letter to Secretaries Spellings and Paulson and Chairman Bernanke requesting that they adopt both a short-term strategy to inject revenue into the student loan market and a long-term strategy to prevent future capital market disruptions.

While H.R. 5715 is a very important step in the right direction, the actions of Secretaries Spellings and Paulson and Chairman Bernanke will continue to be critically important to getting the student loan market fully back on track.

I certainly commend Chairman MILLER and Ranking Member MCKEON for bringing forward this bipartisan piece of legislation—and, as the ranking member said, in such a quick fashion—the committee leadership and staff in getting this bill to the House floor aimed at providing relief to both students and lenders.

Again, I also thank the chairman for including language in his manager's amendment providing for forward purchasing agreements. Allowing these agreements with the Department of Education will help to stabilize market conditions and thereby encourage lenders to originate more loans.

I strongly support this legislation and encourage a ''yes'' vote.

Mr. MCKEON. Madam Chairman, I am happy to yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. I thank the gentleman for yielding. I appreciate the work on both sides of the aisle.

Madam Chairman, I rise today in support of H.R. 5715, the Ensuring Continued Access to Student Loans Act, because it is an important legislative step to addressing the liquidity shortage in the student loan market.

I would like to thank Chairman MILLER, Ranking Member MCKEON and the Education and Labor Committee in general for bringing this legislation to the floor today to ensure continued access to student loans in this time of financial strain.

This isn't a Democratic or Republican issue, this is an American issue, and I'm grateful we were able to work together to take this first step to protect our Nation's students.

The fallout of the subprime market and subsequent weakening of the credit market has destabilized what many consider to be sound investments, most notably, student loans. Investors are not hungry to invest, funds have dried up, and lenders have been unable to secure the capital they need to make new loans. All this in the aftermath of reductions in lender subsidies to the Federal Family Education Loan Program that were made in the past 3 years and have created the perfect storm in the student loan market. We should re-examine the effect of these cuts and affect swiftly if we have an over-cut in any area. What's more, lenders have backed out of the program before most students have even gone to secure their loans for next year.

We see the potential for a problem ahead, and I believe it is our job in Congress to find solutions and alternatives now, before we see a repeat of the subprime mortgage market meltdown.

When we considered the Higher Education Reauthorization bill back in February, I offered an amendment expressing a Sense of Congress that the Departments of Education and Treasury explore options within Federal financing institutions to ensure liquidity for the program providers. While I am pleased that Chairman MILLER and Ranking Member MCKEON have included this language in the bill before us today, I wonder if we would be in this situation had we worked to address this situation back in February.

Lenders who have exited the FFEL program account for 13 percent of total student loan volume in the FFEL program. What's worse, we have not entered the period of time when students will call their individual lenders for next year's loans. We need to act quickly to prevent students from being denied loans.

While I believe this bill is a good first step, we need to work with the Treasury Department to open access to Federal financing institutions like the Federal Home Loan Bank or the Federal Financing Bank.

Ultimately, this is a liquidity issue. While I am pleased the bill provides additional Federal assistance to students and their families, I am concerned that we are not getting to the heart of the matter.

□ 1115

It is alarming to think in this period of economic uncertainty we would be willing to provide anything less than the highest quality education to citizens of our Nation. Access to higher education is critical to maintaining our global competitiveness.

And, again, let me thank both the chairman and ranking member.

Mr. MCKEON. Madam Chairman, I yield myself the balance of my time.

The Acting CHAIRMAN. The gentleman from California is recognized for 9½ minutes.

Mr. MCKEON. Our economy is struggling, families are dealing with a higher cost of living, rising fuel costs, a struggling mortgage market, and the threat of higher taxes. The cost of a college education continues to rise, only now students and families are wondering whether they'll be able to get the loans they need to pay their tuition bills.

Like most challenges to our economy, there's no easy answer to the difficulties in our student loan programs. We will need a combination of actions, maybe some legislatively, others through regulation, that will increase liquidity and restore confidence among investors and consumers.

This bill is a first step and one that deserves bipartisan support. It signals our commitment to a strong Federal family education loan program and should help ease the minds of students and families, and it does these things without a single cost to the taxpayer.

I want to again thank Chairman MILLER for his leadership and bipartisan cooperation on this legislation. I would also like to recognize Representatives RUBÉN HINOJOSA and RIC KELLER, the chairman and senior Republican on the Higher Education Subcommittee, for their role in making this legislation a reality.

The staff deserves special recognition for their efforts to bring this bill to the floor so quickly. On my staff I would like to thank Amy Jones along with Susan Ross and Sally Stroup; on Chairman MILLER's staff, Gaby Gomez, Julie Radocchia, and Jeff Appel.

Madam Chairman, this bill is a positive first step. It's good for students and families, it's good for taxpayers, and it's good for our economy. I urge my colleagues to vote ''yes.''

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

Mr. GEORGE MILLER of California. Madam Chairman, I want to thank Mr. MCKEON for mentioning my staff and to Julie Radocchia and also that I failed to mention her birthday yesterday when I recognized her service.

Mr. BACA. Madam Chairman, I rise today to voice my strong support for H.R. 5715, the Ensuring Student Access to Federal Student Loans Act.

Access to education and equality of opportunity are rights that every American deserves.

H.R. 5715 helps to protect these rights—by ensuring the turmoil in the U.S. financial markets does not keep students from accessing the federal loans they need to pay for college.

Because of the current stress in the U.S. credit markets, these protections are necessary now more than ever.

This responsible bill increases the loan limits on federal college loans by $2,000 for undergraduate students, and also increases the total loan limits available to students over the course of their education.

H.R. 5715 also gives parents more time to begin paying off their federal PLUS loans; and helps struggling home owners by making sure that short term delinquencies in mortgage payments don't prohibit eligible parents from taking federal loans; 225 thousand students in the state of California alone use need-based student loans.

It is critical that Congress takes every step necessary to ensure the credit crunch does not prevent even one of them from receiving the education they deserve.

I urge my colleagues to help keep America the land of opportunity, and to cast a vote in favor of H.R. 5715.

Mr. TIAHRT. Madam Chairman, I rise today to offer my support for H.R. 5715, the Ensuring Continued Access to Student Loans Act. As many of my colleagues are, no doubt, aware, the rupture of the housing bubble in this nation has had a ripple effect across our economy. The student loan industry has not been immune to these economic difficulties. In fact, in recent months, 57 providers of student loans have announced that they will no longer offer loans to students. This legislation is a good effort on the part of Congress to address this situation.

We should delude ourselves by believing that this legislation is a panacea, bringing a complete solution to the circumstances we find ourselves in today. By and large, the lending market will need to take actions of its own to right the tottering ship. These efforts are things that Congress is not, and should not be, in the business of mandating. But this legislation does take steps to protect students and their families by providing assurances that the opportunities to finance a college education are not jeopardized while the lending market is in flux.

Presently, experts in the field are unsure that the situation is, in fact, a ''crisis,'' pointing to a number of additional factors that may have contributed to the narrowing of the market. We will not know for several more months, when requests for student loans reach their peak, just how serious a problem we are facing. That is exactly the reason this legislation is the correct approach. It takes preventive steps to ensure that funding is available to students and their parents, if a crisis does arise. It does not create new mandates, but instead gives the Secretary of Education the authority to address potential problems.

Ensuring access to affordable student loans is of great importance to this nation, to our economy, and to our millions of students in college. I appreciate the efforts of Mr. MCKEON and Mr. MILLER to bring this legislation to the floor in such a timely manner, and hope that this bill will be enough to stave off larger problems down the road.

Mr. COURTNEY. Madam Chairman, I want to commend Chairman MILLER for getting out ahead of the student lending issue before it becomes a full-fledged crisis. In March, the Education and Labor Committee heard testimony from the Secretary of Education, Margaret Spellings, and we urged her to take steps then to ensure student lending contingency plans were in place in the event of further troubles. Frankly, I was disappointed to learn that she and her team were only ''monitoring the situation.''

It is imperative that students have uninterrupted access to student loans in the event that the mortgage crisis and credit crunch further ripple through the economy. Just yesterday, Citibank's student lending division announced it was going to stop lending at many

higher education institutions, though they wouldn't name which ones. This is troubling news since Citibank is the second largest originator of federal student loans.

I met with the Connecticut Commissioner of Higher Education and the Director of Financial Aid at the University of Connecticut last month and let me tell you—they are taking this issue seriously. Financial Aid offices across the state are communicating to students and families to finalize their education financing now. I have also personally taken part in getting the word out to my constituents as well.

Thankfully, Connecticut students also have backup from the state's own loan agency, the Connecticut Higher Education Supplemental Loan Authority, with $31 million to lend.

Right now, we don't know how deep the effects will be, but it is prudent that students and their parents are given some relief now. This bill will steer borrowers away from costlier private loans and give parents more time to pay off PLUS loans. And it is crucial that Secretary Spellings has the authority now to advance federal funds if necessary.

The federal government rushed in to bail out Bear Stearns. It is only right that we make sure that the federal government is ready to assist millions of students and families if the need arises.

Mr. CARNEY. Madam Chairman, I rise today in support of H.R. 5715, the ''Ensuring Continued Access to Student Loans Act of 2008.''

This legislation will go a long way in helping to ensure the continued availability of Federal student loans. But it is only a first step and more needs to be done so that any student anywhere in America can attend the college of his or her choice.

Today, 80 percent of all Federal student loans are made through the Federal Family Education Loan Program—commonly known as FFELP. According to the U.S. Department of Education, 6.8 million college students and their families will borrow nearly $60 billion from State, non-profit and private lenders who participate in the Federal student loan program.

Ninety-five percent of all student loans made in the Commonwealth of Pennsylvania and nearly all student loans made at schools in my district are made through the FFEL program. Unfortunately, earlier this year, the Pennsylvania Higher Education Assistance Agency—which was the second largest provider of Federal student loans in Pennsylvania last year—was forced to stop making Federal student loans. PHEAA's exit, along with others, from Pennsylvania's student loan market, means that nearly one-third of all borrowers in the Commonwealth must find new lenders for the upcoming academic year.

In responding to the student loan credit crunch, the Administration has said that there are 2,000 lenders. That was true, but over the past few weeks, 52 lenders, including 23 of the top 100 lenders have simply stopped making Federal student loans. This represents over 13 percent of all FFELP loans made last year.

Nineteen lenders have stopped making private education loans.

In just the days since the Education and Labor Committee approved this bill and sent it to the floor, five major participants in the FFEL program have either stopped making Federal student loans altogether or have announced plans to dramatically scale back their ability to offer Federal student loans.

In responding to the student loan credit crunch, some have said, we can make the State guaranty agencies ''Lenders of Last Resort,'' but this system has never been implemented, let alone tested.

Others have said that if lenders stop making loans, students and schools can switch to Direct Lending. Yet Secretary Spellings recently testified that Direct Lending can only accommodate about one-third of the FFELP loan volume. If that is true, what will happen to the 4.5 million students who may find themselves unable to get a Federal student loan?

And still others have said that no students have been denied college loans yet so there is no need to act.

I think most of my colleagues agree that the best time to prepare for a hurricane is before the storm hits.

That is why the stated purpose of H.R. 5715 is to ensure continued, uninterrupted access to Federal student loans. One of its provisions would authorize the Secretary of Education, in consultation with the Treasury, to purchase student loans if there is not enough loan capital to meet the needs of students and their families.

While I am pleased that the manager's amendment includes a provision that will provide borrowers with a continuity of loan servicers, and thereby keep default rates down, I am concerned that the provision authorizing the Secretary to purchase loans does not provide enough information or certainty to the marketplace to help increase access to college. Without this information, lenders may be financially unable to make new loans to new students this fall.

During the consideration of this legislation by the Rules Committee, I offered an amendment that, had it been approved, would have defined the terms under which the Secretary of Education could exercise her temporary authority to both purchase student loans and maintain a continuity of servicing in order to minimize any disruption for students and schools.

As this bill makes it way through the legislative process I hope that we will incorporate this language to define the terms under which the Secretary can exercise her temporary authority to purchase student loans more clearly than what is before us today.

Madam Chairman, I am supporting this important legislation today, but our work is not done. While we may not be in a student loan crisis today and we certainly do not want to be alarmist, the responsible thing for Congress to do is to give the Administration all of the tools necessary to head off a student loan crisis. If I am wrong about the direction of the student loan market, and we incorporate my amendment, we will have a very strong back-up plan for a rainy day. If I am right and we do nothing, millions of students could be unable to go to college.

Mr. GENE GREEN of Texas. Madam Chairman, I rise today in support of H.R. 5715, The Ensuring Continued Access to Student Loans Act of 2008.

I would also like to thank Chairman MILLER of the Education and Labor Committee and Chairman HINOJOSA of the Subcommittee on Higher Education, Lifelong Learning and Competitiveness for their work on this important piece of legislation.

Getting a college education has never been more important, and this bill will help ensure that students will still have access to the Federal loans they need to pay for college in the coming months.

In recent months, uncertainty in the U.S. credit markets has made it difficult for some lenders in the federally guaranteed student loan program to secure the capital needed to finance college loans. Because of this, some lenders have scaled back their lending activity.

While no student or college has reported any problems accessing Federal student aid to date, it is important that the Federal Government take steps to ensure that students will continue to have access to funds regardless of what happens in the U.S. credit markets.

A viable Federal Family Education Loan Program is extremely important in my home state of Texas. The FFELP participants provide nearly two-thirds of the student financial aid awarded annually to Texas postsecondary education students and parents contrasted to only 56 percent nationally.

Our students can now breathe a sigh of relief knowing that there will be liquidity and continued, uninterrupted access to Federal loans thanks to this bill.

Ms. JACKSON-LEE of Texas. Madam Chairman, I rise today in support of H.R. 5715, ''Ensuring Continued Access to Student Loans Act of 2008'', introduced by Representative GEORGE MILLER of California. I want to thank the Committee on Education and Labor for its efforts in this important area.

Every generation sets out to improve upon the previous generation. We teach how children that if they focus, are responsible, and work hard they can be anything. Yet we have provided a false truth for the majority of our children. Rising tuitions in higher education even at our community colleges are keeping a lot of our youth from attending college. For those that are able to attend, they are burdened by extensive loans just to buy books, attend class, and maintain housing.

Families are sending their children to school, trying to qualify for parent loans and wondering how they are going to make the payments when they are struggling to pay their mortgage and facing their own issues with possible unemployment.

In my home State of Texas, families are struggling to assist children with their education while they face an unemployment rate of 4.3 percent across the State. As of the end of last year, Texas was ranked as having the 20th highest unemployment rate (out of the 50 States). And we are not alone as States grapple with unemployment and a falling housing market.

H.R. 5715, Ensuring Continued Access to Student Loans Act, provides much needed support to our families in a time when they most need it by specifically addressing the needs of parents, students, and even lenders. The Student loans Act would:

Increase unsubsidized loan limits for students: This bill will increase unsubsidized loan limits by $2,000 for each year of undergraduate and graduate school. It also increases the aggregate loan limits to $31,000 for dependent undergraduates and $57,500 for independent undergraduate students.

Delayed repayment of parent PLUS loans: Currently PLUS loan borrowers—parents—go into repayment 60 days after disbursement of the loan. This bill would give families an option

of not entering repayment for up to 6 months after a student leaves school.

PLUS loan eligibility for struggling homeowners: Under current law, parents with an adverse credit history are ineligible to receive a parent PLUS loan, except under extenuating circumstances. In light of the current housing market, the bill temporarily qualifies up to 180-day delinquency on home mortgages as an extenuating circumstance, therefore making it more possible for parents struggling with the current housing market to secure loans for their children.

Lender of Last Resort flexibility: The bill makes clear in statute that the Secretary of Education has the mandatory authority to advance Federal funds to Guaranty Agencies in the case that they do not have sufficient capital. Further, the bill allows a Guaranty Agency to designate a school (rather than an individual student) as a ''lender of last resort school,'' in accordance with guidelines set by the Secretary.

Authority for the Secretary of Education to purchase FFEL loan assets: The bill gives the Secretary the temporary authority, upon a determination that there is inadequate availability to meet demand for loans, to purchase loans from FFEL lenders. Such purchases could only be made in the case they are revenue-neutral or beneficial to the Federal Government.

Federal Institutions' participation: The bill includes a Sense of the Congress that the Federal Financial Institutions and entities (including the Federal Financing Bank, the Federal Home Loan Banks, and the Federal Reserve) should consider using, in consultation with the Secretaries of Education and the Treasury, available authorities, if needed, to assist in ensuring continued student loan access.

I urge my colleagues to vote for H.R. 5715, Ensuring Continued Access to Student Loans Act. Let's support education by allowing for greater flexibility, eligibility, and participation for students and their families.

Mr. KIND. Madam Chairman, I rise today in support of the Ensuring Continued Access to Student Loans Act of 2008, a bill to continue the promise Congress made in 1965 to provide all Americans, regardless of culture or socioeconomic status, greater opportunities to further their education. This bill recognizes the shared benefits to both individual Americans and to the country as a whole of ensuring future generations have the tools necessary to be successful in a vastly competitive 21st century workforce.

The opportunity for children to attend institutions of higher education is essential in preparing our future leaders. While the number of students with the academic knowledge, talent, and desire to attend and succeed in college has substantially increased over time, the necessary financial assistance has regrettably not kept pace. We must reverse this trend and uphold the Federal Government's commitment to America's schools and to all of our children.

The recent instability in financial markets has hurt more than just homeowners, and many individuals and their families are finding it difficult to secure student loans to attend college. The ensuring Continued Access to Student Loans Act assists future and current students by increasing unsubsidized loan limits for undergraduate and graduate students, giving parent borrowers more time before they begin paying off their Federal Plus loans and encouraging Federal financial institutions' participation in ensuring continued student loan access.

As a former member of the Education and Labor Committee, a representative of 12 institutions of higher education located in the Third Congressional District of Wisconsin, and a father of 2 school-aged boys, I recognize the importance of increased access to post-secondary education and ensuring that everyone who wishes to attend college can afford to do so. The ensuring Continued Access to Student Loans Act is a step in the right direction, and I encourage my colleagues to join me in supporting this important piece of legislation.

Ms. WOOLSEY. Madam Chairman, I rise today in support of H.R. 5715, the Ensuring Continued Access to Student Loans Act of 2008. Everyone deserves access to the best possible opportunities, which include a college education. No student should be denied a college education because he or she can't afford it. That's why we must continue to find ways to increase student access to financial aid to ensure that students and their families have every possible opportunity to acquire a college education.

We can't let the current credit crisis limit any student's opportunities to receive a college education. This bill would give the Secretary of Education the tools to help schools in need find a lender and give students access to the money they need to attend school. To keep America competitive in the global market, we must continue to ensure that every student receives access to the best possible college education.

This bill serves as a preventative measure and goes a long way towards averting any possible crisis in July or August when our Nation's students and their families are looking for ways to pay for the next school year. I urge my colleagues to support H.R. 5715.

Mr. GEORGE MILLER of California. Madam Chairman, I yield back the balance of my time.

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

Pursuant to the rule, the amendment printed in part A of House Report 110–590 is adopted and the bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered read.

The text of the bill, as amended, is as follows:

H.R. 5715

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

SECTION 1. SHORT TITLE.

This title may be cited as the ''Ensuring Continued Access to Student Loans Act of 2008''.

SEC. 2. INCREASING UNSUBSIDIZED STAFFORD LOAN LIMITS FOR UNDERGRADUATE AND GRADUATE STUDENTS.

(a) AMENDMENTS.—Subsection (d) of section 428H of the Higher Education Act of 1965 (20 U.S.C. 1078–8(d)) is amended to read as follows:

''(d) LOAN LIMITS.—

''(1) IN GENERAL.—Except as provided in paragraphs (2), (3), and (4), the annual and aggregate limits for loans under this section shall be the same as those established under section 428(b)(1), less any amount received by such student pursuant to the subsidized loan program established under section 428.

''(2) LIMITS FOR GRADUATE AND PROFESSIONAL STUDENTS.—

''(A) ANNUAL LIMITS.—The maximum annual amount of loans under this section a graduate or professional student may borrow in any academic year (as defined in section 481(a)(2)) or its equivalent shall be the amount determined under paragraph (1), plus—

''(i) in the case of such a student who is a graduate or professional student attending an eligible institution, $14,000; and

''(ii) in the case of a graduate student enrolled in coursework specified in sections 484(b)(3)(B) and 484(b)(4)(B), $7,000;

except in cases where the Secretary determines, that a higher amount is warranted in order to carry out the purpose of this part with respect to students engaged in specialized training requiring exceptionally high costs of education, but the annual insurable limit per student shall not be deemed to be exceeded by a line of credit under which actual payments by the lender to the borrower will not be made in any years in excess of the annual limit.

''(B) AGGREGATE LIMIT.—The maximum aggregate amount of loans under this section a student described in subparagraph (A) may borrow shall be the amount described in paragraph (1), adjusted to reflect the increased annual limits described in subparagraph (A), as prescribed by the Secretary by regulation.

''(3) LIMITS FOR UNDERGRADUATE DEPENDENT STUDENTS.—

''(A) ANNUAL LIMITS.—The maximum annual amount of loans under this section an undergraduate dependent student (except an undergraduate dependent student whose parents are unable to borrow under section 428B or the Federal Direct PLUS Loan Program) may borrow in any academic year (as defined in section 481(a)(2)) or its equivalent shall be the sum of the amount determined under paragraph (1), plus $2,000.

''(B) AGGREGATE LIMITS.—The maximum aggregate amount of loans under this section a student described in subparagraph (A) may borrow shall be $31,000.

''(4) LIMITS FOR UNDERGRADUATE INDEPENDENT STUDENTS.—

''(A) ANNUAL LIMITS.—The maximum annual amount of loans under this section an undergraduate independent student, or an undergraduate dependent student whose parents are unable to borrow under section 428B or the Federal Direct PLUS Loan Program, may borrow in any academic year (as defined in section 481(a)(2)) or its equivalent shall be the sum of the amount determined under paragraph (1), plus—

''(i) in the case of such a student attending an eligible institution who has not completed such student's first 2 years of undergraduate study—

''(I) $6,000, if such student is enrolled in a program whose length is at least one academic year in length; or

''(II) if such student is enrolled in a program of undergraduate education which is less than one academic year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in clause (i) as the length of such program measured in semester, trimester, quarter, or clock hours bears to one academic year;

''(ii) in the case of such a student at an eligible institution who has successfully completed such first and second years but has not successfully completed the remainder of a program of undergraduate education—

''(I) $7,000; or

''(II) if such student is enrolled in a program of undergraduate education, the remainder of which is less than one academic

year, the maximum annual loan amount that such student may receive may not exceed the amount that bears the same ratio to the amount specified in subclause (I) as such remainder measured in semester, trimester, quarter, or clock hours bears to one academic year; and

''(iii) in the case of such a student enrolled in coursework specified in sections 484(b)(3)(B) and 484(b)(4)(B), $6,000 for coursework necessary for enrollment in an undergraduate degree or certificate program.

''(B) AGGREGATE LIMITS.—The maximum aggregate amount of loans under this section a student described in subparagraph (A) may borrow shall be $57,500.

''(5) CAPITALIZED INTEREST.—Interest capitalized shall not be deemed to exceed a maximum aggregate amount determined under subparagraph (B) of paragraph (2), (3), or (4).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective for loans issued on or after July 1, 2008.

SEC. 3. GRACE PERIOD FOR PARENT PLUS LOANS.

(a) AMENDMENT.—Section 428B(d) (20 U.S.C. 1078–2(d)) is amended by amending paragraphs (1) and (2) to read as follows:

''(1) COMMENCEMENT OF REPAYMENT.—Repayment of principal on loans made under this section shall—

''(A) commence not later than—

''(i) 60 days after the date such loan is disbursed by the lender, except as provided in clause (ii); and

''(ii) if agreed upon by a parent borrower, the day after 6 months after the date the student for whom the loan is borrowed ceases to carry at least one-half the normal full-time academic workload (as determined by the institution); and

''(B) be subject to deferral during any period during which the graduate or professional student or the parent meets the conditions required for a deferral under section 427(a)(2)(C) or 428(b)(1)(M).

''(2) CAPITALIZATION OF INTEREST.—

''(A) IN GENERAL.—Interest on loans made under this section—

''(i) which accrues prior to the beginning of repayment under paragraph (1)(A)(i), shall be added to the principal amount of the loan; and

''(ii) which accrues prior to the beginning of repayment under paragraph (1)(A)(ii) or during a period in which payments of principal are deferred pursuant to paragraph (1)(B) shall, if agreed upon by the borrower and the lender—

''(I) be paid monthly or quarterly; or

''(II) be added to the principal amount of the loan not more frequently than quarterly by the lender.

''(B) INSURABLE LIMITS.—Capitalization of interest under this paragraph shall not be deemed to exceed the annual insurable limit on account of the borrower.''.

(b) CONFORMING AMENDMENT.—Section 428(b)(7)(C) (20 U.S.C. 1078(b)(7)(C)) is amended by striking '', 428B,''.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective for loans issued on or after July 1, 2008.

SEC. 4. SPECIAL RULES FOR PLUS LOANS.

Section 428B(a)(3) is amended to read as follows:

''(3) SPECIAL RULES.—

''(A) PARENT BORROWERS.—Whenever necessary to carry out the provisions of this section, the terms 'student' and 'borrower' as used in this part shall include a parent borrower under this section.

''(B) EXTENUATING CIRCUMSTANCES.—For loans made on or after July 1, 2008, and before July 1, 2009, a lender may determine that a borrower meets the extenuating circumstances requirement described in regulations promulgated by the Secretary to carry out this section or section 455 if the borrower is 180 or fewer days delinquent on their home mortgage payments.''.

SEC. 5. LENDER-OF-LAST-RESORT.

(a) IN GENERAL.—Section 428(j) of the Higher Education Act of 1965 (20 U.S.C. 1078(j)) is amended—

(1) in the first sentence of paragraph (1), by striking ''students eligible to receive interest benefits paid on their behalf under subsection (a) of this section who are otherwise unable to obtain loans under this part'' and inserting ''students and parents who are otherwise unable to obtain loans under this part (except for consolidation loans under section 428C) or who attend an institution of higher education in the State that is designated under paragraph (4)'';

(2) in paragraph (2)(B), by inserting '', in the case of students and parents applying for loans under this subsection because of an inability to otherwise obtain loans under this part (except for consolidation loans under section 428C),'' after ''lender, nor'';

(3) in paragraph (3)(C)—

(A) in the first sentence, by inserting ''or designates an institution of higher education for participation in the program under this subsection under paragraph (4),'' after ''under this part''; and

(B) in the third sentence, by inserting ''or to eligible borrowers who attend an institution in the State that is designated under paragraph (4)'' after ''problems''; and

(4) by adding at the end the following:

''(4) INSTITUTION-WIDE STUDENT QUALIFICATION.—Upon the request of an institution of higher education and pursuant to standards developed by the Secretary, the guaranty agency designated for a State shall designate such institution for participation in the lender-of-last-resort program under this paragraph. If the guaranty agency designates an institution under this paragraph, such agency shall make loans, in the same manner as such loans are made under paragraph (1), to students and parent borrowers of the designated institution, regardless of whether the students or parent borrowers are otherwise unable to obtain loans under this part (other than a consolidation loan under section 428C).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of enactment of this Act.

SEC. 6. MANDATORY ADVANCES.

(a) IN GENERAL.—Section 421(b) of the Higher Education Act of 1965 (20 U.S.C. 1071(b)) is amended—

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

(2) in paragraph (5), by striking ''agencies.'' and inserting ''agencies, and''; and

(3) by adding at the end the following:

''(6) there is authorized to be appropriated, and there are appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the purpose of carrying out section 422(c)(7).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of enactment of this Act.

SEC. 7. TEMPORARY AUTHORITY TO PURCHASE STUDENT LOANS.

(a) SPENDING AUTHORITY.—

(1) AUTHORITY GRANTED.—The first sentence of section 451(a) of the Higher Education Act of 1965 (20 U.S.C. 1087a(a)) is amended—

(A) by inserting ''(1)'' after ''as may be necessary''; and

(B) by inserting before the period at the end of such sentence the following: ''; and (2) for purchasing loans under section 459A''.

(2) CONFORMING AMENDMENT.—Section 451(a) of such Act (20 U.S.C. 1087a(a)) is further amended by striking ''Such loans shall'' and inserting ''Loans made under this part shall''.

(b) TEMPORARY AUTHORITY.—Part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) is amended by inserting after section 459 the following new section:

''SEC. 459A. TEMPORARY AUTHORITY TO PURCHASE STUDENT LOANS.

''(a) AUTHORITY TO PURCHASE.—

''(1) AUTHORITY; DETERMINATION REQUIRED.—Upon a determination by the Secretary that there is an inadequate availability of loan capital to meet the demand for loans under sections 428, 428B, or 428H, whether as a result of inadequate liquidity for such loans or for other reasons, the Secretary, in consultation with the Secretary of the Treasury, is authorized to purchase from any eligible lender, as defined by section 435(d)(1), loans originated under sections 428, 428B, or 428H on or after October 1, 2003, on such terms as the Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget jointly determine are in the best interest of the United States, except that any purchase under this section shall not result in any net cost to the Federal Government, as determined jointly by the Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget.

''(2) REGULATIONS REQUIRED.—The Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget shall jointly promulgate emergency regulations and publish such emergency regulations promptly in the Federal Register concerning the purchases authorized by paragraph (1).

''(3) METHODOLOGY AND FACTORS; JUSTIFICATION REQUIRED.—Such regulations shall outline the methodology and factors that the Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget shall consider in evaluating the price at which to purchase loans under sections 428, 428B, or 428H, and shall include a justification of how the use of such methodology and consideration of such factors used to determine purchase price will ensure that loan purchases do not result in any net cost to the Federal Government.

''(b) PROCEEDS.—The Secretary shall require, as a condition of any purchase under subsection (a), that the funds paid by the Secretary to any eligible lender under this section shall be used in a manner consistent with ensuring continued participation of such lender in the Federal student loan programs authorized under part B of this title.

''(c) EXPIRATION OF AUTHORITY.—The Secretary's authority to purchase loans under this section shall expire on July 1, 2009.''.

(c) CONTRACTING AUTHORITY.—Section 456(b) of the Higher Education Act of 1965 (20 U.S.C. 1087f(b)) is amended by inserting ''or purchased'' after ''loans made'' each place it appears in paragraphs (2) and (3).

SEC. 8. SENSE OF CONGRESS.

It is a sense of Congress that, at a time when our economy is fragile and higher education and retraining opportunities are more important than ever—

(1) the Federal financial institutions, such as the Federal Financing Bank and Federal Reserve, and federally chartered private entities such as the Federal Home Loan Banks and others, should consider, in consultation with the Secretary of Treasury and the Secretary of Education, using available authorities in a timely manner, if needed, to assist in ensuring that students and families can access Federal student loans for academic

year 2008–2009, and if needed in the subsequent academic year, in a manner that results in no increased costs to taxpayers; and

(2) any action taken as a result of such consideration should in no way limit or delay the Secretary of Education's authority to operate the lender-of-last-resort provisions of section 428(j) of the Higher Education Act of 1965 (as amended by this Act), nor the authority to purchase Federal Family Education Loan Program loans, as authorized by section 459A of such Act (as added by this Act).

The Acting CHAIRMAN. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report. Each further 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.

PART B AMENDMENT NO. 1 OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in part B of House Report 110–590.

Mr. GEORGE MILLER of California. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 1 offered by Mr. GEORGE MILLER of California:

In section 2 of the bill—

(1) redesignate subsection (b) as subsection (c); and

(2) after subsection (a) insert the following new subsection:

(b) STUDENT ELIGIBILITY.—Loan limit increases authorized by the amendments made by this section shall be available only to students who meet the requirements of section 484(a) of the Higher Education Act of 1965 (20 U.S.C. 1091(a)).

In section 428H(d) of the Higher Education Act of 1965, as amended by section 2(a) of the bill—

(1) in clause (i) of paragraph (2)(A), strike ''$14,000'' and insert ''$12,000''; and

(2) in subclause (II) of paragraph (4)(A)(i), strike ''clause (i)'' and insert ''subclause (I)''.

In section 3 of the bill—

(1) in subsection (a), insert ''of the Higher Education Act of 1965'' after ''428B(d)''; and

(2) in subsection (b), insert ''of such Act'' after ''428(b)(7)(C)''.

In section 4 of the bill, insert ''of the Higher Education Act of 1965 (20 U.S.C. 1078-2(a)(3))'' after ''428B(a)(3)''.

In section 428B(a)(3) of the Higher Education Act of 1965, as amended by section 4 of the bill, strike subparagraph (B) and insert the following:

''(B)(i) EXTENUATING CIRCUMSTANCES.—For loans made on or after July 1, 2008, and before July 1, 2009, a lender may determine that extenuating circumstances exist under the regulations promulgated pursuant to paragraph (1)(A) if an applicant for a loan under this section is delinquent for 180 days or less on their home mortgage payments and is not more than 89 days delinquent on the repayment of any other debt.

''(ii) MASTER CALENDAR INAPPLICABLE.—Section 482 shall not apply to determinations made under clause (i).''.

In section 5(a) of the bill—

(1) in paragraph (1), strike ''students and parents'' and insert ''eligible students and parents'';

(2) in paragraph (3)(A), strike the comma after ''paragraph (4)''; and

(3) in paragraph (4), strike paragraph (4) of section 428(j) of the Higher Education Act of 1965 added by such paragraph of the bill and insert the following:

''(4) INSTITUTION-WIDE STUDENT QUALIFICATION.—Upon the request of an institution of higher education and pursuant to standards developed by the Secretary, the Secretary shall designate such institution for participation in the lender-of-last-resort program under this paragraph. If the Secretary designates an institution under this paragraph, the guaranty agency designated for the State in which the institution is located shall make loans, in the same manner as such loans are made under paragraph (1), to students and parent borrowers of the designated institution, regardless of whether the students or parent borrowers are otherwise unable to obtain loans under this part (other than a consolidation loan under section 428C).

''(5) STANDARDS DEVELOPED BY THE SECRETARY.—In developing standards with respect to paragraph (4), the Secretary may require—

''(A) an institution of higher education to demonstrate that, despite due diligence on the part of the institution, the institution has been unable to secure the commitment of lenders willing to make loans to a significant number of students attending the institution;

''(B) that, prior to making a request under such paragraph for designation for participation in the lender-of-last-resort program, an institution of higher education shall demonstrate that the institution has met a minimum threshold, as determined by the Secretary, for the number or percentage of students at such institution who have received rejections from eligible lenders for loans under this part; and

''(C) any other standards and guidelines the Secretary determines to be appropriate.''.

In section 459A of the Higher Education Act of 1965, as added by section 7 of the bill—

(1) in subsection (a)(1), insert '', or enter into forward commitments to purchase,'' after ''is authorized to purchase'';

(2) in subsection (b)—

(A) strike ''shall be used'' and all that follows through the period and insert the following: ''shall be used (1) to ensure continued participation of such lender in the Federal student loan programs authorized under part B of this title, and (2) to originate new Federal loans to students, as authorized under part B of this title.'';

(3) redesignate subsection (c) as subsection (d); and

(4) after subsection (b), insert the following new subsection:

''(c) MAINTAINING SERVICING ARRANGEMENTS.—The Secretary may, if agreed upon by an eligible lender selling loans under this section, contract with such lender for the servicing of the loans purchased, provided that—

''(1) the cost of such servicing arrangement does not exceed the cost the Federal Government would otherwise incur for the servicing of loans purchased, as determined under subsection (a); and

''(2) such servicing arrangement is in the best interest of the borrowers whose loans are purchased.

The Acting CHAIRMAN. Pursuant to House Resolution 1107, the gentleman from California (Mr. GEORGE MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GEORGE MILLER of California. Madam Chairman, I rise in support of the manager's amendment to H.R. 5715, the Ensuring Continued Access to Student Loans Act of 2008. The amendment was done on a bipartisan basis with the input of the senior Republican member, Mr. MCKEON. The manager's amendment we are considering here today makes various technical changes to the legislation and additional substantive changes to ensure continued access to Federal student loans.

Specifically, the amendment makes the following changes: It targets loan limit increases to undergraduate students and families. It clarifies that only eligible students as defined under section 435(a) may qualify for these loans as with all other Federal student aid. It clarifies that at the discretion of the Secretary, a loan may continue to be serviced by the current lender. And in regard to school-wide Lender of Last Resort eligibility, it specifies that the Secretary of Education shall determine whether a school qualifies and provides criteria for the Secretary to consider in making the determination. It specifies that funds received by lenders from loan sales will be used to originate new loans. And it clarifies that, at the discretion of the Secretary, a loan purchased by the Secretary may continue to be serviced by the current lender.

Now more than ever, families deserve every assurance that we are doing all that we can to make sure that they will continue to be able to access the low-cost loans they need to pay for college, regardless of what happens in the credit markets. I am confident that our efforts, coupled with the proper planning by the Federal Government, will provide them with that guarantee.

I urge my colleagues to support this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. MCKEON. Madam Chairman, I claim time in opposition, but I will not be opposing the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

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

I want to thank Chairman MILLER for his work on this amendment. Like the underlying bill, this amendment was developed on a bipartisan basis to respond to some of the very specific challenges facing our student loan program. Although many of the challenges in this amendment are technical in nature, they will help to perfect the bill and ensure it has the impact we intend.

For instance, the purpose of this bill has never been to force a shift from the FFEL program to the Direct Loan program. That's why the amendment clarifies that if the Secretary of Education does purchase outstanding

loans, she can keep those loans with their existing servicing arrangements. This will ensure a seamless transition for students while having the intended effect of freeing up capital to make new loans.

The amendment also ensures the bill will have no cost to taxpayers. From the outset Chairman MILLER and I agreed that it was important to move a bill that made meaningful reforms without driving up spending. H.R. 5715 does exactly that.

With regard to the Lender of Last Resort program, the amendment clarifies some of the steps that must be taken in order to designate school-wide participation in this program. These reforms will be enhanced even further by the amendment that will be offered shortly by Representative PETRI.

I appreciate Chairman MILLER's willingness to include language proposed by Representative PLATTS that adds greater clarity and flexibility within the Secretary's ability to purchase loans. Although it was always our intent that this new, temporary authority would include the concept of a ''forward purchase agreement,'' this amendment makes it explicit that the Secretary can enter into agreements to purchase loans in the future. The amendment also clarifies that lenders must reinvest the proceeds from the sale of loans to the Secretary back into making new loans to students.

Once again, I want to thank Chairman MILLER for his work on this amendment and on the bill as a whole.

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

Mr. GEORGE MILLER of California. Madam 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. GEORGE MILLER).

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

Mr. GEORGE MILLER of California. Madam Chairman, I demand a recorded vote.

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

PART B AMENDMENT NO. 2, AS MODIFIED, OFFERED BY MR. PETRI

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in part B of House Report 110–590.

Mr. PETRI. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 2 offered by Mr. PETRI:

At the end of section 5 of the bill, add the following new subsection:

(c) REVIEW OF INDUCEMENTS LIMITATIONS.—Within 90 days after the date of enactment of this Act, the Secretary of Education shall review, and as necessary revise, the Department of Education's regulations concerning prohibited guaranty agency inducements to eligible lenders (34 CFR 682.401(a)) to ensure that such agency's do not engage in improper inducements in the expansion of operations of the lender-of-last-resort program as authorized by the amendments made by this section. The Secretary shall submit a report on the review and revision required by this subsection to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate within 180 days after such date of enactment.

The Acting CHAIRMAN. Pursuant to House Resolution 1107, the gentleman from Wisconsin (Mr. PETRI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. PETRI. Madam Chairman, I ask unanimous consent that the amendment be modified by the text that I have placed at the desk.

The Acting CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to part B amendment No. 2 offered by Mr. PETRI:

At the end of section 5 of the bill, add the following new subsection:

(c) REVIEW OF INDUCEMENTS LIMITATIONS.—Within 90 days after the date of enactment of this Act, the Secretary of Education shall review, and as necessary revise, the Department of Education's regulations concerning prohibited guaranty agency inducements to eligible lenders (34 CFR 682.401(e)) to ensure that such agency's do not engage in improper inducements in the expansion of operations of the lender-of-last-resort program as authorized by the amendments made by this section. The Secretary shall submit a report on the review and revision required by this subsection to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate within 180 days after such date of enactment.

The Acting CHAIRMAN (during the reading). Without objection, the reading of the modification is dispensed with.

There was no objection.

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

There was no objection.

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

Mr. PETRI. Thank you, Madam Chairman.

Under current law, Federal Family Education Loan Program guaranty agencies are obligated to serve as lenders of last resort to borrowers who have been denied a Federal student loan by two lenders. The legislation we are considering today puts in place measures that will permit an entire higher education institution, rather than just individuals, to participate in the Lender of Last Resort program and also clarifies the Secretary of Education's authority to advance mandatory funds to guaranty agencies to serve as the lender of last resort.

The amendment I am offering today would simply require the Secretary of Education to review and revise as necessary the regulations concerning prohibited guaranty agency inducements to ensure that such agencies do not engage in improper inducements as lenders of last resort.

Currently, guaranty agencies are provided flexibility from the general lender prohibitions regarding inducements and exempted from others when they act as lenders of last resort. While this flexibility may be necessary, the bill before us would expand the role of guaranty agencies acting as lenders of last resort. And it's prudent to take another look at these regulations to be sure that students and taxpayers continue to be protected.

I ask my colleagues to vote ''yes'' on this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Chairman, I claim the time in opposition to the amendment, although I do not expect to oppose the amendment.

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

Mr. GEORGE MILLER of California. Madam Chairman, I commend Mr. PETRI for this amendment. He addresses an oversight in the legislation in making sure that the Secretary has the ability to review and revise the regulations concerning prohibited guaranty agency inducements to ensure that agencies do not engage in improper inducements. We don't think this is a problem, but we had a problem in the past in the rest of the program, and we passed on a bipartisan basis, the Student Loan Sunshine Act, and I think this amendment is an important part of keeping the integrity of that act and the continuity within the student loan program so that all participants in that program understand that we cannot condone even an appearance of improper relationships. When students and families are borrowing money and making sacrifices for that money, we want to make sure that they get the best deal available and they get the best facts available to them.

I thank the gentleman for offering the amendment.

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

Mr. PETRI. Madam Chairman, I yield such time as he may consume to the gentleman from California (Mr. MCKEON).

Mr. MCKEON. I thank the gentleman for yielding.

Madam Chairman, I rise in support of this commonsense amendment.

The Lender of Last Resort program was never intended to serve as a bailout for our student loan system as a whole. Rather, it was developed as a backstop for individual students on a case-by-case basis to be able to access a student loan if they encountered some rare circumstance in which they could not borrow through the standard channels.

I, for one, hope that the broad-based Lender of Last Resort authority in this bill will never be used. After all, the goal of this legislation is to prevent such a crisis within the loan program before it occurs. But I appreciate the steps being taken to ensure that if the Lender of Last Resort program ever needs to be deployed on a larger scale, we will have the infrastructure and processes in place to allow it.

However, because the program was simply never intended to be used on a school-wide basis, we should ensure that in implementing this authority, we are not unintentionally subverting current regulations. We also want to ensure that a guaranty agency is not unnecessarily punished for stepping in as a lender if needed. That is why this amendment requests that the Secretary review the regulations with the Lender of Last Resort program in mind. This program should be implemented in a manner that will be effective, efficient, and in the best interest of students.

I want to thank Representative PETRI for offering this amendment, which requires the Secretary to ensure that regulations are updated to reflect the new responsibilities that would be given to guaranty agencies operating as a lender of last resort for entire schools rather than individual students.

□ 1130

This amendment is consistent with our longstanding support for greater sunshine, transparency and consumer protections.

I support this amendment, and I urge its passage.

Mr. PETRI. I yield back my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. PETRI), as modified.

The amendment, as modified, was agreed to.

PART B AMENDMENT NO. 3 OFFERED BY MR. CASTLE

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in part B of House Report 110–590.

Mr. CASTLE. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 3 offered by Mr. CASTLE:

At the end of the bill, add the following new section:

SEC. 9. GAO STUDY ON IMPACT OF INCREASED LOAN LIMITS.

(a) STUDY REQUIRED.—The Comptroller General shall conduct a study to evaluate the impact of the increase in Federal loan limits provided for in section 2 of this Act and section 8005 of the Deficit Reduction Act of 2005 with respect to the impact on—

(1) tuition, fees, and room and board at institutions of higher education; and

(2) private loan borrowing by students and parents for attendance at institutions of higher education.

(b) STUDY COMPONENTS.—The study required under subsection (a) shall be conducted for each major sector of institutions of higher education over a 5-year time period. The report shall specifically analyze the following:

(1) Whether, on average, tuition, fees, and room and board increase, decrease, or remain unchanged in each such sector after the increases in Federal loan limits take effect.

(2) Whether the amount of private educational loans taken out by students (and their parents) at institutions in each such sector to pay tuition, fees, and room and board increase, decrease, or remain unchanged.

(c) REPORT.—Not later than one year after the date of enactment of this Act, the Comptroller General shall provide an interim 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 including the initial results of the study conducted under this section. The Comptroller General shall follow up with such Committees after the third year and the fifth year after such date of enactment.

The Acting CHAIRMAN. Pursuant to House Resolution 1107, the gentleman from Delaware (Mr. CASTLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Delaware.

Mr. CASTLE. I yield myself such time as I may consume.

The amendment I have offered with Representative WELCH today is meant to complement the underlying legislation and help us better utilize the Federal student loan program. I am supportive of H.R. 5715, which I believe will help prevent instability in the student loan market and ensure students have access to funds for higher education. This amendment doesn't alter the base bill but can help us learn more about rising costs.

As you know, the committee has actively worked to identify causes of rising college costs while tuition rates continue to increase more rapidly than household incomes. This rate of increase continues to prove to be overly burdensome for both students and families as they save and borrow to pay for higher education.

Adding another layer of complexity is the existing slump in credit markets. For this reason, several lending institutions have recently announced that soaring lending costs have caused them to decrease availability of new loans to American students.

Today, I am pleased Congress has the opportunity to vote on this bipartisan legislation to protect students and families by ensuring disruptions in the financial markets do not prevent students from pursuing their higher education goals.

I believe this legislation can help restore investor confidence in the marketplace, provide additional flexibility for parents through a new, optional grace period for PLUS loan payments until after their children graduate, as well as ensure that parents struggling with mortgage payments are not automatically denied credit through PLUS loans.

Also, this bill expands loan availability through higher unsubsidized Stafford loan limits. This provision, along with a provision passed under the Deficit Reduction Act of 2005 which increased loan limits on federally subsidized loans, enables students to receive more Federal funding, reducing reliance on higher cost private loans.

Although I strongly support these provisions, I believe we have an opportunity here to determine what impact, if any, these changes have on tuition, fees, and room and board costs and private loan borrowing by students and parents.

The amendment I am offering today does just this. The amendment will provide for a review and evaluation by the Government Accountability Office, GAO, of these two aspects of higher education.

Specifically, the GAO study will examine institutions of higher education over a 5-year time period to look at whether tuition, fees, and room and board increase, decrease, or remain neutral after the increases in loan limits take effect, as well as whether the amount of private educational loans taken out by students and their families to pay tuition, fees, and room and board increase, decrease, or remain neutral.

I urge my colleagues to support this commonsense amendment to shine some light on possible causes of the rising cost of higher education and also urge support for the base bill to maintain access to the Federal student loan program.

I thank Mr. WELCH for working with me on this amendment and for speaking in favor of this bill yesterday before the House. And we would just like to say that I just think it is so important that we deal with the costs of higher education as well as the financing of higher education. Hopefully, by this add-on, we will be able to do at least a little bit of that.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Chairman, I rise to claim the time in opposition, although I do not expect to oppose the amendment.

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

Mr. GEORGE MILLER of California. Madam Chairman, Members of the House, this is an important amendment.

This committee, on a bipartisan basis, has struggled with trying to get a good handle, if you will, an understandable handle on the cost of education and the reasons for the increases in the cost of education, as we watched the cost spiral up in higher education much faster than the general inflation index. And it is a rising concern in families. As their budgets compete with fuel, food and mortgage payments, this obviously becomes a very serious matter.

Congressman MCKEON and Congressman CASTLE have been on this watch

for many years in this committee trying to help us come to grips with this problem and trying to carry on a positive conversation with the universities and colleges so that we can better define those costs that they control, the costs that they don't control, and certainly the actions of the States in their support for the public institutions. I think this amendment is very helpful.

Congressman WELCH has spoken to me about this during our deliberations of the higher education bill and of the college loan reduction bill that we passed last year.

This is an issue that continues to nag at us. I think providing some good guidance to GAO, with their expertise, we have an opportunity to really take a good look at a cross-section of institutions, what is properly driving the increases in cost and what maybe is improperly driving the increase in cost, and those things that can possibly be brought under control and be reduced by cooperative actions between the institutions, the States, and the Federal Government.

So I strongly support this amendment, and I want to thank Congressman CASTLE and Congressman WELCH for offering this amendment.

I yield back the balance of my time.

Mr. CASTLE. Madam Chairwoman, I want to thank Chairman MILLER for his kind words.

I think that all of us, including Mr. MCKEON, on whom I will call in a moment, would all agree that we need to educate our young people as well as we can, and they need to be able to afford it. And anything we can do to help in that area is something that we should be doing.

I yield to the gentleman from California (Mr. MCKEON) whatever time he may consume.

Mr. MCKEON. Madam Chairman, I thank the gentleman for yielding and for his longstanding commitment to addressing the rising costs of college.

This amendment gets to the heart of the concern that many of us have harbored for a long time. It takes a hard look at whether or not an increase in Federal aid will lead to an increase in college tuition. Everyone recognizes that Federal student aid is a good investment. Pell Grants, together with campus-based aid programs, Federal student loans and other higher education benefits help make a college education accessible to every American student.

With enactment of the Higher Education Act in 1965, these financial aid programs truly did make college more affordable. But beginning in the eighties and in the decades since, college tuition has skyrocketed. Despite our best efforts to keep pace by investing in student aid, college is becoming less affordable for many families. Tuition goes up, so we increase financial aid. But when we increase financial aid, tuition goes up. It's a vicious cycle. And we are losing ground.

Unfortunately, this pattern has even led some of us to question whether an investment in financial aid is a wise one. After all, if we're driving tuition increases by, for instance, increasing loan limits, we may be doing more harm than good.

I think there's agreement that this bill will help borrowers by increasing unsubsidized borrowing limits. Particularly for borrowers who are unable to access higher-cost credit-based private loans, this additional Federal loan availability may be the difference between enrolling or not. But as we increase that type of financial aid, we need to very seriously review the consequences of that action. That's why this amendment calls on the Government Accountability Office to determine how the increase in borrowing limits impacts tuition.

I thank Representative CASTLE along with Representative WELCH for their leadership on this issue. It's a good amendment. It improves the bill. I urge a ''yes'' vote.

Mr. CASTLE. I yield back the balance of my time.

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

The amendment was agreed to.

PART B AMENDMENT NO. 4 OFFERED BY MS. CASTOR

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in part B of House Report 110–590.

Ms. CASTOR. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 4 offered by Ms. CASTOR:

In section 428B(a)(3)(B) of the Higher Education Act of 1965, as amended by section 4 of the bill, insert ''or on medical bill payments'' after ''home mortgage payments''.

The Acting CHAIRMAN. Pursuant to House Resolution 1107, the gentlewoman from Florida (Ms. CASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. CASTOR. Madam Chairman, this amendment ensures that hardworking families who are feeling the strain of skyrocketing health care costs can still afford to send their children to college. The amendment applies to the Federal parent PLUS loans. PLUS loans are the non-need-based, federally guaranteed, low-interest loans available to parents for their children's undergraduate tuition, room and board and other expenses.

Our neighbors are really getting squeezed these days. They are socked with the rising cost of housing and health care. And many families are very concerned that a college education may be out of reach for their children due to these rising costs.

This amendment allows parents to continue to access low-interest PLUS loans even if they have fallen behind on medical bills only up to 180 days. This extenuating circumstance exemption is identical to the one already provided in the bill for mortgage payment delinquencies.

Housing and health care are the primary sources of financial hardship for families. Late mortgage payments and uncollected copayments for doctors' visits are among the primary reasons for bad debt. But these short-term and temporary extenuating circumstances should not bar parents from assisting their children with attending college.

By adding this amendment to section 4, special rules for PLUS loans, we ensure that hardworking families feeling the strain in this economy of skyrocketing health care costs can still afford to send their children to college.

I would like to thank Chairman MILLER, Ranking Member MCKEON, all of the members on the Education and Labor Committee and the professional staff for their work.

Mr. GEORGE MILLER of California. Will the gentlewoman yield?

Ms. CASTOR. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. I just want to thank the gentlewoman from Florida for introducing this amendment. She had talked to me about this early on, and it was an oversight. But she has raised the issue that for families that have engaged in serious medical encounters, the question of what the real bill is becomes a matter of serious negotiations that can take over a period of time.

You get your bill. It says you owe $65,000. And then it says, but the real cost was $45,000, and somebody will pay $20,000, and you owe whatever is in between. And then you find out that is really not true, that was the initial billing, and you back over a period of months. Those negotiations, because of an unexpected serious medical encounter within a family, should not bar, in these times, those individuals from being able to access student loans. It doesn't mean they've lost their incomes. It doesn't mean any of that at that point.

I think it is a very important addition to this legislation as we are trying to weave together a support system for families that must rely on loans for the education of their children.

I want to thank you very much for offering this amendment.

Ms. CASTOR. Madam Chairman, I reserve the balance of my time.

Mr. MCKEON. I claim the time in opposition, although I am not opposed, Madam Chairman.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized 5 minutes.

There was no objection.

Mr. MCKEON. I rise in support of the gentlelady's amendment, and I yield myself such time as I may consume.

The purpose of this bill is to address the unique challenges facing students and families in this time of economic

uncertainty. That is why the bill takes steps to ensure parents are not automatically denied a PLUS loan simply because they're struggling with the same mortgage troubles facing so many other families in the country.

This amendment is consistent with the spirit of our bill because it recognizes that families also may be grappling with medical bills. And as the chairman explained, sometimes you are hit with a bill, and that shows up as a liability which would put you out of reach of getting another loan, and, in fact, you may not have that liability. And until that is clarified, you are held in abeyance. And students can't wait.

So this is a very important amendment that the gentlelady has presented. I thank Representative CASTOR for her amendment. It makes the bill better.

I yield back the balance of my time.

Ms. CASTOR. I would like to thank, again, the gentlemen from California for their work on this legislation and their work on behalf of students and parents across this country.

I urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Ms. CASTOR).

The amendment was agreed to.

Mr. GEORGE MILLER of California. Madam Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. CASTOR) having assumed the chair, Mrs. TAUSCHER, 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. 5715) to ensure continued availability of access to the Federal student loan program for students and families, 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 subject to the call of the Chair.

Accordingly (at 11 o'clock and 46 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1321

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CROWLEY) at 1 o'clock and 21 minutes p.m.

ENSURING CONTINUED ACCESS TO STUDENT LOANS ACT OF 2008

The SPEAKER pro tempore. Pursuant to House Resolution 1107 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. 5715.

□ 1322

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. 5715) to ensure continued availability of access to the Federal student loan program for students and families, with Mr. BLUMENAUER (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 4 printed in part B of House Report 110–590 offered by the gentlewoman from Florida (Ms. CASTOR) had been disposed of.

AMENDMENT NO. 1 OFFERED BY MR. GEORGE MILLER OF CALIFORNIA.

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GEORGE MILLER) 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 vote was taken by electronic device, and there were—ayes 413, noes 0, not voting 23, as follows:

[Roll No. 203]

AYES—413

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Maloney (NY)
Manzullo
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norton
Nunes
Oberstar
Obey
Olver
Ortiz
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NOT VOTING—23

Berkley	Fortuño	Peterson (PA)
Bishop (GA)	Hulshof	Rush
Brown, Corrine	Lynch	Scott (GA)
Brown-Waite, Ginny	Mack	Shadegg
Butterfield	Mahoney (FL)	Towns
Cole (OK)	Marchant	Wilson (NM)
Faleomavaega	Markey	Wynn
	Pallone	Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. There are 2 minutes left in this vote.

□ 1345

Messrs. LINDER, GINGREY and TANCREDO changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. COLE. Madam Chairman, on Thursday, April 17, 2008, I missed the first vote in a series of two votes. I missed rollcall vote No. 203.

Had I been present and voting, I would have voted as follows:

Rollcall vote No. 203: ''aye'' (On agreeing to the Miller, George amendment to H.R. 5715).

The Acting CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEINER) having assumed the chair, Mr. BLUMENAUER, 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. 5715) to ensure continued availability of access to the Federal student loan program for students and families, pursuant to House Resolution 1107, he reported the bill, as amended by that resolution, back to the House with sundry further amendments 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 further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. GEORGE MILLER 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 383, nays 27, not voting 21, as follows:

[Roll No. 204]

YEAS—383

Abercrombie	Aderholt	Allen
Ackerman	Alexander	Altmire
Andrews	Emanuel	Lewis (KY)
Arcuri	Emerson	Linder
Baca	Engel	Lipinski
Bachmann	English (PA)	LoBiondo
Bachus	Eshoo	Loebsack
Baird	Etheridge	Lofgren, Zoe
Baldwin	Everett	Lowey
Barrow	Fallin	Lucas
Bartlett (MD)	Farr	Lungren, Daniel E.
Barton (TX)	Fattah	Lynch
Bean	Feeney	Maloney (NY)
Becerra	Ferguson	Manzullo
Berman	Filner	Matheson
Berry	Forbes	Matsui
Biggert	Fortenberry	McCarthy (CA)
Bilbray	Fossella	McCarthy (NY)
Bilirakis	Foster	McCaul (TX)
Bishop (NY)	Frank (MA)	McCollum (MN)
Bishop (UT)	Frelinghuysen	McCotter
Blackburn	Gallegly	McCrery
Blumenauer	Garrett (NJ)	McDermott
Blunt	Gerlach	McGovern
Boehner	Giffords	McIntyre
Bonner	Gilchrest	McKeon
Bono Mack	Gillibrand	McMorris Rodgers
Boozman	Gohmert	McNerney
Boren	Gonzalez	McNulty
Boswell	Goode	Meek (FL)
Boucher	Goodlatte	Meeks (NY)
Boustany	Gordon	Melancon
Boyd (FL)	Granger	Mica
Boyda (KS)	Graves	Michaud
Brady (PA)	Green, Al	Miller (MI)
Braley (IA)	Green, Gene	Miller (NC)
Brown (SC)	Grijalva	Miller, Gary
Buchanan	Gutierrez	Miller, George
Burgess	Hall (NY)	Mitchell
Burton (IN)	Hall (TX)	Mollohan
Buyer	Hare	Moore (KS)
Calvert	Harman	Moore (WI)
Camp (MI)	Hastings (FL)	Moran (KS)
Cantor	Hastings (WA)	Moran (VA)
Capito	Hayes	Murphy (CT)
Capps	Heller	Murphy, Patrick
Capuano	Herseth Sandlin	Murphy, Tim
Cardoza	Higgins	Murtha
Carnahan	Hill	Musgrave
Carney	Hinchey	Myrick
Carson	Hinojosa	Nadler
Carter	Hirono	Napolitano
Castle	Hobson	Neal (MA)
Castor	Hodes	Neugebauer
Chabot	Hoekstra	Nunes
Chandler	Holden	Oberstar
Clarke	Holt	Obey
Clay	Honda	Olver
Cleaver	Hooley	Ortiz
Clyburn	Hoyer	Pascrell
Coble	Hunter	Pastor
Cohen	Inglis (SC)	Payne
Cole (OK)	Inslee	Pearce
Conaway	Israel	Perlmutter
Conyers	Issa	Peterson (MN)
Cooper	Jackson (IL)	Petri
Costa	Jackson-Lee (TX)	Pickering
Costello	Jefferson	Pitts
Courtney	Johnson (GA)	Platts
Cramer	Johnson (IL)	Pomeroy
Crenshaw	Johnson, E. B.	Porter
Crowley	Jones (NC)	Price (NC)
Cuellar	Jones (OH)	Pryce (OH)
Culberson	Kagen	Putnam
Cummings	Kanjorski	Radanovich
Davis (AL)	Kaptur	Rahall
Davis (CA)	Keller	Ramstad
Davis (IL)	Kennedy	Rangel
Davis (KY)	Kildee	Regula
Davis, David	Kilpatrick	Rehberg
Davis, Lincoln	Kind	Reichert
Davis, Tom	King (NY)	Renzi
DeFazio	Kirk	Reyes
DeGette	Klein (FL)	Reynolds
Delahunt	Kline (MN)	Richardson
DeLauro	Knollenberg	Rodriguez
Dent	Kucinich	Rogers (AL)
Diaz-Balart, L.	Kuhl (NY)	Rogers (KY)
Diaz-Balart, M.	LaHood	Rogers (MI)
Dicks	Lampson	Rohrabacher
Dingell	Langevin	Ros-Lehtinen
Doggett	Larsen (WA)	Roskam
Donnelly	Larson (CT)	Ross
Doolittle	Latham	Rothman
Doyle	LaTourette	Roybal-Allard
Drake	Latta	Royce
Dreier	Lee	Ruppersberger
Edwards	Levin	Ryan (OH)
Ehlers	Lewis (CA)	Ryan (WI)
Ellison	Lewis (GA)	Salazar
Ellsworth		Sali
		Sánchez, Linda T.
		Sanchez, Loretta
		Sarbanes
		Saxton
		Schakowsky
		Schiff
		Schmidt
		Schwartz
		Scott (GA)
		Scott (VA)
		Sensenbrenner
		Serrano
		Sessions
		Sestak
		Shays
		Shea-Porter
		Sherman
		Shimkus
		Shuler
		Shuster
		Simpson
		Sires
		Skelton
		Slaughter
		Smith (NE)
		Smith (NJ)
		Smith (TX)
		Smith (WA)
		Snyder
		Solis
		Souder
		Space
		Speier
		Stark
		Stearns
		Stupak
		Sullivan
		Sutton
		Tanner
		Tauscher
		Taylor
		Terry
		Thompson (CA)
		Thompson (MS)
		Thornberry
		Tiahrt
		Tiberi
		Tierney
		Towns
		Tsongas
		Turner
		Udall (CO)
		Udall (NM)
		Upton
		Van Hollen
		Velázquez
		Visclosky
		Walberg
		Walden (OR)
		Walsh (NY)
		Walz (MN)
		Wamp
		Wasserman Schultz
		Waters
		Watson
		Watt
		Waxman
		Weiner
		Welch (VT)
		Weldon (FL)
		Weller
		Wexler
		Whitfield (KY)
		Wilson (OH)
		Wilson (SC)
		Wittman (VA)
		Wolf
		Woolsey
		Wu
		Yarmuth
		Young (FL)

NAYS—27

Akin	Foxx	Lamborn
Barrett (SC)	Franks (AZ)	McHenry
Brady (TX)	Gingrey	Miller (FL)
Campbell (CA)	Hensarling	Paul
Cannon	Herger	Pence
Cubin	Johnson, Sam	Poe
Deal (GA)	Jordan	Price (GA)
Duncan	King (IA)	Tancredo
Flake	Kingston	Westmoreland

NOT VOTING—21

Berkley	Mack	Rush
Bishop (GA)	Mahoney (FL)	Shadegg
Broun (GA)	Marchant	Spratt
Brown, Corrine	Markey	Wilson (NM)
Brown-Waite, Ginny	Marshall	Wynn
Butterfield	McHugh	Young (AK)
Hulshof	Pallone	
	Peterson (PA)	

□ 1409

Mr. AKIN changed his vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MCHUGH. Madam Speaker, I was unavoidably detained and missed rollcall No. 204. At this time, I wish to note that had I been present, I would have voted ''yea.''

Stated for:

Mr. BROUN of Georgia. Madam Speaker, on rollcall No. 204, I was unavoidably detained. Had I been present, I would have voted ''nay.''

PERSONAL EXPLANATION

Mr. MAHONEY of Florida. Madam Speaker, on April 17, 2008, I missed votes.

Listed below are the votes I missed and how I would have voted had I been present.

Miller of California Amendment to H.R. 5715, rollcall No. 203, I would have voted ''aye.''

Final Passage of H.R. 5715, rollcall No. 204, the Ensuring Continued Access to Student Loans Act of 2008, I would have voted ''yea.''

Mr. GEORGE MILLER of California. Madam Speaker, I ask unanimous consent that, in the engrossment of the bill H.R. 5715, the Clerk be authorized to correct the table of contents, section numbers, punctuation, citations, and cross references and to make such other technical and conforming

changes as may be appropriate to reflect the actions of the House.

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

Mr. ROHRABACHER. Reserving my right to object, I am just not fully aware of this. I understand that a very important vote that was taken yesterday has been negated and that there is some objection to correcting the situation, which was a clerical error, apparently, by unanimous consent on our side.

I am just wondering where that stands in comparison to the unanimous consent objections that were being expected of us today.

Mr. GEORGE MILLER of California. Madam Speaker, I withdraw my unanimous consent request.

The SPEAKER pro tempore. The request is withdrawn.

MESSAGE FROM THE SENATE

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

H.R. 5813. An act to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond April 18, 2008.

ON THE PASSING OF LOU COSTANTINO

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

Mr. HOYER. Madam Speaker, ladies and gentlemen of the House, we have some extraordinary people who work for us. At times this is a very stressful job. They remain even-tempered. They remain gentle and kind and good humored. We have lost one of those just recently. Maybe you did not know his name, but you saw him, usually through the center door, or sometimes other doors. His name was Lou Costantino.

As a member of the House security team for over 28 years, Lou Costantino has been a fixture at the House Chamber's front door and was beloved by Members and staff who were greeted by him every day. I never failed to come through that door that he did not have a kind and gentle world.

He was a ''purveyor of pork,'' if you will. He loved sausage, and he allowed some of us to share in that sausage.

I am very sad to report to all of you that Lou died of a heart attack last Saturday. He was young, 71 years of age. Many of you will remember Lou for the homemade sausage he made for his friends and colleagues every day.

We will miss Lou. He made this institution a better place.

MOMENT OF SILENCE

I would ask you therefore to join me in a moment of silence in remembrance of a part of this institution who will be sorely missed, Lou Costantino.

LEGISLATIVE PROGRAM

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

Mr. BLUNT. Madam Speaker, before I yield to my friend from Maryland, I would like to join him in his comments regarding Lou Costantino, who served us well and ably for a long time.

Lou Costantino was always proud of his job, he was proud of his family and proud of our country. To his wife, Doris; his daughter, Edie; and to his son, Louis, Jr., who we got relatively regular reports on, I am sure that the sympathy of the House goes out to them.

Madam Speaker, I yield to my friend from Maryland, the majority leader, for information about next week's schedule.

Mr. HOYER. I thank the gentleman for yielding, and I thank him for his words about Lou Costantino. All of us will miss Lou. He was a wonderful, good, human being who loved this institution and showed great affection to all of our Members.

On Monday, the House is not in session. On Tuesday, the House will meet at 12:30 p.m. for morning hour and 2 p.m. for legislative business. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business. On Friday, no votes are expected in the House.

We will consider several bills under suspension of the rules, including an important bill from the Oversight and Government Reform Committee, H.R. 5712, Close the Contractor Fraud Loophole Act. A final list of suspension bills will be announced by the close of business tomorrow.

In addition, Mr. Whip, we will consider H.R. 5819, a bill to improve the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and H.R. 2830, the Coast Guard authorization bill.

Mr. BLUNT. I thank the gentleman for that.

I have a couple of inquiries about other legislation. The 1974 Budget Act set a budget deadline of April 15. I am well aware that the Congress has seldom met that deadline, I think maybe four times. The latest three were in 1999, 2001 and 2003. But with that deadline in mind, I wonder if the gentleman has any sense when a budget might be on the floor.

I would yield.

□ 1415

Mr. HOYER. I thank the gentleman for yielding.

My hope is sooner rather than later. However, as the gentleman knows, we are having, as is so often the case, difficulty reaching agreement with the Senate, mainly because the chairman of the Senate Budget Committee has a very close vote structure there, as you know, and so he is trying to figure out the votes in the Senate on a budget.

As is too often the case, one of the issues is whether we pay for things that we are doing. The House feels strongly about that issue, and I think the chairman of the Budget Committee in the Senate feels strongly about that issue, but he is not sure that he can get the votes. That is the discussion. There is some discrepancy, not much, between the figures, and we are hopeful that we can get a budget conference committee done. As soon as a conference committee is done, we will report it to the floor. If that is next week, it will be on the floor next week.

I am in regular communication with Mr. SPRATT, the chairman of the Budget Committee, and he is working at it.

Mr. BLUNT. I thank the gentleman for that information. Of course it is a challenge, but it is a challenge that we need to meet in some way usually before we can move with the appropriations process. But on appropriations on the supplemental, there were conflicting reports this week that there might be a supplemental for Afghanistan and another supplemental for Iraq, and then there were reports that no, the committee would report out one supplemental bill. I am wondering if the gentleman knows whether there will be one or two bills, and are we still anticipating a markup of that bill next week and then floor action following next week?

I yield.

Mr. HOYER. I thank the gentleman for yielding.

I still anticipate that. With reference to the gentleman's question regarding the number of bills, based upon the comments of Mr. MURTHA, I have not talked to him personally but that have been reported, it is my understanding that he is thinking of one bill, not both an Afghanistan and an Iraq.

The problem is while there is, I think, pretty universal support for the effort in Afghanistan as being critical to our fight on terrorism, there is more disagreement on the Iraq component and what we ought to be doing there. But the way the budget is structured, it would be very difficult to consider them discretely, Afghanistan and Iraq. So it is my understanding that Mr. MURTHA has recommended and intends to pursue it as one bill.

Mr. BLUNT. I thank the gentleman for that. That bill needs to be out of the way, along with the budget, before we can get on with the other appropriating process. And thinking about that appropriations calendar, I know that the majority leader was quoted last week as saying that it is likely we won't have a lame duck session, a post-election session this year. I wonder if you can comment on that a little more. I know privately we have discussed this, but I saw you in print suggesting that we might not be back after the election. I am wondering what your thoughts are on that.

Mr. HOYER. Those are my thoughts; my thoughts and my hope. I think that lame duck sessions, in my experience, have not been particularly productive, particularly when you are going to have a change of administration. Whether it is Senator MCCAIN, Senator CLINTON or Senator OBAMA, we are going to have a change of administration. I expressed it as a hope, and we are going to work toward not having a lame duck session.

Let me go back and answer your question. I think we had a week delay on the supplemental, and I think the week of May 5 is the week we are looking at for the supplemental. As you know, I said the last week in April, the first week in May. That is the first full week in May, so I guess I am still accurate. We are on for that week hopefully on the supplemental, which will be timely in accomplishing the objective of getting dollars in time before the depletion of the funds that have already been appropriated.

With respect to the appropriations process, obviously I will be discussing with Mr. OBEY and with Mr. SPRATT, if we fail to pass a budget, we have to give the Appropriations Committee a figure to mark to. My thought would be that we will do as we have done in years past, deem that the House budget will be the numbers to which they will mark. But we have not made that decision at this point in time.

Mr. BLUNT. I thank the gentleman for that.

On the idea on a congressional year that will end before the election, I know last week we voted in an unusual way to put off the vote on the Colombia trade agreement, and I suppose that could mean to put it off indefinitely. Without a lame duck session, and that is one of the times when it was thought that we might get back to those trade bills. I'm not aware of any real discussion that has gone on this week on this Colombia agreement. I hope we are continuing to look for a way to get that important bill done.

I yield to my friend.

Mr. HOYER. I thank the gentleman for yielding.

The Speaker has focused on, as I think she has been quoted in the press as saying, we are still looking at TAA and discussing that with the administration. TAA, trade adjustment assistance, we think that is very important. There have been some positive discussions and indications from the administration. In addition, I know the Speaker has been discussing additional items with the leadership in the House and with Mr. REID, and I think as well with the White House. So I think discussions are ongoing. The Speaker has made it very clear that the action taken from her perception, certainly from my perception, was not the death knell of Colombia. I know that some have interpreted it that way, but I don't think that the Speaker or I interpreted it that way.

Mr. BLUNT. I hope we are continuing that.

Also, we are now entering the third month since the expiration of the Protect America Act. I know you and I were in a meeting a week or 10 days ago on this, and I still don't see any scheduled discussion of legislation on the floor that brings us back to that whole issue of foreign intelligence surveillance, and I hope we are moving toward a conclusion of that important issue.

I would yield.

Mr. HOYER. As you know because we have had an opportunity to discuss it, I have essentially been coordinating this issue on our side with Mr. REYES and Mr. CONYERS, and also working with Mr. ROCKEFELLER. And you and I had a meeting with Senator BOND, the ranking member on the Republican side.

I am hopeful that we can have a proposition passed through the House and hopefully by the Senate by the Memorial Day break. That is my time frame. I am working toward that. I have meetings tomorrow with respect to the Foreign Intelligence Surveillance Act. I am going to have meetings this afternoon, and I had meetings yesterday. I am giving it a lot of attention, with others as well. As you know, we met briefly. I would reiterate to you that when I have some better fix on where I think the Senate is willing to go or where we are willing to go and where we can reach agreement, I want to discuss it with you because I am hopeful that we can work together to try to make that happen.

Mr. BLUNT. I thank the gentleman. I think every day matters in this regard, and certainly going home for another work period at home without a conclusion here would be the wrong thing for us to do. I hope we can meet your goal and hopefully meet it earlier than the last day or two that we are here before the Memorial Day break.

Mr. HOYER. If the gentleman would yield, I share that hope. Again, I share the conviction, which I have expressed on numerous occasions, that the law that currently exists to my understanding, and when I say currently exists, and the authorizations that were given under the Protect America Act, are in place and in fact are continuing to provide opportunities to intercept those communications that the administration and the intelligence community feel are necessary to focus on. Having said that, we are trying, I'm trying to move ahead as quickly as we can come to agreement.

Mr. BLUNT. I want to say in response that I am not quite as confident, and maybe you're not confident either, that law doesn't meet all of the circumstances that occur. And even if it does, that law reaches an anniversary of those particular orders August 1. Again, coming back after Memorial Day, we are suddenly under a situation where even those things that we currently believe are covered, we will begin to have a problem in them expiring. And certainly the things that are not covered, there is no easy way in my view, which may be different than yours, there is no easy way to begin to listen to a new set of conversations that we just determined need to be listened to. That is what that whole debate is about. We don't need to have that debate here. But I have pledged to do everything that I can to bring this to a conclusion.

Mr. HOYER. If the gentleman would yield, I want to thank the gentleman because I believe he is absolutely sincere in that effort. He and I have had an opportunity to have discussions. We are going to continue those over the coming days, and hopefully we can get this done sooner rather than later. The chairman of the Judiciary Committee and the chairman of the Intelligence Committee have both expressed that objective.

Mr. BLUNT. I thank the gentleman.

HOUR OF MEETING ON TOMORROW

Mr. HOYER. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

HOUSING CRISIS

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

Mr. HALL of New York. Madam Speaker, we are in a housing crisis in the United States, yet the Bush administration seems determined to ignore it.

Losing your home has a deep economic and emotional impact that can last for years. When the mortgage crisis broadens as wide as it has, entire communities, not just individuals, face dire consequences for the future.

In the Hudson Valley of New York, we have been especially hard hit. Over the last 3 months, foreclosures in Westchester County were up almost 40 percent from last year, and they've more than tripled since 2005. Putnam County, also in my district, has the single highest foreclosure rate of any county in New York State.

This crisis demands bold action. This Congress has already expanded the Federal loan limits to make Federal protections available to more home buyers, now we need to extend these Federal guarantees to more homeowners in need. This Congress will not only protect institutions like Bear Stearns, but will also protect American families who remain at great risk.

□ 1430

WELCOMING POPE BENEDICT XVI

(Mr. GINGREY asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. GINGREY. Madam Speaker, I rise today to welcome Pope Benedict XVI to our Nation's Capital as part of his official papal visit to the United States. During this 6-day trip to Washington, D.C. and New York City, the Holy Father, who serves as a wondrous example of faith and leadership, will help Catholics and all Christians renew their faith by delivering mass to tens of thousands of people.

I was honored to have the opportunity to attend mass with the Holy Father at the new Nationals Stadium here in D.C. this morning. And, Madam Speaker, it was truly a blessed event.

Despite his relatively short tenure, Pope Benedict XVI has emerged as a vocal and effective leader for Catholics throughout the world. Over the past 3 years, His Holiness has stressed the need for a return to fundamental Christian values in response to what many see as the world's sloping trend toward secularism.

As Pope, he has focused on the importance and sanctity of human life, especially the life of the unborn, an issue that's very important to me, both as a member of the Catholic Church and as a Member of Congress. But every American, regardless of party affiliation or religious belief can find hope in his message of freedom and justice for all people.

Madam Speaker, as a member of St. Joseph's Catholic Church in Marietta, Georgia, I humbly welcome Pope Benedict XVI to the United States as he continues to spread his message of faith, love and service in Christ.

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.

THE BUSH ADMINISTRATION'S MIDDLE EAST POLICIES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, I rise to bring to the House's attention a potentially, very dangerous new turn in the administration's policies in the Middle East. In recent weeks the administration has been stirring up the pot on Iran again, and that has caused many Americans to worry that the administration is getting ready to launch another attack in the region, this time in Tehran.

In fact, there's more than enough evidence to show that the administration may be laying the groundwork for military action. In an interview last month, the President said that the Iranians, and I quote him, he said, ''the Iranians have declared they want to have a nuclear weapon to destroy people.''

That would be troubling, Madam Speaker, if it were true. But the Iranians haven't said anything of the kind. It is shocking to me that our Commander-in-Chief would make unsubstantiated and misleading statements about a subject as important and as serious as nuclear weapons.

Another troubling sign came last month when Admiral William Fallon retired. Admiral Fallon was a bulwark against the Iran hawks in the administration, and his departure raised fears that he was, first, forced to retire, and that next, the rush to war was on.

And several weeks ago, Vice President CHENEY said that he has ''high confidence'' that the Iranians have an ongoing nuclear enrichment program. Of course, the most recent national intelligence estimate reported that the Iranians stopped working on a suspected nuclear weapons program 4 years ago.

And finally, General Petraeus told Congress last week that Iranian-backed special groups now pose the greatest long-term threat in Iraq.

For years, the administration told us that the main enemy was al Qaeda or Sunni insurgents, or Shiite militia. Now they tell us, forget them; it's Iran. In my mind, this raises legitimate concerns that the administration may be inventing new excuses to stay in Iraq by trying to convince the American people to support war against Iran.

Madam Speaker, I too am concerned about Iran. The Iranians should stay out of Iraq. They should not develop nuclear weapons. No country should develop nuclear weapons. But if we want Iran to behave well, we must stop threatening to attack them. Instead, our first line of defense must be engagement and aggressive diplomacy.

The absolutely essential first step in that process must be the redeployment of our troops out of Iraq. How can we expect Iraq's neighbors to cooperate in stabilizing the region while we insist on an open-ended foreign occupation with 140,000 troops and tens of thousands of military contractors?

Ending the occupation will allow us to launch a broad initiative to bring the nations in the region to the table, to address the relevant, the political, the economic and the security issues.

And Madam Speaker, when it comes to Iran's nuclear challenge, we must retake the high moral ground in the United States of America. When we turn our backs on nuclear nonproliferation, abandon the comprehensive test ban treaty and develop new nuclear weapons of our own, under what circumstances can we tell another nation to abandon their nuclear dreams?

The American people do not want a wider conflict in the Middle East. They want our leaders to spend every waking moment working to bring peace to the region. This is not the time for heated rhetoric, for bullying and new threats. It is time to try the one thing we haven't tried, diplomacy.

SERGEANT SHAUN PAUL TOUSHA: HULL, TEXAS HERO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Madam Speaker, today the small town of Hull Texas, population 1,800, is mourning the loss of a native son who grew up to be a mighty warrior for the United States Army. He gave up everything he had to protect everyone else's freedom.

Army Sergeant Shaun Paul Tousha was killed in Baghdad, Iraq on April 9, 2008 when an improvised explosive device detonated near his vehicle.

Madam Speaker, the IED is the way our cowardly enemy fights this war. And in my Congressional district area, Shaun Paul is the 26th area resident that has been killed in Iraq or Afghanistan during these wars.

He was a man from small town Texas who had a playful heart, and he made a big impression on everybody that knew him growing up. He died as a war hero at the age of 30, and he will forever be recognized as how he lived, that being a loving husband, a caring father and a great friend to all those people in rural America.

Shaun Paul Tousha was born February 11, 1978 in Silsbee, Texas. He grew up in the town of Hull, Texas, and he was the son of the late Tommy Gene and Roberta Tousha. He was a husband to Christy Tousha, and loving father of the two children, Colton and Maycee.

As a teenager, Shaun played football, like most Texas rural boys do. He played at Hull-Daisetta High School. And he also liked to ride horses. And being a cowboy, he enjoyed bull riding.

His stepmother, Doris Tousha, was very proud of Shaun. She described him as outgoing and an individual who had a lot of friends. He was always cutting up, acting silly, and made friends easily. He liked to joke around, and his personality drew people toward him. She said that he may have been a handful growing up, but she was proud of the way he turned out.

And after graduating from Hull-Daisetta High School in May of 1996, Shaun got a job at a wire company in Dayton, Texas. He worked there for several years before he heard his Nation's call and joined the United States Army at the age of 22 in February of 2000.

His father, Tommy Gene Tousha, was extremely proud of his son's decision to serve in the Army, and even went with him to the local recruiting station when he joined up.

Madam Speaker, General Patton once said ''we should live for something, rather than to die for nothing.'' Shaun sought to live his life in duty to this country.

Shaun attended basic training in Ft. Benning, Georgia and later was stationed at Ft. Hood, Texas. He was assigned as a Generator Equipment Repairman in the 1st Battalion, 66th Armored Regiment, 4th Infantry Division, in Ft. Hood, Texas.

General Patton reminded us that ''wars may be fought with weapons but they are won by men.'' Shaun was a skillful soldier, and he and his comrades in arms are the ones with the boots on the ground that are winning this war. Shaun realized this, and during his first tour of duty in Iraq he decided to re-enlist in the United States Army and make the military his career. He served three tours of duty in Iraq.

When Shaun's father died in 2002, he helped his stepmother, Doris, through many difficult times. He took care of his family back home in America.

Doris said that she was impressed at Shaun's emotional strength during that painful ordeal of the family father's death. Doris said that she was proud that the Army really helped him become a mature individual.

George Washington once said that ''discipline is the soul of the Army.'' And with Shaun's character, background and career in the Army, Shaun was able to overcome even the most trying circumstances because of that discipline.

One of Shaun's best friends, Johnny Fregia, described him as a ''good ol' boy that died for his country.'' They became friends when they worked together in Dayton, Texas. Shaun was Johnny's helper, and he kept work interesting for Johnny with his humor, ever-present smile and his constant good mood. They enjoyed even shooting pool after work, and Johnny said that Shaun was pretty good at it.

Johnny described the high caliber of character and love for their country that his friend Shaun had and the rest of our military men and women possess.

Johnny went ahead and said, ''freedom ain't free. And sometimes we take it for granted. There's a price to pay, and those guys like Shaun are willing to pay for it. They are willing to lose everything they've got to keep this country free.''

Madam Speaker, this is a recent photograph of Shaun Paul Tousha right before he died. Shaun Tousha paid the ultimate price with his life, the price for freedom in our country.

Aristotle once wrote that ''we make war so that we may live in peace.'' Shaun served in order that we may have freedom and have real peace in this country.

Americans, even in this chamber, cry peace, peace. But Madam Speaker, there can be no peace as long as there are people who are trying to kill Americans somewhere in the world. And Shaun Paul tried to protect us from that threat.

He had a heart as big as Texas, and we are proud of Sergeant Shaun Tousha. The light of his life has been extinguished, buy Shaun's joyful spirit will burn bright forever in the hearts and minds of his friends, his fellow soldiers, and the Texans that loved him.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1445

HONORING THE LIFE OF LOU COSTANTINO

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. I thank you, Madam Speaker, and I thank you for your leadership.

As I begin my special order this afternoon, I want to pay tribute to two great Americans. One is a friend to us all. We know him well as Lou Costantino. We thank him so very much, and we really know him as Lou. We thank him for his friendship. We thank him for his warmth. We thank him for taking care of this place, this House.

Lou, you see, was one of the distinguished men and women who stand outside of the house chamber, works with the Sergeant of Arms, is in conjunction with the Clerk's Office. But really, Lou is part of our family.

He attended and was concerned about all of our guests that would come. He was concerned about the Members. He was equally concerned and passionate about America.

I consider him a great patriot, a great American. He loved this work because he was serving America.

Lou lost his battle just this past weekend, but we are reminded that Lou was with us last week. How truly valiant Lou is in life and in death, and I stand here today to offer my deepest sympathy to his wife, Doris; his daughter, Edie; his son, Lewis, Jr.; and to all of his family members. May he rest in peace and may God bless him.

I also take note to acknowledge the happy celebration of the birthday of Maya Angelou, poet laureate, teacher, mentor, resident of Winston-Salem, North Carolina, the author of the 1993 inaugural poem that suggested that those of us who live in the great land must come from underneath the rocks and shout out and be seen for justice. She also wrote the language or the words to a book, ''I Know Why the Caged Bird Sings,'' to talk about what it's like to be isolated, to be contained, to be inhibited as a child growing up in the deep south.

Maya Angelou can be considered a great American, certainly a great poet, certainly a great mentor of men and women, college students, as she taught me at Yale University. I am honored today to be able to say ''thank you'' to Maya Angelou.

I now move, Madam Speaker, to something that has been continuing in this Nation, and very quickly I call upon the Secretary of State and the United States of America to reengage more actively in the negotiations between the Israelis and the Palestinians. I now believe fully that the only way that we will have success in recognizing and achieving peace in the Middle East is not through preemptive attacks, but through concern, negotiation, and firmness.

We must tell the negotiators what America wants to see and provide them the support. We must insist that we will continue to be a friend of Israel, we will never step away from her, and we stand by Israel's right to exist as a freedom-loving democratic people.

Let's say to the Palestinians if they are to move their people beyond the refugee camps, then they, too, must fight for democracy and two distinct separate states. The two-state theory must be put in action, but we can no longer stand by as an objective bystander. We must be engaged, we must roll up our sleeves, we must recognize that we are very much a part of the peace process in the Middle East.

I remember very well when the President came in and he said, That's their business. My good friends on the other side of the aisle got up and joined him, That's their business. It's our business.

And before the lights go out on this administration, it would do well for us in the name of Prime Minister Sharon, who began this process, to get engaged and to make sure that we can have peace in the Middle East, to have an ally in Israel, safe and secure, and to say to the Palestinian people that you can have good health, you can have housing, you can have education.

I think, Madam Speaker, that this is a challenge that the Secretary of State should accept; this is a challenge for the President to accept. America can do no less.

I did not say ''battle.'' I said ''engage,'' and be able to be part of the negotiation for peace. There is nothing wrong for being considered a peace-loving Nation that promotes peace.

May God bless this Nation and bless our soldiers, wherever they may be, as they stand on the front lines around the world asking us to promote our ideals and our values, and that is peacemakers.

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 California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

WHERE IS THE LEADERSHIP?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. PRICE) is recognized for 5 minutes.

Mr. PRICE of Georgia. Madam Speaker, I note as I come to the well here that it's now 2:49 p.m. on a Thursday afternoon, a time when across this Nation the folks who worked the day shift are getting ready to complete their work; the folks who are working the afternoon or evening shift are getting ready to head off to work or on their way to work; and the folks who work the midnight shift across the Nation are probably just rubbing their eyes as they wake up and begin their day or bedding down as they begin their rest before they get back at it again this evening.

Where is the House of Representatives? Well, Madam Speaker, you look around the House of Representatives and they've gone home. They've all gone home. Now, why is that important? Well it's important, Madam Speaker, because I think it demonstrates another day demonstrating the crisis of leadership that we have in this House of Representatives.

Madam Speaker, I come to the well today at this time to document that we are now 62 days into a unilateral disarmament of the United States of America as it relates to folks who want to do us harm all across this world, 62 days in which we have not had in place the Protect America Act, 62 days in which we have not had in place the appropriate rules and protections for communication companies to allow our United States Government to listen and intercept electronic communication between a foreign individual in a foreign land who wishes to do America harm and another foreign individual in a foreign land who wishes to do us harm.

Did you get that, Madam Speaker? Non-U.S. citizen, not on U.S. soil, talking or communicating through electronic communication to another non-U.S. citizen, not on U.S. soil, about how to injure Americans either on the battlefield or here in our homeland.

It's called the Foreign Intelligence Surveillance Act. The bill was the Protect America Act. Sixty-two days ago, the leadership in this House of Representatives allowed that to expire. And why? For some reason, they believed that lawyers ought to be able to represent that foreign individual in a foreign land who want to do us harm with the same protections that you and I enjoy as American citizens.

Madam Speaker, when I go home to the Sixth District of Georgia and I tell people about this, they shake their head and say, what on earth is going on? Where is the leadership? And I agree. Where is the leadership?

Madam Speaker, there is a crisis of leadership in this House of Representatives, whether it is on the Foreign Intelligence Surveillance Act, or the Protect America Act, to allow our intelligence community the tools that they need to keep us protected. Whether it's on not doing anything positive about the price of gasoline all across this Nation, the only thing this House has done, this leadership has done is to increase the cost of domestic production of oil by increasing taxes. And who pays those ultimately? You got it, Madam Speaker. Americans.

Whether it is allowing the free and fair trade agreement with Colombia to not come to the floor, to change the rules so that it can't come to the floor so that we kick in the teeth the only real friend that we have in South America, one of the few friends we have in South America, a democratically elected government; or whether it is, again, not allowing our intelligence community to listen to a terrorist on foreign soil, talking to another terrorist on foreign soil so that we know what the bad guys are going to do before they do it.

Madam Speaker, that's a crisis of leadership.

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 addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REMARKING ON THE POPE'S VISIT AND ILLEGAL IMMIGRATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. TANCREDO) is recognized for 5 minutes.

Mr. TANCREDO. Madam Speaker, I rise today to also welcome Pope Benedict XVI to the United States and to Washington, D.C., and congratulate him for delivering an important message on the role that faith plays in the lives of every believer.

Over the years, the Vatican has been a strong voice for religious freedom, for human rights, and was an invaluable partner in defeating Communism during the Cold War. The Catholic Church has long been a source of charity and benevolence helping some of the world's most vulnerable people in some of the world's most dangerous places.

However, as President Bush welcomes Benedict XVI to Washington this week, Americans might be surprised to know that the Pope isn't here just to minister to his flock. He's here to lobby for amnesty for illegal aliens. According to news reports, the Pope met with President Bush yesterday to add his voice to the open border lobby by encouraging the President to give the 20 to 30 million illegal aliens in this country a free pass to stay here.

Now, I'm not taking issue with the Pope's moral authority. I respect his views on the threats of Islam, the sanctity of human life. But I don't think it's in his job description to engage in American political activities.

Worse yet, the Pope chided America, insinuating that immigrants are subject to ''violence'' and prevented from leading ''dignified lives.'' Madam Speaker, I would like to know what part of our American lax immigration policy is ''violent.'' I fail to see how accepting more refugees than any other Nation while providing free health care, free education, free housing and free social service benefits to millions of illegal aliens in this country is in any way degrading to them or undignified.

I would like to remind the Pope that America has long been dedicated to the principle of the rule of law, and there is absolutely nothing inhumane about American immigration statutes or the robust but civilized enforcement of it.

But perhaps the Pontiff has made these comments with a motive more broad than simply spreading the gospel. It's no secret that the Catholic Church has been having difficulty maintaining its membership levels and a growing number of religions are competing for parishioners.

Indeed, the Wall Street Journal recently reported that the ''Catholic Church has long been losing members and as much as a third of the native-born Catholic population is diminished. Meanwhile it has gained members among foreign-born (mostly Hispanic) residents.''

Madam Speaker, it's possible and unfortunate that the Pope's immigration comments may have had as much to do with spreading the gospel as it does recruiting new members to the Church.

I regret that the Pope used some of his time with the President to engage in faith-based marketing trying to attract new parishioners instead of preaching amnesty for illegal aliens to try and enlarge the size of the global Catholic congregation. I would urge the Pope to subscribe to the wisdom of one of his cardinals, Cardinal Biffi. A few years ago, the cardinal told The Times of London, ''Countries can choose to let in whoever they want. There is no such thing as a right of invasion.''

Madam Speaker, the United States already has a legal immigration system unparalleled in its generosity. In the meantime, we assist illegal aliens, and those affected by them, by reimbursing hospitals for costly illegal emergency room hospital visits, providing free public education to illegal alien children. I would challenge the Pope to name any other country on Earth that demonstrates this kind of compassion on such a large scale.

I hope, Madam Speaker, that the American people will welcome the Pope with open hearts and open arms but that they will reject his demand to replace our efforts to achieve genuine border security with a faith-based immigration system.

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.)C

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ADJOURNMENT FROM FRIDAY, APRIL 18, 2008, TO TUESDAY, APRIL 22, 2008

Ms. JACKSON-LEE of Texas. Madam Speaker, I ask unanimous consent that when the House adjourns tomorrow, it adjourn to meet at 12:30 p.m. on Tuesday, April 22, for morning-hour debate.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Ms. JACKSON-LEE of Texas. Madam Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5715, ENSURING CONTINUED ACCESS TO STUDENT LOANS ACT OF 2008

Ms. JACKSON-LEE of Texas. Madam Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 5715 to include corrections in spelling, punctuation, section numbering, and cross-referencing, and insertion of appropriate headings.

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

There was no objection.

□ 1500

THOMAS JEFFERSON

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. CULBERSON) is recognized for 60 minutes as the designee of the minority leader.

Mr. CULBERSON. Madam Speaker, this Sunday was the 265th birthday of Thomas Jefferson, one of our Nation's greatest Founding Fathers, and someone who we, I think, as a Nation do not pay enough attention to.

His birthday, unfortunately, went largely unnoticed. And I'm going to take this time on the floor today, Madam Speaker, to honor this great good man, recognize his genius and the application of his core principles as solutions to the core problems our Nation faces today, and in conclusion, to read his first Inaugural Address which was given in this Capitol on March 4, 1801 as a reminder of his genius and as a guideline to really lay out a path for the solutions that we really need as a Nation today.

The financial hole the United States finds itself in today is absolutely unprecedented. The Comptroller of the United States, David Walker, who just left office a few weeks ago, audited the books of the United States and concluded that we, as a Nation, are in a $54 trillion hole, that every living American would have to write a check for $175,000 in order to pay off the existing obligations of the Federal Government. That includes the $11 trillion national debt to pay off the obligations of Medicare, Social Security and Medicaid. All those existing obligations of all the Federal programs already on the books are so massive, with the retirement of the baby boomers, with the profligate Thelma-and-Louise spending of this Democrat Congress, existing financial obligations are so severe that we would, every one of us, have to write a check today for $175,000 just to pay off those existing obligations even if Congress didn't create a single new Federal program. It's an extraordinary number, one that is absolutely terrifying and that not enough Americans know about.

If we, as a Nation, would just adhere to the principles of Jeffersonian republicanism, if we would remember Mr. Jefferson's vision, his genius, his adherence to the core principles of republicanism, with a small ''r'' as he called them, we, as a Nation, can dig our way out of that financial hole, we as a Nation can return to the prosperity and freedom that the Nation has always enjoyed, the level of freedom that our founders enjoyed.

It's disturbing to me, as a Member of Congress, to see the ease with which programs like the funding for anyone in the world who has tuberculosis, AIDS or malaria, under a bill that this House passed last week, anyone in the world in a third world nation that has malaria, TB or AIDS is entitled, at U.S. taxpayer expense, to $1,200 a year worth of medication. Now, that bill passed at a time when we're in this $54 trillion hole, when we have an $11 trillion national debt, when every one of us owe $175,000 a piece. It's just unbelievable to me and utterly irresponsible, the continued expansion of the Federal Government, the continued creation of Federal programs like this by this Thelma-and-Louise Democrat Congress. To grow the Federal Government at a time of record debt and deficit is absolutely intolerable, and it just has to stop.

Mr. Jefferson's birthday is an appropriate time to remember the core principles that not only really created the Nation, but would serve us well, as a Congress, today to help dig out of that financial hole, to make sure that we live within our means.

Thomas Jefferson often said that if we, as a Nation, would only apply core Republican principles to any problem, the knot will always untie itself. He was absolutely right about that. Mr. Jefferson believed that we should trust the good hearts and the good judgment of individual Americans to make the right decision. Never entrust the solution to a problem to the Federal Government except as an absolute last resort. Washington, D.C. will usually foul it up. And Mr. Jefferson understood that. And it was not because there aren't good people here. The Nation's capital is full of wonderful, good people dedicated to representing their districts to the best of their ability and based on their core principles as they see them. We bring in, in District Seven, 25 young people, one junior from each of the high schools in my district, I have set up a program as a nonprofit 501(c)(3), the Bill Archer Student Intern Program, to bring one young person from each of the high schools in my district for a full week, all-expenses-paid trip to Washington, D.C. so they can see firsthand that the Nation's capital is full of people who have good hearts, they're doing the best they can to represent their districts from their perspective.

The young people in my district who participate in this program meet Members of Congress, they meet Members of the Senate, they meet administration officials, cabinet members, they meet judges on the Supreme Court, and they have an opportunity to see firsthand, Mr. Speaker, that the government is truly made up of good people doing the best they can. And it is just human nature that when decisions, as Mr. Jefferson said, are removed to Washington, D.C. where the people can't see them, can't not only see what's going on, but a real voice in what's going on, when those decisions are removed to Washington they become, by nature, less responsive, less effective in solving the problems of the American people.

This government has grown so far beyond what the founders intended that I'm not sure Mr. Jefferson would recognize the Federal Government today. And I know he would be as alarmed as I am, as my colleague, my good friend, Congressman ROSCOE BARTLETT, who will follow me, is with the continued growth of this government.

As fiscally conservative as I am, Mr. Speaker, I've found in the time that I've been here I've become even more fiscally conservative as I see the record growth of this government, as I read David Walker's report. And I encourage everyone out there to take the time,

Mr. Speaker, to go to gao.gov and look at the Fiscal Wake Up Tour and carefully look at what David Walker has audited and certified as the immense scope and size of the financial hole that the United States finds itself in; $54 trillion hole that gets $3 to $4 trillion deeper every year.

Comptroller Walker says that the United States has about 5 to 10 years to get our financial house in order. That's an extremely important piece of information. We have, according to the Comptroller, 10 years tops, probably 5 years, to get our financial House in order, to begin to get control over these entitlement programs, to begin to get on a path to a balanced budget.

We need a constitutional amendment, ultimately, Mr. Speaker, to get the budget of the United States balanced. We have it in Texas, it works beautifully. We also have a ''speed governor'' in Texas in our State constitution, it's something we need here at the Federal level, where the growth in government cannot exceed natural growth in the economy, that there is essentially a speed governor on spending that prevents the legislative body from spending more money than is brought in by natural growth in the economy, it works well in Texas, along with a balanced budget amendment to the United States Constitution, would do a lot to get us back on the path that Comptroller Walker points out that we must do within the next 5 to 10 years, or else.

Comptroller Walker has certified that by 2020, 12 years—young people listening here today, Mr. Speaker, if you're 18 years old, by the year 2020, when you're 30 years old, Medicare is bankrupt. Social Security is on the brink of bankruptcy.

Treasury bonds, the safest investment in the world, according to the Comptroller, according to Moody's and Standard and Poor's, who have already formally notified the Treasury that they're beginning the process of downgrading U.S. Treasury bonds, Treasury bonds by the year 2020 will be graded as junk bonds if we do not stop growing the government and stop spending money on anything but the bare essentials. In our personal lives, Mr. Speaker, if we have run up too much debt, if we have a second mortgage on the home, if our credit cards are tapped out, in our personal lives we would all know what to do, you would quit spending money on anything except the bare essentials to keep a roof over your family's head, to pay the bills, to put groceries on the table, other than that, you would just quit spending money. But the Federal Government has the ability not only to print money, but to issue more Treasury bonds. And the money that we spend here in Congress that is beyond our means is paid for by debt passed on to our kids. It's just intolerable.

The Chinese, the foreign investors buy our Treasury bonds today and support this profligate spending, but it is not supportable, it cannot be sustained, and we simply must stop spending money that our kids cannot afford to pay. It's inexcusable, it's intolerable.

And it's important, on the 265th birthday of Thomas Jefferson, to remember the core principles that Mr. Jefferson lived his life by, that he governed this Nation by as our third President, to remember the genius of this great, good man and try to apply those principles to these massive problems we have today; to, first of all, live within our means; to restrict not only the size and power and cost of the Federal Government, but to roll it back within the boundaries that the founders originally intended, the narrow scope of responsibility as laid out in the Constitution so beautifully by our founders.

The whole idea of the Federal Government was that it would only have those powers expressly delegated to it in the Constitution, that, as the 10th Amendment says so well, that all power not specifically delegated to the Federal Government by the Constitution would be reserved to the States and the people.

I came out of the State legislature in Texas. And the idea behind the State constitutions, I think my friend, Congressman BARTLETT, served in the Maryland State legislature, the State constitutions give the State legislatures all power that State constitutions set aside for the legislatures. It's a broad grant of authority.

The Federal Government is delegated responsibility in a very narrow way by the Federal Constitution. And over the years, with the terrible War Between the States, the assassination of Abraham Lincoln, the Reconstruction Congress, The New Deal, the growth of the Federal Government with the rapid expansion of power under The New Deal, Congress passing laws in areas where they really don't have any business, as a result, the Federal Government has grown so far beyond anything that the founders envisioned that we today face, as David Walker has told us, a $54 trillion liability that equals $175,000 for every living American.

This obligation, Mr. Speaker, is so massive that if we were to confiscate all the private property of the United States and sell it off at auction, David Walker estimates that would only pay for about 90 percent of this $54 trillion obligation.

It's a terrifying number. And the number that we often see for the national debt of about $11 trillion working out to about $45,000 a person, that's not the real number, folks. The real number is you, Mr. Speaker, I, every living American has to write a check for $175,000 today to pay off that $54 trillion liability that we are now descending on a path like Argentina, the dollar becoming like the peso.

We, as a Nation, our Treasury bills, the safest investment in the history of the world, becoming junk bonds. It's intolerable, it's inexcusable. And it's a result of profligate spending by this Congress over far too many years. It's why I, as the congressman from District Seven, voted against the farm bill. No Child Left Behind is a violation of the 10th Amendment, spending money we didn't have. I voted against this AIDS in Africa program. I voted against the Medicare Prescription Drug bill. I voted against, frankly, every single one of the major spending initiatives that have been proposed since I got here in 2001 in recognition that I just simply will do everything in my power not to pass on this massive debt and deficit to my daughter and to her kids. It is just inexcusable and unacceptable.

I rise today, Mr. Speaker, to honor Mr. Jefferson and to read into the RECORD his magnificent first Inaugural Address, his great advice for the Nation today, for this Congress, for the Nation, for the executive branch, for all of us to just take a moment and contemplate carefully the genius of Thomas Jefferson, the wisdom of his core philosophy of republicanism, with a small ''r,'' that was focused on the preservation of individual liberty and trusting individual Americans to control that which they could see with their own eye, as he often liked to say, shifting power away from Washington and back in the hands of locally elected officials and individual Americans.

Mr. Jefferson also spent much of his time fighting the expansion of power of the judiciary.

□ 1515

John Marshall, the Chief Justice of the Supreme Court at that time when he was President, and Mr. Jefferson locked horns repeatedly. And one of my favorite Jefferson quotes when it came to the judiciary was Mr. Jefferson often said that ''The judiciary advances on noiseless steps like gravity, never yielding what they have gained.''

And that is so true, Mr. Speaker. Not only has the Congress, passing laws we have no business passing that belong within the jurisdiction and control of State and local governments, not only has the Congress expanded the size, power, and cost to the Federal Government, but an aggressive judiciary has repeatedly expanded the scope of its power and responsibility.

Also, after the election of 1800 when the Republicans and he, as the leader of the Republican Party, took over the executive branch and won a majority in the United States House and in the United States Senate, Mr. Jefferson said that the Federalists, those who wanted to concentrate all power in Washington, had ''retreated to the bunkers of the judiciary and turned their guns on the people of the United States.''

And in so many ways, those judges that Mr. Jefferson was so concerned about have over time gradually expanded the scope of their power where in, for example, the State of Missouri,

Mr. Speaker, a Federal judge in Missouri actually ordered a tax increase to pay for public education. Unbelievable, that a judge would take it upon himself to tax the people of Missouri to pay for public education. He ordered the State of Missouri to issue $100 million in bonds, raised property taxes, raised taxes on the people of Missouri to pay for improvements that that Federal judge believed in his ivory tower, in his wisdom as Zeus up on Mount Olympus, that the people of the city of St. Louis needed to improve their schools. And this judge had the idea that here's how we're going to do it and you're going to pay taxes to pay for it.

Time after time after time, when power is concentrated where the people can't see it, where they can't touch it, where it's in the hands of people that are unelected, unaccountable, and invisible to the public, bad decisions are made, Mr. Speaker. The Constitution suffers, this Nation suffers, and I think as a result of drifting too far from the core principles of Jeffersonian Republicanism, the Nation finds itself where it is today, in a $54 trillion hole where we are on a glide path to become like Argentina, where our treasury bills are junk, where our dollar is not valued, and we essentially could be within a decade on the brink of national bankruptcy. It's unacceptable. We can stop it just like a hurricane can be dealt with, Mr. Speaker. If we see the hurricane coming and know about it, we can deal with it.

It's important to remember that the people of Britain won the Battle of Britain because Winston Churchill was honest with them and told them how dangerous the Nazis were, how severe the threat was to their freedom, that the British people could indeed lose their island and fall under Hitler's control. But the people of Britain had to be told the truth. And Winston Churchill told them the truth. And I think we, as elected officials, owe our constituents the truth about the size and scope of the $54 trillion liability that has been created over the last 60 years of Democrat and Republican Congresses. Passing that liability on to our children and grandchildren is outrageous, it's unacceptable, it's immoral, it's fundamentally wrong. And I hope we will, all of us, as Members of Congress, take guidance from the genius, the wisdom of Thomas Jefferson as he addressed the Nation in his first inaugural address on March 4, 1801, after coming through a bitter election where the House of Representatives had to make the final decision as to who was to be President.

He, as leader of the Republican Party, was running against John Adams, the leader of the Federalist Party, the second President. They had become fast friends in Paris. Thomas Jefferson and John Adams and Abigail Adams had become just inseparable friends during their time together in Paris, in Europe. They had become friends, of course, during the time of the writing of the Declaration of Independence. It was John Adams who put Thomas Jefferson on the committee and insisted that Mr. Jefferson write the Declaration of Independence and John Adams who continued to support and encourage Thomas Jefferson. They were fast personal friends.

But in the election of 1800, they had a falling out because of their fundamental difference of opinion about the direction the Nation should go. Mr. Adams believed in a strong, powerful central government and the concentration of authority in Washington, D.C. Mr. Jefferson believed firmly in the preservation of our constitutional separation of powers and the preservation of the rights of the States and the people as the best and most responsible guardians of liberty. And that fundamental difference of opinion about where true power should lie led to their running against each other for President.

Aaron Burr was running also. And in the election of 1800, the electoral college wound up being deadlocked. It was a tie between Aaron Burr and Thomas Jefferson, and the House of Representatives had to make the final decision. Each State being given one vote, there was a deadlock, and I think it was 37 ballots that had to be cast before Mr. Jefferson was finally selected as President.

So they had come through a bitter election. The Nation had gone right to the brink of war with France. It was a bitter, bitter struggle over whether or not the Nation should go to war with France. John Adams signed the Alien and Sedition Acts. And by signing the Alien and Sedition Acts, the Federalists, led by John Adams, had essentially made it illegal for anyone to speak out against the President, to speak out in a way that would hold out the President or the Congress to ridicule, violating, of course, obviously, the first amendment, freedom of speech. And that, of course, also deepened the separation between Mr. Jefferson and Mr. Adams.

That election was especially bitter. So this inaugural address was given at a time of deep passionate differences between Federalists and Republicans. And that part of his speech, I think, is also very applicable today.

Mr. Speaker, you and I are good friends. We, all of us, work together in this House as best we can to advance the needs of the Nation. There are personal friendships, certainly among, for example, the Texas delegation. One of my very best friends in Congress, my good friend HENRY CUELLAR, and my good friend CIRO RODRIGUEZ, who represents the border counties, we were elected together in 1986 in the Texas legislature. We remain devoted friends, and all of us in the Texas delegation put Texas first. When it comes to the needs of our State, party labels don't matter. We're Texans first and do what we can to help the State of Texas. And I know that's true of other State delegations. It's especially true in Texas.

And in the inaugural address that Mr. Jefferson gave in 1801, he was speaking of the need to bring the Nation together and to not let party labels or party fights get in the way of doing the right thing for the Nation. So part of what you will hear Mr. Jefferson say to the Nation, I think, is especially appropriate today, that we do all that we can to put those partisan distinctions aside.

But as I read his inaugural address and as you hear his words, it's also important for the majority here to remember Mr. Jefferson's admonition that, although the will of the majority is in all cases to prevail, that will to be rightful must be reasonable and protect the rights of the minority. Because this majority, this Thelma and Louise Democrat majority in this Congress that's driving America right off a financial cliff, this Thelma and Louise Democrat majority doesn't often hold public hearings on bills. They drop bills out here on the floor without public hearings. There's no opportunity for amendment. There's very little opportunity for debate, just fundamentally destroying the whole purpose of this great deliberative body. And denying the minority our right to offer amendment, our right to be heard in this debate, is, as you will hear Mr. Jefferson say, oppression, a violation of the most fundamental principles of this great American Republic. We see it occur on a daily basis, and it's a tragic and terrible thing that the Thelma and Louise Democrat majority has imposed on this House, on this Nation, in denying the Republican minority our opportunity to offer amendments and be heard. So in that sense too, Mr. Jefferson's words have special meaning today.

I have probably read about 60 percent of Mr. Jefferson's works. He is my hero. Mr. Jefferson is my role model in all that I do. In representing District Seven, I do my very best, Mr. Speaker, to apply core Jeffersonian principles, and on every issue I have found no matter what the problem is, no matter what the issue is, Mr. Jefferson was right. If you apply core Republican principles, the knot always unties itself. I have yet to encounter a problem that Jeffersonian Republican principles won't solve. So, Mr. Speaker, I want to now read into the RECORD Thomas Jefferson's first inaugural address on March 4, 1801, at the conclusion of which I will yield back the remainder of my hour and turn it over to my good friend and colleague Roscoe Bartlett, a fellow dedicated conservative who is committed to the core principles of our Constitution. Mr. BARTLETT is someone I admire deeply, a fellow Jeffersonian.

And before reading Mr. Jefferson's inaugural address, his greatest speech perhaps, I think, and in the opinion of scholars, they believe Mr. Jefferson's first inaugural address is his greatest, let me also point out, Mr. Speaker, something else important. This good man, at the end of his life, wrote on his

tombstone three things. If you visit Monticello and visit Mr. Jefferson's grave, it says on his tombstone that he was the author of the American independence, the author of the Virginia Statute of Religious Freedom, and the father of the University of Virginia. Mr. Jefferson listed those three things because in his mind those were his three greatest achievements. He wanted to list on his tombstone those things that he had done for the American people rather than those things that they had done for him. All the offices that he had held, the incredible array of honors that had been his throughout his life. In fact, Mr. Speaker, there was a wonderful letter that Mr. Jefferson wrote towards the end of his life in February of 1826. He died, of course, on July 4, 1826, 50 years to the minute after he presented the Declaration of Independence to the Continental Congress. Mr. Jefferson held on, although he was unconscious. He knew that he was close to the 4th. He actually breathed his last at about 1 p.m. on July 4, 1826, at almost the exact moment that 50 years earlier the committee, Mr. Adams, Dr. Franklin, and Mr. Jefferson, had presented the Declaration to the Continental Congress.

Mr. Jefferson had, about 4 months earlier, wrote a letter justifying lotteries, because he couldn't balance his checkbook and Monticello was going to have to be sold to pay off his creditors, which broke his heart. And someone had come up with the idea of having a lottery to help pay for the debts that he had incurred. And, of course, a lottery, being gambling, it really worried Mr. Jefferson. And he wrote a long justification for this lottery that would sell tickets to save Monticello. And I recommend it to people to take a look at because in this long justification, called Thoughts on Lotteries and it's dated, I think, February of 1826, Mr. Jefferson lays out all of the great accomplishments in his life. After going through all the good things that lotteries have done in the past, he says that for no other reason people buy a lottery ticket, they should perhaps remember his services to the Nation, and he lists all that he had done with his incredible life: Secretary of State, Minister to France, Vice President, President of the United States, the author of the Declaration of Independence, this incredible list of accomplishments in his life.

□ 1530

And most revealingly, Mr. Speaker, Thomas Jefferson says at the end of it all, listing all of those accomplishments, Mr. Jefferson says, ''Of all these things that I have done with my life, the most important thing that I have ever done was to be a partisan Republican, to head the Republican party.''

Because Mr. Jefferson said ''it was the Republicans that I, as the leader of the Republicans in the Senate, and Albert Gallatin, as the leader of the Republicans in the House, that essentially saved the Republic, that held on to the core principles of the Constitution at the time under the Alien and Sedition Act when the Adams administration was furiously concentrating power in the hands of the Federal Government, that the Republicans in the Congress, the Republicans in the State legislature, and the phalanx of the State legislatures,'' as Mr. Jefferson said, ''it was the Republican party that truly saved the Republic,'' and that being partisan, being the leader of the Republican party, in Mr. Jefferson's mind, was his greatest accomplishment because it led to the election of 1800 and the salvation of the Nation.

Mr. Jefferson always thought of the election of 1800 as the revolution of 1800, and by electing a Republican majority to the House in 1800, a Republican majority to the Senate, a Republican President, Republicans had been elected in State legislatures across the Nation, that Mr. Jefferson believed that that election was decisive and allowed the core principles of the Constitution to be salvaged and to be preserved for future generations.

And with that in mind, Mr. Speaker, Mr. Jefferson stood up in the old Senate Chamber, just across the Rotunda, there is a plaque that people can see today in the old Senate Chamber. Mr. Jefferson was known for giving speeches. And he had a very soft voice. He was a little hard to hear. Eloquent and magnificent writer that he was, he was a little hard to hear in public speeches. And he stood up in the Senate Chamber. There was a lot of strong emotion in the room, a lot of anger. John Adams did not even attend the inauguration. He was so angry.

And as a quick side note, if you have not seen or not watched the magnificent HBO series on John Adams, you should. Having not subscribed to HBO before, we did subscribe for a couple of months just for the sole purpose of seeing that magnificent production of David McCullough's biography of John Adams that Tom Hanks is responsible for, and a great, good thing that Tom Hanks has done for the Nation in bringing David McCullough's book to the Nation. It is a magnificent series, and I recommend it to you.

And you will see in there that John Adams was so upset by his defeat that he didn't even attend the inauguration of Thomas Jefferson. And Mr. Jefferson therefore stood up and gave this speech in a very, very tense atmosphere in the old Senate Chamber. There were a lot of angry people in the room. The Nation, frankly, at one point, when the 34 ballots were being cast in that deadlock, there was even discussion of the militia in Virginia going to the old armory there in Williamsburg and taking out weapons, a militia marching on Washington to ensure Mr. Jefferson's election because of this deadlock.

So tensions were high. Partisan feelings were strong. Yet Mr. Jefferson stood up and gave his inaugural address, his greatest speech at a time when the Nation truly could have been split apart. New England even talked about leaving the Union.

In that atmosphere, Mr. Jefferson stood up on March 4, 1801, and gave the following speech.

''Called upon to undertake the duties of the first executive office of our country, I avail myself of the presence of that portion of my fellow-citizens which is here assembled to express my grateful thanks for the favor with which they have pleased to look toward me, to declare a sincere consciousness that the task is above my talents, and that I approach it with those anxious and awful presentiments which the greatness of the charge and the weakness of my powers so justly inspire.

''A rising Nation, spread over a wide and fruitful land, traversing all the seas with the rich productions of their industry, engaged in commerce with nations who feel power and forget right, advancing rapidly to destinies beyond the reach of mortal eye—when I contemplate these transcendent objects, and see the honor, the happiness, and the hopes of this beloved country committed to the issue and auspices of this day, I shrink from the contemplation, and humble myself before the magnitude of the undertaking.

''Utterly, indeed, should I despair did not the presence of many whom I see remind me that in the other high authorities provided by our Constitution I shall find resources of wisdom, of virtue and of zeal on which to rely under all difficulties. To you, then, gentlemen, who are charged with the sovereign functions of legislation, and to those associated with you, I look with encouragement for that guidance and support which may enable us to steer with safety the vessel in which we are all embarked amidst the conflicting elements of a troubled world.

''During the contest of opinion through which we have passed the animation of discussions and of exertions has sometimes worn an aspect which might impose on strangers unused to think freely and to speak and to write what they think, but this being now decided by the voice of the Nation, announced according to the rules of the Constitution, all will, of course, arrange themselves under the will of the law, and unite in common efforts for the common good:

''All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will, to be rightful must be reasonable; that the minority possess their equal rights, which equal law must protect, and to violate will be oppression.

''Let us, then, fellow-citizens, unite with one heart and one mind. Let us restore to social intercourse that harmony and affection without which liberty and even life itself are but dreary things. And let us reflect that having banished from our land that religious intolerance under which mankind so long bled and suffered, we have yet

gained little if we countenance a political intolerance as despotic, as wicked, and capable of as bitter and bloody persecutions.

''During the throes and convulsions of the ancient world, during the agonizing spasms of infuriated man, seeking through blood and slaughter his long-lost liberty, it was not wonderful that the agitation of the billows should reach even this distant and peaceful shore; that this should be felt and feared by some and less by others, and should divide opinions as to measures of safety.

''But every difference of opinion is not a difference of principle. We have called by different names brethren of the same principle. We are all Republicans, we are all Federalists. If there be any among us who would wish to dissolve this Union or to change its Republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it. I know, indeed, that some honest men fear that a Republican government cannot be strong, that this government is not strong enough; but would the honest patriot in the full tide of successful experiment, abandon a government which has so far kept us free and firm on the theoretic and visionary fear that this government, the world's best hope, may by possibility want energy to preserve itself? I trust not. On the contrary, I believe this, the strongest government on Earth. I believe it is the only one where every man, at the call of the law, would fly to the standard of the law, and would meet invasions of the public order as his own personal concern. Sometimes it is said that man cannot be trusted with the government of himself. Can he, then, be trusted with the government of others? Or have we found angels in the form of kings to govern him? Let history answer this question.

''Let us, then, with courage and confidence pursue our own Federal and Republican principles, our attachment to union and representative government. Kindly separated by nature and a wide ocean from the exterminating havoc of one-quarter of the globe; too high-minded to endure the degradations of others; possessing a chosen country, with room enough for our descendants to the thousandth and thousandth generation; entertaining a due sense of our equal right to the use of our own faculties, to the acquisitions of our own industry, to honor and confidence from our fellow-citizens, resulting not from birth, but from our actions and their sense of them; enlightened by a benign religion, professed, indeed, and practiced in various forms, yet all of them inculcating honesty, truth, temperance, gratitude and the love of man; acknowledging and adoring an overruling Providence, which by all its dispensations proves that it delights in the happiness of man here and his greater happiness hereafter—with all these blessings, what more is necessary to make us a happy and prosperous people? Still one thing more, fellow-citizens—a wise and frugal government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.

''About to enter, fellow-citizens, on the exercise of duties which comprehend everything dear and valuable to you, it is proper you should understand what I deem the essential principles of our government, and consequently those which ought to shape its administration. I will compress them within the narrowest compass they will bear, stating the general principle, but not all its limitations.

''Equal and exact justice to all men, of whatever state or persuasion, religious or political;

''Peace, commerce and honest friendship with all nations, entangling alliances with none;

''The support of the State governments in all their rights, as the most competent administrations of our domestic concerns and the surest bulwarks against anti-Republican tendencies;

''The preservation of the general government in its whole constitutional vigor, as the sheet anchor of our peace at home and safety abroad;

''A jealous care of the right of election by the people—a mild and safe corrective of abuses which are lopped by the sword of revolution where peaceable remedies were unprovided;

''Absolute acquiescence in the decisions of the majority, the vital principle of Republics, from which there is no appeal but to force, the vital principle and immediate parent of despotism;

''A well-disciplined militia, our best reliance in peace and for the first moments of war till regulars may relieve them;

''The supremacy of the civil over the military authority;

''Economy in the public expense, that labor may be lightly burdened;

''The honest payment of our debts and sacred preservation of the public faith;

''Encouragement of agriculture, and of commerce as its handmaid;

''The diffusion of information and arraignment of all abuses at the bar of public reason;

''Freedom of religion;

''Freedom of the press;

''And freedom of person under the proceedings of habeas corpus, and trial by juries impartially selected.

''These principles form the bright constellation which has gone before us and guided our steps through an age of revolution and reformation. The wisdom of our sages and blood of our heroes have been devoted to their attainment. They should be the creed of our political faith, the text of civic instruction, the touchstone by which to try the services of those we trust; and should we wander from them in moments of error or of alarm, let us hasten to retrace our steps and to regain the road with alone leads to peace, liberty and safety.

□ 1545

''I repair, then, fellow-citizens, to the post you have assigned me. With experience enough in subordinate offices to have seen the difficulty of this the greatest of all, I have learnt to expect that it will rarely fall to the lot of imperfect man to retire from this station with the reputation and with the favor which bring him into it.

''Without pretensions to that high confidence you reposed in our first and greatest revolutionary character, whose preeminent services had entitled him to first place in his country's love and destined for him the fairest page in the volume of faithful history, I ask so much confidence only as may give firmness and effect to the legal administration of your affairs.

''I shall often go wrong through defect of judgment. When right, I shall often be thought wrong by those whose positions will not command a view of the whole ground. I ask your indulgence for my own errors, which will never be intentional, and your support against the errors of others, who may condemn what they would not if seen in all its parts. The approbation implied by your suffrage is a great consolation to me for the past, and my future solicitude will be to retain the good opinion of those who have bestowed it in advance, to conciliate that of others by doing them all the good in my power, and to be instrumental to the happiness and freedom of all.

''Relying, then, on the patronage of your good will, I advance with obedience to the work, ready to retire from it whenever you become sensible how much better choice it is in your power to make. And may that Infinite Power which rules the destiny of the universe lead our councils to what is best, and give them a favorable issue for your peace and prosperity.''

Mr. Speaker, Mr. Jefferson's first inaugural address holds so much wisdom for us today at the start of the 21st century, just as it did at the start of the 19th century, as surely his core principles are the touchstone by which I measure my work on behalf of the people of District 7. And in reading his magnificent speech today, I want to honor this great, good man, to celebrate his 265th birthday, to recognize Thomas Jefferson's genius, his contribution to this Nation, and to recommit myself in the service of the people of District 7 to the core principles of Jeffersonian Republicanism, through which I have absolutely no doubt we will dig ourselves out of this immense fiscal hole we find ourselves in and restore the hope that Mr. Jefferson had for the future.

After all, this is the greatest country ever created in the history of the world, and I have no doubt that the future is limitless for us as Americans.

I am proud to yield back the balance of my time and turn the floor over to my good friend, my colleague, someone I admire immensely, a fellow Jeffersonian, ROSCOE BARTLETT of Maryland.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

PEAK OIL

The SPEAKER pro tempore (Mr. ALTMIRE). 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, if Thomas Jefferson could be resurrected today, he would be surprised by many things that he found. As my good friend from Texas just indicated, he would be enormously surprised by the size of our Federal Government, because he had envisioned a country in which we had a very limited Federal Government.

But there is something else that I remember about Thomas Jefferson that would really surprise him today. What he wanted for his new country was a largely agrarian society, with just enough cities to provide the manufacturing necessary to sustain an agricultural economy. He wanted this, he said, because he didn't want his new country to be blighted by the decadence of cities, as were the countries of Europe and the British Isles that they came from. He really, really would be quite surprised if he could be resurrected and come to our country today, wouldn't he, where far, far more than half of our people live in cities far larger than any he could have imagined at that time.

Mr. Speaker, this, I believe, is the 42nd time that I have come here to the floor to talk about energy and primarily about oil. The first time I came here was a little over 3 years ago. Oil was just over $50 a barrel then, and I was talking about a history that, had we paid attention to it, would have told us that today, or sometime roughly near this, we would be here with oil at $115 a barrel, that is what it touched in Asia overnight, and with gasoline at the pump out there averaging somewhere near $3.50 a gallon.

It was absolutely inevitable that we would be here. It was predicted that we would be here. And with all of these warnings, we really should have been doing something about that, and why we weren't is a very interesting subject.

There were two speeches given on energy in the last century that I think will be increasingly recognized, one of them as the most important speech given, and the other one the most insightful speech given.

I have here a quote from what I think was perhaps the most insightful speech given on energy. It was a speech given by Admiral Hyman Rickover, the father of our nuclear submarine, to a group of physicians in St. Paul, Minnesota, on the 14th day of May, 1957.

He says, ''In the 8,000 years from the beginning of history to the year 2000 A.D.,'' he was looking ahead, ''world population will have grown from 10 million to 4 billion.'' He really missed that, didn't he? It is nearly 7 billion. He really had a pretty good concept of what energy was doing for us, but he had underestimated the contribution that energy would make to the growth of our population, because we are now somewhere near 7 billion people, with 90 percent of that growth, more than 90 percent, taking place during the last 5 percent of that period, in 400 years. It took the first 3,000 years of recorded history to accomplish the first doubling of population, 100 years for the first doubling, but the next doubling will require only 50 years. And, of course, it required less than that, because we are now far more than doubled.

The next chart kind of depicts what Hyman Rickover was talking about. What this shows is the last part of that 8,000 years of recorded history. We have here only about 400 years of it. But if you went back the rest of the 8,000 years, the graph would look about the same. The production of energy was down there so near zero that it looked like it was on the zero line.

Here we see the beginning of the Industrial Revolution. It began with wood, of course. That is the brown line there. Then we discovered coal and we produced considerably more energy. Then we discovered gas and oil, and, boy, it shot up. Now, if I had a curve of the growth in population, it would just track almost precisely this curve in the increase in energy available.

This is an interesting curve, and I would like to spend just a moment looking at it. It is a very steep curve. Now, we can make this curve much less steep if we spread out the abscissa and compress the ordinate, and a little later we will have some curves that are that way. But you can still see the essentials of what this curve shows you.

Here is the oil price spike hikes of the seventies. You will see it resulted in a worldwide recession that actually reduced the use of oil. And now, after recovery from that recession, with a great deal more respect for efficiency, we are now increasing our use of energy at a very much lesser slope.

Now, in this chart where we have such a compressed abscissa, that is not as evident. It will be later. Later when we come to that I will point to the fact that this very steep curve, were it to have continued, we would be off the top of the chart and we would be in considerably more trouble relative to energy than we are today.

The next chart is another quote from this great speech that Hyman Rickover gave a little over 50 years ago. ''There is nothing that man can do to rebuild exhausted fossil fuel reserves.'' When they are gone, they are gone. You can't recycle energy. When it is used, it is gone. They were created by solar energy a very long time ago, he says 50 million years ago. It took eons to grow to their present volume.

In the face of the basic fact that fossil fuel reserves are finite, the exact length of time—I want you to listen to this statement, so insightful—the exact length of time these reserves will last is important in only one respect. The longer they last, the more time that we have to invent ways of living off renewable or substitute energy sources and to adjust our economy to the vast changes which we can expect from such a shift.

Fifty-one years ago. Tremendous advice. He recognized this. And he says we were living in a golden age. Exactly how long this golden age lasted would be only important in one regard. The longer it lasted, the more time we would have to shift to alternative sources of fuel, because fossil fuels, oil, gas and coal, are not infinite. They are finite. They will run out. The only question was not if, it was when will they run out. He said the longer they lasted, the more time we would have to invent ways of living off renewable or substitute energy sources.

The world has done essentially none of that in the 51 years since he made that statement and gave that counsel. We have behaved in our use of fossil fuels as if they were in fact infinite, as if they would always be there. Tomorrow there will be another huge find, and we can just go on using as much energy as we wish for as long as we wish.

The next chart is another quote from Hyman Rickover. ''Whether this golden age will continue depends entirely upon our ability to keep energy supplies in balance with the needs of our growing population.'' And oil is $115 a barrel and gas is $3.50 a gallon at the pump because we have not been able to keep energy supplies in balance with the needs of our growing population and our growing economies in this country and around the world, and we now have an imbalance between supply and demand. The demand is greater than the supply, and whenever that happens, of course, the price goes up, and the price has gone up.

The next chart is a quote from one of four studies that have been paid for by your government and have been pretty much ignored by your government. All four of these studies have said essentially the same thing, that peaking of oil is either present or imminent, with potentially devastating consequences, and we really need to be doing something about that.

The Corps of Engineers was one of those studies, the second one, in September of 2005. An earlier one, the Hirsch Report, was in February of 2005.

Then last year there were two more reports, one by the Government Accountability Office, and the other by the National Petroleum Council.

Oil, they said, is the most important form of energy in the world today. Historically, no other energy source equals oil's intrinsic qualities of extractability, transportability, versatility and cost. It has been really cheap. One barrel of oil represents the work output of 12 people working all year, 25,000 man-hours of effort.

When I first saw that statistic, I said, gee, that can't be true. Then I thought about it, how far that gallon of gas, still cheaper than water in the grocery store, carries my Prius; about 47–48 miles.

□ 1600

I know I could pull my Prius 47, 48 miles with a come-along and using guardrails and trees and so forth. How long would it take me to pull my Prius 47 miles?

Certainly it is true that historically no other energy resource equals oil's qualities. Its quality of energy and the quantity of energy in these fossil fuels, particularly, oil is just incredible. That's one of the big challenges we face in finding alternatives for these fossil fuels is something that has the quality and the quantity of the energy in these fossil fuels.

The next chart is a cartoon that asked the question ''Just why is gas so expensive?'' You can see here a tiny little supply and a huge demand, and that, of course, is why oil is so expensive. It's because the demand exceeds the supply.

This problem is an even more demanding problem than just a supply and demand, because as the next chart shows us, the major supplies of oil come, as the President said in one of his State of the Union messages from countries that don't even like us, this is a chart which shows what the world would look like if the size of the country was relative to how much oil it had in the ground.

You see here that Saudi Arabia dominates the landscape. Saudi Arabia represents about 22 percent of all the reserves of oil in the world, and you see how large the reserves are in countries like Iraq and tiny little Kuwait and the United Arab Emirates. You almost have to have a magnifying glass to see them, they are so small. Look how huge they are relative to oil, then Iran huge. Russia, just a couple of days ago, Russia had indicated that had they had reached a maximum capacity for producing oil.

The United States, we have 2 percent of the known reserves of oil in the world. We use a fourth of the world's oil. What I really would like to focus on is the size of India and China over their more than a third of the world's population, and they have less oil than we have, and we have only 2 percent of the known reserves of oil in the world.

The next chart has this in some numbers, and these numbers inspired 30 of our prominent Americans, Jim Woolsey, McFarland, Boyden Gray and 27 others to write several years ago a letter to the President saying, Mr. President, the fact that we have only 2 percent of the world's oil reserves, and we used 25 percent of the world's oil and import almost two-thirds of what we use is an almost totally unacceptable national security risk, and we really have got to do something about that. That's true that this represents a huge national security risk.

This was recognized in our next chart by the Secretary of State in a comment that she made before a Senate committee just a bit over 2 years, April 5, 2006. ''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 politics of the way 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.'' In that all-out rush, China is scouring the world and buying up oil reserves wherever they can find them.

The next chart looks again at the geopolitical picture. Why is oil just so expensive? Many people believe that OPEC is gouging us. Others believe that our oil companies are gouging us.

The truth, of course, is that the price of oil is determined by the relationship between the supply of oil and the demand for oil.

Our large companies and the countries that are producing oil just happen to be happy recipients of this confluence of events which demands more oil than is available and so the price is up.

What this chart looks at is the top 10 of the oil and gas companies on the basis of how much oil they have. You see that 98 percent of these top 10 are all countries, they are not companies.

Most of the oil in the world is not owned by companies, it's own by countries. LUKOIL, which is kind of an independent oil company in Russia, is only 2 percent at the top of this bar.

The bar here looks at the top 10 oil and gas companies on the basis of production. Now, we have huge oil companies. ExxonMobil, the largest one in the world, Royal Dutch/Shell, BP, collectively, they produce only 22 percent of the oil, and these state-owned fields produce only 78 percent of the oil.

The next chart I mentioned, China's interest in scouring the world and looking for oil, wherever you see a dollar sign on this chart, we have bought some oil. Here I see a dollar sign here, I see a dollar sign, not very many of them. When you see this little Chinese symbol kind of a sign here that's where China has bought oil.

Here is one, they tried to buy Unocal in our country. You see their symbol all over the world. They are aggressively buying oil all over the world.

In today's world it really doesn't make any difference who owns the oil, the person who has the dollars. It's an auction, a bidding process. The person who has the dollars buys the oil.

Why would China be buying up oil if they simply come with the dollars and you buy all the oil they need on the world market? Well, it's hard to get inside another person's head, but it may just be that they are looking to the day when they will not be able to share their oil with the world.

Now, all the oil in all the world is shared with all of the world. It's all a huge auction pool and everybody contributes and everybody buys. That happy day may end.

The next chart. If you had only one chart to look at to inform yourself about where we are and what the challenge is, I think this would be the chart. This chart shows bars that represent the amount of oil that we discovered year by year. You see that we had huge, huge discoveries back in the 1960s and 1970s.

Then from about the 1980s, I am really starting about the 1970s on, we progressively found, choppy up and down, but less and less and less oil. That's in spite of ever-better techniques for finding oil.

The solid black line here represents the oil that we have used. Here is the 1970s, and notice the reduction in use there as a result of a worldwide recession brought on by the oil price spike hikes then.

Now, this is an expansion of the abscissa—and I indicated earlier we would have a chart where there is a huge difference in slope. Remember we had that red one just going straight up. If we could compress this abscissa we could make that one go almost straight up.

But notice how much less the slope is after the recession of the 1970s. That's because the world woke up and said, gee, oil is expensive, isn't it, and we can do better, and let's be more efficient.

The air conditioner you have today may be two or three more times more efficient, as is your refrigerator. We now have fluorescent lights, and they are very much more efficient than incandescent lights. So this lesser slope of the curve represents increased efficiency. Were it not for that, notice where we would be on the curve now, we would be off the top of the chart now, wouldn't we, if this kept going.

By the way, I want to just make one observation about exponential growth. This is, of course, exponential growth. Albert Einstein was asked, Dr. Einstein, what will be the next big force we find after nuclear energy? His response, the most powerful force in the universe is the power of compound interest.

Just 2 percent growth, that's so anemic, that our market doesn't like it. It really kind of teeters, it stutters a little and doesn't grow with 2 percent growth. Things tend to be pessimistic, but 2 percent growth doubles in 35 years, it's 4 times bigger in 70 years,

it's 9 times bigger in 105 years and it's 16 times bigger in 140 years, just 2 percent growth, compound growth. So if this compound growth had continued, this will be off the top of the page.

That was kind of a trauma going through the 1970, but we really should look back on it and say how lucky we were that we had a wake-up call because look what happened? We got much more efficient, and so now we are in much less trouble than we would have been had we not had this chalk, and we would have continued along this curve.

The next chart, the next chart is one from the U.S. Corps of Engineers. In general, all nonrenewable resources follow a natural supply curve, production increases rapidly, slows, reaches a peak and then declines at a rapid pace similar to its initial increase.

The major question for petroleum is not whether production will peak, this is one of the four studies your government paid for and is now ignoring. It's not whether the production will peak but when. Oil is not infinite in its supply, it is finite. There is only so much.

One day we will reach our maximum capabilities for producing oil. There are many estimates of recoverable petroleum reserves giving rise to many estimates of when peak oil will occur and how high the peak will be. A careful review of all the estimates leads to the conclusion that world oil production may peak within a few short years, after which it will decline.

Once peak oil curves, then the historic patterns of world oil demand and price cycles will cease. They might have gone on to explain what that's going to do to our economy.

The next slide—and I have to go back more than 50 years to put this in context—on the 8th day of March in 1956, the most important speech, what I think will certainly recognize will be the most important speech of the last century was given, and this speech was given by a Shell Oil Company scientist, M. King Hubbert, to a group of physicians in St. Paul, Minnesota.

At that time, the United States was king of oil. We were producing more oil, consuming more oil and shipping more oil than any country in the world. What M. King Hubbert told them was that in 16 short years, 14 short years, you are going to reach your maximum production of oil. He made that prediction in 1956. And sure enough in 1970, the yellow symbols here we reached our maximum production.

Now, the actual maximum production was a little bit higher, it was the green squares there, and they tended to be a little bit higher going down the slope on the other side of Hubbert's peak. Some would have you believe the difference between M. King Hubbert's predictions the gold triangles and the oil that we actually pump indicate that he didn't really know what he was talking about.

Well, it did peak in 1970, and it did go down after that. If you aren't a statistician, I think the average person would look at that and say, gee, he really got it pretty right didn't he.

Now the red squares there on the other side represent the total amount of oil that we pump, because he had only predicted the lower 48, and we added huge amounts of oil from Alaska, a fourth of our total production for the last several years, and from the Gulf of Mexico. Even with those hugely large extra supplies, there was still just a blip in the slope down the other side of Hubbert's peak.

Now the same person that predicted that the United States would be peaking in 1970. In 1979, he predicted that the world would be peaking about now.

We have kind of blown, not kind of, we have blown the last 28 years, because by 1980, here we are in 1980, we looked back and, boy, M. King Hubbert was right about the United States. We did peak in 1970. In spite of drilling more oil wells than all the rest of the world put together, we have not been able to make a liar out of M. King Hubbert.

Today we produce about half of the oil we produced in 1970. In the lower 48 we produce way less than half of the oil that we produced then.

□ 1615

Now in 1979 he predicted that the world would be peaking about now.

The next chart has data from two entities in our world that are pretty good at tracking how much oil we pump and use. By the way, we use all we pump. There are no big reservoirs of oil waiting to be used. I would caution that I don't think these entities have the same fidelity in predicting how much more we will find in the future, but they do a very good job of tracking what we've used. This is the EIA and the IEA. The IEA is the International Energy Agency. You hear them referred to. They are the ones that are tracking what is going on in Iran with their nuclear thing. And the EIA is the Energy Information Administration and is a part of our own Department of Energy. Both of those have oil production plateauing; one of them for about 3 years, and the other for about a year and a half.

What happens when demand keeps going up and supply stagnates? This price curve shows you what happens. We had a comfortable dip here in prices less than a year ago, but now they are skyrocketing, and $115 is off the top of the chart. We need to make a new chart to show where 115.

The question I ask myself and audiences is: If M. King Hubbert was right about the United States, which is a microcosm of the world, we did peak in 1970, and it is clear every year after that we have less and less oil, why wouldn't the United States be a microcosm of the world, and he predicted the world would be peaking about now, why wouldn't we have done something about that? Why have we continued to behave as if gas and oil and coal were forever, that they would never run out? What we want to do now is to rush out to our public lands to offshore, to ANWR, and to drill. I asked them, if you can drill ANWR tomorrow, what will you do the day after tomorrow? And there will be a day after tomorrow.

I think about that. I have 10 kids and 16 grandkids and 2 great-grandkids. They are going to be here the day after tomorrow. We are leaving them a huge debt. Check my voting record, it is not my fault. We are leaving them a huge debt, and I asked them, Wouldn't it be nice if we left them a little oil. And they smile, and the next thing they are asking, Would you vote to drill in ANWR. No, I won't. Or on our public lands or offshore until you commit to me that you will use every bit of energy you get from those sites to invest in alternative energy because we have now run out of surplus energy. If we had any surplus oil, it wouldn't be $115 a barrel today, would it. So I will vote to drill there when I have a commitment that we will use all of the energy we get there and invest it in the development of alternatives.

The next chart is a detailed chart of our production and decline. Here is what M. King Hubbert predicted of Texas and the rest of the United States. And then we have learned to get some gas from natural gas liquids, a huge find in Alaska, a big find in the Gulf of Mexico, just a blip in the slide down the other side of Hubbert's peak.

The next chart shows some projections of what we will find in the future. Although with really good techniques and a lot of energy, we have gone out there, a lot of incentives, we have looked for the last remaining oil deposits and we have found less and less and less as time goes on. What this curve does is smooth out the big bars we saw before. Here we are at this point. They were projecting how much more we were going to find. We don't have time, but there is a really interesting metamorphosis that took place here.

The USGS, in trying to predict how much more oil we would find, has several computer models. They put different data into those models, and they get different results out. They have run many simulations, and they put all of those simulations on a chart and they get the mean of the simulations. They think that they are putting in good data and so they should be getting out good data. They take the mean of those, and they say this is the most probable amount of oil we will find.

Somehow that ''F'' for frequency, maybe it was a bad font, but somehow it showed up as a ''P'' or probability when it got to EIA. And then they make some bizarre applications of statistics.

They say that the 50 percent probability, the green one here, which they say is the mean, and of course 50 percent probability is not a mean, it is 50 percent probability. They say the 50 percent probability is more likely than

the 95 percent probability. Of course that defies logic in that it obviously is not more probable because the actual data points have been following, as you expect they would follow, the 95 percent probability.

I will say again: These two agencies, the IEA and the EIA do a really good job of tracking what we produce and use. I would be careful about accepting their prognostications of what we are going to find.

The next chart is one from the first big study that I mentioned, one of the four that your government paid for and it is largely ignoring. This is called the Hirsch Report done by SAIC, a huge, international, very prestigious, scientific engineering organization.

I have highlighted this phrase because it is so shocking. ''The world has never faced a problem like this. There is no precedent in history to guide us.''

We have never faced a problem like this. You cannot go back in history and find any problem that will help you decide how you are going to get through this. The world has never faced a problem like this.

The next chart. They say that the peaking of world oil production presents the United States and the world with an unprecedented risk management problem. They say that the economic, social and political cost will be unprecedented. Wow, strong words. The world has never faced a problem like this, unprecedented risk management problem. Nothing like it in history. Nothing to guide you. The economic, social and political cost will be unprecedented.

The next chart is a schematic. This shows what we have been talking about, a 2 percent rate of growth, doubles in 35 years. The yellow there is 35 years. I think we are about here. Notice the shortfall occurs a little before peaking, although the IEA and the EIA both have oil peaking, so we may be about at that point.

Most people when they look at that chart say we have to fill that yellow space because we have to have all of the liquid fuels that we would like to use. I will submit, Mr. Speaker, that it is exceedingly unlikely that we will be able to fill that blank to make up for the deficit between what we would like to use and what will be available. Filling the gap, I think, is not feasible. And what Hyman Rickover cautioned 50 years ago, 51 years ago now, we should note today, and that is we need to plan in an orderly fashion to move from fossil fuels to sustainable renewables because geology will demand it. We will move when the oil is not there, when the gas is not there, and when the coal is not there. Then we will have moved to alternatives. Whether that is a bumpy ride or a really bumpy ride will depend on what we do now and in the immediate future.

The next chart is a really interesting one because it shows us again this rapidly accelerating use of oil, then the recession of the 1970s, and a lesser slope after that. This chart assumes that we may find as much more oil as all the recoverable oil we now know exists. Most experts believe that roughly, at the end of the day, there will have been roughly two trillion barrels of oil pumped. We have pumped about a trillion barrels now. Most experts believe we have another trillion barrels to pump. This assumes that we are going to have a total of three trillion barrels.

Now if we have one trillion barrels remaining of the two original, we have pumped one and if there is a total of three, that means that they are presuming that we are going to find another trillion barrels of oil. If we do that, by their own calculations it will simply move the peak out from around 2000 or a little after 2000 to 2016. That is not very far. That is the effect of exponential growth.

During the Carter years, every decade we used as much oil as had been used in all of previous history. That is a stunning statistic. Thank goodness for those oil price spike shocks and the efficiency that resulted from that or else we would be in a really troubled world today.

What that means is if you use as much each decade as you use in all of previous history, when you have used half of the world's oil, which is where we are, then you would have 10 years of oil remaining. We have slowed down so if you do those calculations, the 88 million barrels a day, a trillion barrels remaining, that comes out to roughly 30 years. It is not going to be 30 years of constant production and then fall off the cliff because it is going to be harder and harder to get, more and more expensive, and getting less and less each year no matter what we do.

The next chart is a quote, very recent quote, January 22 of this year, by the CEO of Shell Oil, Royal Dutch Shell. ''By the year 2100, the world's energy system will be radically different from today's. The world's current predicament limits our maneuvering room. We are experiencing a step change in the growth rate of energy demand and Shell estimates after 2015, supplies of easy-to-access oil and gas will no longer keep up with demand.'' That may have already happened, as we noted from that former chart and as we see with gas over $10 and oil over $115 a barrel.

''As a result'' he says, ''society has no choice but to add other energy sources.''

Have you noticed society doing that at any aggressive clip?

The next chart, and I want to spend some meaningful amount of time looking at what are those alternatives. We are very much like the young couple whose grandparents have died and left them a big inheritance. The young couple has now established a really lavish life style. They are living it up. Eighty-five percent of all the money they spend comes from their grandparents' inheritance—coal, petroleum, natural gas—and only 15 percent of it comes from their income. Now they look at how old they are, they look at their grandparents' inheritance, and see it is going to run out before they retire. They have to spend less or make more. That's exactly where we are.

Eighty-five percent of all of the energy we use is the equivalent of our grandparents' inheritance. We inherited it. It is there in the ground, coal, oil and gas. And only 15 percent of the energy we use is something else.

Now this 85 percent is going away. We have reached the maximum production, and if the world is going to follow the model of the United States, no matter what we do, the production in the world is going to be less and less, harder and harder to get, more and more expensive. That has happened in our country. And in spite of drilling more oil wells than all of the rest of the world together, and in spite of having the best oil people in all of the world, we have not been able to make M. King Hubbert out to be a liar because we still today, with all of that technology, with 530,000 producing oil wells, we still are producing only about half of the oil that we produced in 1970.

□ 1630

Well, what are the alternatives? What will we be using at the end of this magnificent age of oil?

And Hyman Rickover didn't know how long it would last. They were about 100 years into the age of oil. Oil had not peaked then. It wouldn't peak for another 50 years, 51 years or so, so he had no idea how long it lasted. But he said how long it lasted was important in only one regard; that the longer it lasted, the more time we would have to plan a rational transition from oil to other sustainable renewable sources of fuel.

Well, here we are today, and what have we done?

The President said in one of his State of the Union addresses that we are hooked on oil. We are indeed. And I think that rushing out there to drill in public lands, to drill in ANWR, to drill offshore is exactly the equivalent of giving a dope addict another fix. As the President says, we really, really do have to wean ourselves from these fossil fuels.

By the way, there are three groups out there that want to do this for very different reasons. One of those groups is the national security group that I mentioned that is really concerned that we have only 2 percent of the oil, and use 25 percent of the oil, and import almost two-thirds of what we use. Our second largest importer now is Saudi Arabia. It was Mexico. They've fallen back. That really places us in a very precarious position.

The President has indicated that we really must transition from these fossil fuels to renewables. What will they be?

And here we have a brief listing, and I think that this subtends about all of the possible renewables. By the way, we get more than the non fossil fuel energy nuclear power. 8 percent of the 15

percent is nuclear. We get about 20 percent of our electricity from nuclear. It's down just a little. Now 19 something, roughly 20.

The French get about 75, 80 percent. But we still produce more nuclear than France because we have a whole lot bigger economy than France has. We're the largest nuclear power producers in the world. That could and probably should grow. Only 7 percent in other renewables.

The things that I'm very fond of are solar and wind. I have a place off-grid, and I have solar panels and I have wind machines and batteries for storage, and so I'm a huge fan of solar and wind.

But these were 1 percent of 7 percent in 2000. They're really growing, growing maybe 30, 40 percent a year. That's huge growth. So they're four or five times bigger. .28 percent, big deal because this is only .07 percent. So these things that will be important sources of energy in the future are now very small, growing; rapidly, but still very small.

Wood, this is the paper industry and the timber industry wisely using what would otherwise be a waste product, and there's not a huge potential for growth there without doing what North Korea, has done, for instance. They're just cutting down their forests.

Waste energy, that's very popular. And there's a great facility up here in Northern Montgomery County. I've been by. I would be proud to have it by my church. It looks really nice. The waste comes in in big containers and in railroad cars and I don't even see it. And they handle it very well. I didn't even smell it when I was there.

But I want to caution that this huge waste stream is the result, largely the result of profligate use of fossil fuels. Look at it. Almost everything in that waste stream was the result of using oil, gas or coal. It's a really great idea now. Recycle what you can, burn what's left, better than burying it in the ground somewhere. But that's not a silver bullet, not a solution to our problem because in an energy-deficient world, this is really going to shrink because the energy just isn't going to be there to create all this waste.

Conventional hydro. Huge. We've tapped out on that in our country. We've probably dammed up some rivers we shouldn't have dammed up. But some people believe we could get as much from micro hydro. There's some really good small pelt wheels and turbines and so forth.

Alcohol fuel. 1 percent back then. Now, we've had a huge push for alcohol fuel.

There have been two big bubbles that have broken, two big hopes. One of them was the hydrogen economy. You don't hear very many people talking about it anymore. I think it's probably sunk in that hydrogen is not free for the having. There's no place you can go, like you can go for coal or gas or oil and drill a hole and get hydrogen.

You get hydrogen by using one energy source, using another energy source to create the hydrogen. You split water, or you use electricity, or you get it from natural gas. But you will always use more energy getting the hydrogen than you will get out of the hydrogen. That's the second law of thermodynamics. And if we can violate that law, why we can set aside the law of gravity, and then we won't have the kind of problems that we have today with energy, will we? That's an inviolate law that won't change.

So why are we talking about hydrogen if you will never get as much energy out of the hydrogen as it took to make the hydrogen? For two reasons. One, when you finally burn it, the product you get is the oxide of hydrogen. It's burned hydrogen. We call it water. When you look at water, it's burned hydrogen is what it is. And it's really clean, isn't it?

And the second thing is it's a great candidate for a fuel cell, which is probably at least two decades off. So you don't hear much talk about hydrogen. It may 1 day be an important part of our energy economy, but that day must await, I think, the development of the fuel cell because if you're simply going to put hydrogen in a reciprocating engine, why wouldn't you put the fuel from which you made the hydrogen in your reciprocating engine and save that fuel loss in the transition?

The second big bubble that broke was the corn ethanol bubble. And I really had high hopes for this before I did some back of the envelope computations, because I saw our farmers who were getting too little for their crops, huge energy represented in these crops, and I think they will make a meaningful contribution to our energy future. But not in the dimensions that were anticipated for corn ethanol.

The National Academy of Sciences, and this isn't ROSCOE BARTLETT, this is National Academy of Sciences, although my back of the envelope computations came to the same conclusion. The National Academy of Sciences says if we use all of our corn for ethanol, every bit of it, use all of it for ethanol, and discounted it for the fossil fuel input, which is huge, in fact, some people believe if you really cost account all the fossil fuel energy that goes into producing ethanol, more energy goes in than you get out of this. They were using 80 percent, which is probably not bad; that that would displace 2.4 percent of our gasoline. That's all of our corn, displace 2.4 percent of our gasoline.

They noted wryly that you could save as much gas if you tuned up your car and put air in the tires. And by the way, you would save half your gas if there was two people in every vehicle out there instead of one which is in most vehicles. You would save half your gas if your vehicle got 40 miles per gallon, rather than 20 miles per gallon, both of which are very doable with a little planning and buying the right car, by the way.

I think was 2 or 3 days ago there was a major headline above the fold in the New York Times saying that Third World leaders were complaining to us that we were starving their people because the high price of corn incented our farmers to shift land from wheat and soybeans to corn. That drove up the price of wheat and soybeans. There have been some problems producing rice around the world and, anyway, these commodities tend to more together. So the four basic foods of the poorest people in the world, they said, have been driven up drastically, essentially doubled in price, because we're making corn ethanol.

Hyman Rickover, by the way, I don't have that quote here but please do a Google search for Rickover and energy speech, and it'll pop up. He cautioned that you probably shouldn't be eating your food. 51 years ago. Maybe we should have listened.

Geothermal. That's true geothermal. That's not hooking your heat pump to ground temperature, which is a really good idea. If you think about what you're asking that heat pump to do this winter, if it wasn't hooked to ground temperature, you were asking it to cool the outside air, which might have been 10 degrees, so that it could warm up your air in the house. That's what you're doing.

How much easier its job would have been if it had been looking at 56 degrees, rather than 10 degrees, because 56 degrees is what ground temperature in here, it's mean annual temperature, it's what the water is that comes out of the wells.

Now, this summer, if you have an air conditioner in your window, and it's not a heat pump tied to the ground, what that air conditioner is going to be trying to do is heating up the 100 degree air outside so it can cool your house inside. Pretty tough job.

But if you had tied that air conditioner to ground temperature, now it's looking at 56, which looks really cool, compared to 100, doesn't it?

I didn't understand this phenomenon as a 7-year old, and I grew up without electricity and an inside toilet on a farm, and we kept our food in a spring house. And I thought there was something magic in that spring house and I didn't understand it, but I knew it was magic because I went in that spring house in the summertime and it was so cool. And I went in that spring house in the winter time and it was so warm.

Of course, when it was 100 outside, that spring house, which was maybe 65, that was Pennsylvania, it'd be a little colder than here, maybe 60 or so, that really seemed cool. In the winter time 60 seemed really warm compared to the zero or 10 degrees outside, so I thought there was something magic in that spring house.

The next chart takes a little deeper look at some of our alternatives. Now, we do have some finite resources, and we can exploit those, and we will exploit those, and we should exploit those, but they are finite. Some of them are huge.

The first of these are the tar sands in Canada. They are huge. There's as much potential oil in those tar sands as there is in all of the known reserves of oil in the world, more actually.

So why aren't we euphoric over that? It's because it's very difficult to get.

The Canadians are now using natural gas, which will run out. They're pumping water, which will run out. They're creating a huge tailings pond, which is kind of an environmental disaster, and they're producing a million barrels a day. That's a lot. It's a little over 1 percent of what the world uses. We use about 88 million barrels a day.

But they know it's not sustainable because they're going to run out of gas, they're going to run out of water, and what they're now exploiting is kind of on the surface, and it will soon kind of duck under an overlay, so they have to develop it in situ, and they aren't quite sure how to do that.

So there's a huge amount of energy there, potential. But there's also a huge amount of potential energy in the tides. The moon lifts the whole darned ocean 2 or 3 feet. That's a huge amount of energy.

But, you know, getting that in your gas tank is quite another thing. Energy, to be effective, must be concentrated, and in the tides it certainly isn't concentrated.

Now in our west we have oil shales, and they are really huge, maybe even bigger than the tar sands in Canada. Nobody yet is commercially exploiting those. There are some vigorous attempts today, and there may be some exploitation of those. There's at least a trillion barrels, maybe a trillion and a half, two trillion barrels there. And different experts differ on how much of that may be recoverable. But, again, because it's there, it's not in your gas tank, we will recover some of that.

As oil goes up, Goldman Sachs says by the end of the year it could be 150, $200 a barrel. Who knows?

The more expensive oil gets, the more sources there are of oil because you can now use oil which would have been prohibitive in cost with oil at lower prices.

Coal. I know a lot of people who say, don't worry about the future; we have sure supplies of coal. We have 250 years of coal, at current usage rates.

Be very careful, calibrate what people say when they tell you at current use rates. Now, if we had 250 years of coal, and we don't, I'll come to that in a moment. But if we had 250 years of coal at current use rates, if you increase that use only 2 percent, that's not much, we will have to do more than that. But if you increase it only 2 percent it shrinks to 85 years. The power of compound growth.

And if you use some of the energy coal to make it a gas or a liquid, because you can't put coal in the trunk of your car and go down the road, it now shrinks to 50 years.

And when one other observation. We have no alternative but to share it with the world. Let me tell you why. Because if we get oil from coal, we're then not buying some Saudi oil, which somebody else can buy, so it has the exact effect of sharing it with the world. That is inescapable. There is no way to avoid that.

So now that 50 years, since we use a fourth of the world's supply, and that 250 years was at current use rates for us in this country, not the whole world, now that 50 years, divided by four, shrinks to 12½ years. So if we had 250 years of coal and we increased its use only 2 percent, converted it to a gas or a liquid and shared it with the world, and we have no alternative, it'll last 12½ years.

□ 1645

But the National Academy of Sciences says we haven't looked at the coal reserves since the 1970s and they believe there is more like 100 years at current use rates. So that 85 years and 50 years now shrink to something roughly half of that, and the 12½ years sharing it with the world may shrink to something like 5 or 6 or so years sharing it with the world.

The coal is there. It is huge. But our use of energy in the world is huge, huge. Eighty-eight million barrels a day, each barrel having the energy equivalent of 12 people working all year. That's an incredible amount of energy. Just look at the road you travel home on tonight and see the cars there, and that's replicated 1,000 times in our country and thousands of times around the world.

I was in Beijing a little while ago and they banned bicycles in parts of Beijing. There is no room for them. So many cars on the road. I was late to an appointment in Beijing because of traffic jams, late to an appointment in Moscow because of traffic jams there. I was there in 1973, and the streets were almost devoid of cars. You saw a military vehicle now and then. That's all you saw then. A whole different world now.

Well, there's nuclear, and we now get 8 percent of our total energy, almost 20 percent of our electricity from nuclear that could and probably should grow. But the nuclear we're now using, which is whitewater reactors using fissionable uranium is limited because there is a limited supply of fissionable uranium. That won't last forever.

There are breeder reactors. Nobody uses them for energy production. The breeder reactors, as the name implies, make more fuel than they use. You buy some problems with those, like you have to enrich the fuel and it's weapon's grade stuff and you have to move it around and there's challenges for terrorists getting it and such; but you get energy from it.

Then there is the only silver bullet that gets us home free, and that is nuclear fusion. I happily vote for the roughly $250 million a year that we spend developing that. We're joining with other countries in helping to develop that. I think the probability is low that we will ever be able to exploit that on a commercial scale.

Now, if you're sanguine believing that we're going to solve our energy problem with nuclear fusion, you probably think you can solve your personal financial problems by winning the lottery. You might do it. But the odds of you solving your personal financial problems by winning the lottery are about the same as our solving our energy problems by using fusion.

But because it is such an incredible source, the only thing that gets us home free, I happily support, and I would support more money if we had more skilled people out there who could be looking at this.

The next big bubble that we're talking about now is biomass, and I would caution, how much more energy you think that we can get from wastelands out there that aren't good enough to grow corn and soybeans on, that we could get from all of our corn and all of our soybeans?

I would like to take the last couple of minutes to note a couple of things that we have been doing.

I have a bill, and this is going to give a prize to the first farm that can be totally energy independent. If our farms can't be energy independent, we're really in trouble, aren't we?

The next chart is a bill, the Drive Act. That will encourage the development of vehicles that are more efficient that are flex-fuel. You can use any fuel. Not corn ethanol, but any of the alternative fuels.

I would just like to note that I find this whole challenge exhilarating. There is no exhilaration like meeting and overcoming a huge challenge. I spent some time going over these potential alternatives. I just want realistic expectations. There's no silver bullet out there. It's going to be a little of this and a little of that. And America is very good at that.

What we need in this country is a program that has a total commitment of World War II. I lived through that war. I'll be 82 years old on my next birthday, about 6 weeks from now. I lived through that war.

We need the technology commitment that we had when we put a man on the moon, that focus, and we need the urgency of the Manhattan Project. And I think that Americans are up to this challenge. I think we can lead the world in developing the technology to take us away from the fossil fuels to these other sources of energy.

The next chart I have already gone through. I will indulge for just a moment with the last chart. This is a great one to end on.

Mr. Speaker, this is a chart that shows how satisfied you are with life and how much energy you use. There are 22 countries, some of them using half the energy that we use that are happier with life than we are. There's lots and lots of opportunities out there to live really well using less energy,

and that's our challenge, and with proper leadership, America is up to it.

EXTENDING LEAST-DEVELOPED BENEFICIARY DEVELOPING COUNTRY BENEFITS TO THE SOLOMON ISLANDS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–105)

The SPEAKER pro tempore (Mr. YARMUTH) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

In accordance with section 502(f)(1)(B) of the Trade Act of 1974, as amended (the ''Act''), I am providing notification of my intent to add the Solomon Islands to the list of least-developed beneficiary developing countries under the Generalized System of Preferences (GSP) program. In Executive Order 12302 of April 1, 1981, the Solomon Islands was designated as a beneficiary developing country for purposes of the GSP program. After considering the criteria set forth in sections 501 and 502 of the Act, I have determined that it is appropriate to extend least-developed beneficiary developing country benefits to the Solomon Islands.

GEORGE W. BUSH.

THE WHITE HOUSE, *April 17, 2008*.

HOUSE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates, he had approved and signed bills of the following titles:

January 7, 2008:

H.R. 660. An Act to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes.

H.R. 3690. An Act to provide for the transfer of the Library of Congress police to the United States Capitol Police, and for other purposes.

January 8, 2008:

H.R. 2640. An Act to improve the National Instant Criminal Background Check System, and for other purposes.

January 28, 2008:

H.R. 4986. An Act to provide for the enactment of the National Defense Authorization Act for Fiscal Year 2008, as previously enrolled, with certain modifications to address the foreign sovereign immunities provisions of title 28, United States Code, with respect to the attachment of property in certain judgements against Iraq, the lapse of statutory authorities for the payment of bonuses, special pays, and similar benefits for members of the uniformed services, and for other purposes.

January 31, 2008:

H.R. 5104. An Act to extend the Protect America Act of 2007 for 15 days.

February 5, 2008:

H.R. 3432. An Act to establish the Commission on the Abolition of the Transatlantic Slave Trade.

February 13, 2008:

H.R. 5140. An Act to provide economic stimulus through recovery rebates to individuals, incentives for business investment, and an increase in conforming and FHA loan limits.

February 14, 2008:

H.R. 4253. An Act to improve and expand small business assistance programs for veterans of the armed forces and military reservists, and for other purposes.

February 15, 2008:

H.R. 3541. An Act to amend the Do-not-call Implementation Act to eliminate the automatic removal of telephone numbers registered on the Federal ''do-not-call'' registry.

February 28, 2008:

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

H.R. 5270. An Act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

February 29, 2008:

H.R. 5264. An Act to extend the Andean Trade Preference Act, and for other purposes.

H.R. 5478. An Act to provide for the continued minting and issuance of certain $1 coins in 2008.

SENATE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates, he had approved and signed bills of the Senate of the following titles:

January 4, 2008:

S. 2436. An Act to amend the Internal Revenue Code of 1986 to clarify the term of the Commissioner of Internal Revenue.

January 7, 2008:

S. 863. An Act to amend title 18, United States Code, with respect to fraud in connection with major disaster or emergency funds.

February 6, 2008:

S. 2110. An Act to designate the facility of the United States Postal Service located at 427 North Street in Taft, California, as the ''Larry S. Pierce Post Office''.

March 6, 2008:

S. 2571. An Act to make technical corrections to the Federal Insecticide, Fungicide, and Rodenticide Act.

S. 781. An Act to extend the authority of the Federal Trade Commission to collect Do-Not-Call Registry fees to fiscal years after fiscal year 2007.

March 11, 2008:

S. 2478. To designate the facility of the United States Postal Service located at 59 Colby Corner in East Hampstead, New Hampshire, as the ''Captain Jonathan D. Grassbaugh Post Office''.

March 12, 2008:

S. 2272. An Act to designate the facility of the United States Postal Service known as the Southpark Station in Alexandria, Louisiana, as the John ''Marty'' Thiels Southpark Station, in honor and memory of Thiels, a Louisiana postal worker who was killed in the line of duty on October 4, 2007.

March 14, 2008:

S. 2745. An Act to extend agricultural programs beyond March 15, 2008, to suspend permanent price support authorities beyond that date, and for other purposes.

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.

March 24, 2008:

S. 2733. An Act to temporarily extend the programs under the Higher Education Act of 1965.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PALLONE (at the request of Mr. HOYER) for today.

Ms. GINNY BROWN-WAITE of Florida (at the request of Mr. BOEHNER) for today through April 24 on account of a family medical emergency.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. PRICE of Georgia) to revise and extend their remarks and include extraneous material:)

Mr. TANCREDO, for 5 minutes, today.

Mr. POE, for 5 minutes, April 24.

Mr. JONES of North Carolina, for 5 minutes, April 24.

Mr. PRICE of Georgia, for 5 minutes, today.

ENROLLED BILL SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5813. An act to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond April 18, 2008.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 793—An act to provide for the expansion and improvement of traumatic brain injury programs.

ADJOURNMENT

Mr. BARTLETT of Maryland. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 54 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, April 18, 2008, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

6138. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Inert Ingredients: Denial of Pesticide Petitions 2E6491 (N-Acyl Sarcosines and Sodium N-Acyl Sarcosinates), 7E4810 (Crezasin), and 7E4811 (Mival) [EPA-HQ-OPP-2002-0201; FRL-8342-4] received February 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6139. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clothianidin; Pesticide Tolerance [EPA-HQ-OPP-2007-0280; FRL-8346-9] received January 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6140. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — North Dakota: Final Authorization of State Hazardous Waste Management Program Revisions and Incorporation by Reference of Approved Hazardous Waste Program [EPA-R08-RCRA-2006-0501; FRL-8524-7] received February 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6141. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Kansas [EPA-R07-OAR-2007-0829; FRL-8526-2] received February 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6142. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maine; Transportation Conformity [EPA-R01-OAR-2007-1054; A-1-FRL-8524-9] received February 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6143. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Final Rule; Ohio; Revised Oxides of Nitrogen (NO_X) Regulation, Phase II, and Revised NO_X Trading Rule [EPA-R05-OAR-2007-1085; FRL-8519-1] received January 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6144. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio; Clean Air Interstate Rule [EPA-R05-OAR-2007-0390; FRL-8519-6] received January 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6145. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Adequacy of Nebraska Municipal Solid Waste Landfill Program [EPA-R07-RCRA-2006-0878; FRL-8523-2] received January 28, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6146. A letter from the Executive Director, Office of Compliance, transmitting a copy of the 2007 Annual Report of the Office of Compliance, pursuant to Section 301(h) of the Congressional Accountability Act (CAA); jointly to the Committees on Education and Labor and House Administration.

6147. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting a report on the proposed fiscal year 2009 budget; jointly to the Committees on Oversight and Government Reform and Agriculture.

6148. A letter from the Chief Counsel for Advocacy, Small Business Administration, transmitting the Administration's Report on the Regulatory Flexibility Act, FY 2007, pursuant to 5 U.S.C. 612(a) Public Law 96-354, section 3(a); jointly to the Committees on the Judiciary and Small Business.

6149. A letter from the Chair, Good Neighbor Environmental Board, transmitting the eleventh annual report of the Good Neighbor Environmental Board; jointly to the Committees on Transportation and Infrastructure and Energy and Commerce.

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. RAHALL: Committee on Natural Resources. H.R. 3513. A bill to amend the Oregon Wilderness Act of 1984 to designate the Copper Salmon Wilderness and to amend the Wild and Scenic Rivers Act to designate segments of the North and South Forks of the Elk River in the State of Oregon as wild or scenic rivers, and for other purposes; with an amendment (Rept. 110–591). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 831. A bill to provide for the conveyance of certain Forest Service land to the city of Coffman Cove, Alaska; with an amendment (Rept. 110–592). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 3734. A bill to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area, and for other purposes (Rept. 110–593). Referred to the House Calendar.

Mr. WAXMAN: Committee on Oversight and Government Reform. H.R. 3928. A bill to require certain large government contractors that receive more than 80 percent of their annual gross revenue from Federal contracts to disclose the names and salaries of their most highly compensated officers, and for other purposes; with an amendment (Rept. 110–594). 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. MANZULLO (for himself and Mr. SMITH of Washington):

H.R. 5828. A bill to enhance the reliability of information in the Automated Export System, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SIRES (for himself, Mr. FRANK of Massachusetts, and Mr. MEEK of Florida):

H.R. 5829. A bill to improve the Operating Fund for public housing of the Department of Housing and Urban Development, and for other purposes; to the Committee on Financial Services.

By Mr. FRANK of Massachusetts (for himself, Ms. WATERS, Mrs. MALONEY of New York, Mr. WATT, Mr. ACKERMAN, Mr. MEEKS of New York, Mr. CLAY, Mr. LYNCH, Mr. AL GREEN of Texas, Ms. MOORE of Wisconsin, Mr. LINCOLN DAVIS of Tennessee, Mr. HODES, Mr. WILSON of Ohio, Mr. PERLMUTTER, Mr. MURPHY of Connecticut, Mr. DONNELLY, Mr. WEXLER, Mr. SHAYS, Ms. GINNY BROWN-WAITE of Florida, Mr. DINGELL, Ms. SCHAKOWSKY, Mr. LEVIN, Mr. HINCHEY, Mr. FATTAH, Mr. JACKSON of Illinois, Mrs. CHRISTENSEN, Ms. LEE, Mr. WU, Ms. MCCOLLUM of Minnesota, Mr. VAN HOLLEN, Mr. BUTTERFIELD, Mr. COURTNEY, Mr. SESTAK, Mr. SIRES, and Ms. TSONGAS):

H.R. 5830. A bill to create a voluntary FHA program that provides mortgage refinancing assistance to allow families to stay in their homes, protect neighborhoods, and help stabilize the housing market; to the Committee on Financial Services.

By Mrs. GILLIBRAND:

H.R. 5831. A bill to amend the National Defense Authorization Act for Fiscal Year 2008 to provide injured members of the Armed Forces information concerning benefits; to the Committee on Armed Services.

By Mrs. GILLIBRAND:

H.R. 5832. A bill to amend title 10, United States Code, to eliminate the requirement for dependents to reside with members of the Armed Forces to be eligible for TRICARE Prime Remote; to the Committee on Armed Services.

By Mr. DEFAZIO:

H.R. 5833. A bill to amend title 28, United States Code, to provide for the direct payment of attorney fees and costs to the attorney representing a prevailing party in certain Social Security Disability Insurance and Supplemental Security Income claims, and for other purposes; to the Committee on the Judiciary.

By Ms. ROS-LEHTINEN (for herself, Mr. BERMAN, Mr. SMITH of New Jersey, Mr. ACKERMAN, Mr. BURTON of Indiana, Mr. CHABOT, Mr. INGLIS of South Carolina, and Mr. FORTUÑO):

H.R. 5834. A bill to amend the North Korean Human Rights Act of 2004 to promote respect for the fundamental human rights of the people of North Korea, and for other purposes; to the Committee on Foreign Affairs.

By Ms. SCHAKOWSKY (for herself, Mr. BURGESS, Ms. DEGETTE, Mr. TOWNS, Mr. GENE GREEN of Texas, Mr. GORDON, Mr. TERRY, Mr. HINOJOSA, Mr. FERGUSON, Ms. BORDALLO, Ms. SOLIS, and Mrs. CAPPS):

H.R. 5835. A bill to provide for increased planning and funding for health promotion programs of the Department of Health and Human Services; to the Committee on Energy and Commerce.

By Mr. CARNAHAN:

H.R. 5836. A bill to amend the Foreign Assistance Act of 1961 to authorize the President to provide assistance to establish partnerships between businesses and postsecondary educational institutions in developing countries in Africa to increase economic freedom and competitiveness, promote civil society, and improve the quality of life in such countries; to the Committee on Foreign Affairs.

By Ms. ZOE LOFGREN of California (for herself, Mr. FORTENBERRY, Mr. CONYERS, Mr. SENSENBRENNER, Mr. SKELTON, Mr. HUNTER, Mr. BERMAN, Ms. ROS-LEHTINEN, Mr. BLUMENAUER, Mr. SMITH of New Jersey, Mr. PERLMUTTER, Mr. PENCE, and Ms. JACKSON-LEE of Texas):

H.R. 5837. A bill to make technical corrections to section 1244 of the National Defense Authorization Act for Fiscal Year 2008, which provides special immigrant status for certain Iraqis, and for other purposes; to the Committee on the Judiciary.

By Mr. GEORGE MILLER of California (for himself, Mr. GRIJALVA, Mr. TIERNEY, and Mr. ANDREWS):

H.R. 5838. A bill to amend the National Labor Relations Act to apply the protections of the Act to teaching and research assistants; to the Committee on Education and Labor.

By Mr. BUYER (for himself, Mr. MATHESON, Mr. ROGERS of Michigan, and Mr. GENE GREEN of Texas):

H.R. 5839. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of drugs; to the Committee on Energy and Commerce.

By Mr. KANJORSKI (for himself, Ms. BEAN, Mr. ROYCE, Mr. MOORE of Kansas, and Ms. PRYCE of Ohio):

H.R. 5840. A bill to establish an Office of Insurance Information in the Department of the Treasury; to the Committee on Financial Services.

By Mr. MOORE of Kansas (for himself and Mr. ROSKAM):

H.R. 5841. A bill to provide regulatory relief and improve productivity for insured depository institutions, and for other purposes; to the Committee on Financial Services.

By Mr. FRANK of Massachusetts (for himself, Mr. PAUL, Mr. ROHRABACHER, Mr. FARR, and Mr. HINCHEY):

H.R. 5842. A bill to provide for the medical use of marijuana in accordance with the laws of the various States; to the Committee on Energy and Commerce.

By Mr. FRANK of Massachusetts (for himself and Mr. PAUL):

H.R. 5843. A bill to eliminate most Federal penalties for possession of marijuana for personal use, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WOOLSEY (for herself, Ms. ESHOO, Mr. FARR, Mr. HONDA, Ms. LEE, Ms. ZOE LOFGREN of California, Mr. GEORGE MILLER of California, Mr. STARK, Mr. THOMPSON of California, and Ms. SPEIER):

H.R. 5844. A bill to provide for the transfer of the decommissioned Naval Security Group Activity, Skaggs Island, in Sonoma County, California, from the Department of the Navy to the Department of the Interior for conversion into a wildlife refuge for inclusion in the National Wildlife Refuge System; to the Committee on Armed Services.

By Mr. EMANUEL (for himself, Mr. GEORGE MILLER of California, Ms. WOOLSEY, Mrs. MALONEY of New York, Mr. NADLER, Mr. ACKERMAN, Mr. COSTA, and Mr. POE):

H.R. 5845. A bill to permit leave under the Family and Medical Leave Act of 1993 for victims of violent crime and domestic violence and immediate family members of victims of violent crime and domestic violence to attend court proceedings relating to such crimes; to the Committee on Education and Labor, and in addition to the Committees on Oversight and Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself, Mr. CANNON, and Mr. MARKEY):

H.R. 5846. A bill to require the Federal Communications Commission to auction spectrum for a free and open access broadband service; to the Committee on Energy and Commerce.

By Mr. GARRETT of New Jersey (for himself, Mr. POE, Mr. MCCOTTER, Mr. MCHENRY, Mr. KING of Iowa, Mr. BROUN of Georgia, Mr. BARTLETT of Maryland, Mr. PENCE, Mr. FEENEY, Mr. SHADEGG, Mr. WELDON of Florida, Mr. GOHMERT, Mr. DANIEL E. LUNGREN of California, Mr. KUHL of New York, Mr. LAMBORN, Mr. SHIMKUS, Mr. GOODE, and Mr. BISHOP of Utah):

H.R. 5847. A bill to prohibit United States funding for the 2009 United Nations Durban Review Conference (''Durban II Conference'') or any other activity relating to the planning, preparation, or implementation of a follow-up meeting to the 2001 United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (''Durban I Conference'') in Durban, South Africa; to the Committee on Foreign Affairs.

By Mr. HOLT (for himself, Mr. GEORGE MILLER of California, and Ms. MCCOLLUM of Minnesota):

H.R. 5848. A bill to amend the Higher Education Act of 1965 to authorize a program to prepare teachers for digital age learners; to the Committee on Education and Labor.

By Mr. MELANCON:

H.R. 5849. A bill to extend the returning worker exemption to the H-2B numerical limitation; to the Committee on the Judiciary.

By Mr. MILLER of Florida (for himself, Mr. BOYD of Florida, and Mr. BONNER):

H.R. 5850. A bill to amend the Act entitled ''An Act authorizing associations of producers of aquatic products'' to include persons engaged in the fishery industry as charter boats or recreational fishermen, and for other purposes; to the Committee on Natural Resources.

By Mr. SALAZAR (for himself and Mr. UDALL of Colorado):

H.R. 5851. A bill to provide for orderly and balanced development of energy resources within the Roan Plateau Planning Area of Colorado, and for other purposes; to the Committee on Natural Resources.

By Mr. TOWNS (for himself, Mr. ALLEN, Mr. BARTLETT of Maryland, Mr. BRALEY of Iowa, Mr. LANGEVIN, Mr. REICHERT, Mr. CAMPBELL of California, and Mrs. BONO MACK):

H.R. 5852. A bill to prohibit the conducting of invasive research on great apes, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TSONGAS:

H.R. 5853. A bill to expand the boundary of the Minute Man National Historical Park in the Commonwealth of Massachusetts to include Barrett's Farm, and for other purposes; to the Committee on Natural Resources.

By Mr. VAN HOLLEN:

H.R. 5854. A bill to amend title 36, United States Code, to grant a Federal charter to the Military Officers Association of America, and for other purposes; to the Committee on the Judiciary.

By Ms. VELÁZQUEZ:

H.R. 5855. A bill to establish a program to provide grants to help homeowners who are facing foreclosure to receive professional counseling; to the Committee on Financial Services.

By Ms. BALDWIN (for herself, Mr. POE, Ms. JACKSON-LEE of Texas, Mr. MORAN of Virginia, Mr. HOLDEN, Mr. ALLEN, Mr. WYNN, Mr. MCDERMOTT, Mr. ELLISON, Mr. NADLER, Ms. WASSERMAN SCHULTZ, Mr. MOORE of Kansas, Ms. MCCOLLUM of Minnesota, Mr. BURTON of Indiana, Mrs. MALONEY of New York, Ms. MATSUI, Ms. DELAURO, Ms. SUTTON, Mr. LOEBSACK, Ms. LORETTA SANCHEZ of California, Mrs. NAPOLITANO, Mr. LEWIS of Georgia, and Mr. PETERSON of Minnesota):

H. Con. Res. 330. Concurrent resolution supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month; to the Committee on the Judiciary.

By Mr. HINCHEY (for himself, Ms. BALDWIN, Ms. CORRINE BROWN of Florida, Mrs. CAPPS, Mr. CROWLEY, Mr. DELAHUNT, Mr. FARR, Ms. HOOLEY, Ms. KILPATRICK, Mrs. BONO MACK, Mrs. MALONEY of New York, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. NORTON, Ms. PRYCE of Ohio, Mr. SERRANO, Mr. SNYDER, and Ms. SUTTON):

H. Con. Res. 331. Concurrent resolution supporting the goals and ideals of National Women's Health Week, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCNERNEY:

H. Res. 1117. A resolution declaring the support of the House of Representatives for the goals and ideals of Earth Day and for developing the scientific and technological capabilities to achieve those goals; to the Committee on Science and Technology.

By Mr. FOSTER:

H. Res. 1118. A resolution honoring the life and achievements of John Archibald Wheeler and expressing condolences on his passing; to the Committee on Science and Technology.

By Mr. PLATTS (for himself, Mr. SHAYS, Ms. MATSUI, Mr. PRICE of North Carolina, and Mr. MCKEON):

H. Res. 1119. A resolution supporting the goals and ideals highlighted through National Volunteer Week; to the Committee on Education and Labor.

By Mr. ABERCROMBIE (for himself, Mr. WESTMORELAND, and Mr. SIMPSON):

H. Res. 1120. A resolution supports the establishment of an NCAA Division I Football Bowl Subdivision Championship playoff system in the interest of fairness and to bring parity to all NCAA teams; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Utah:

H. Res. 1121. A resolution commending Miller Motorsports Park, the county of Tooele, and the State of Utah for hosting the Federation Internationale de Motocyclisme (FIM) Superbike World Championship May 29 through June 1, 2008; to the Committee on Foreign Affairs.

By Mrs. MUSGRAVE:

H. Res. 1122. A resolution recognizing Armed Forces Day; to the Committee on Oversight and Government Reform.

By Mr. ROHRABACHER (for himself, Mr. DELAHUNT, Mr. CHABOT, Mr. COBLE, Mr. COHEN, Mr. DUNCAN, Mr. JONES of North Carolina, Ms. KAPTUR, and Mr. ROYCE):

H. Res. 1123. A resolution calling on the President of the United States not to commit the United States to any status of forces agreement or any other bilateral agreement with the Republic of Iraq that involves the continued presence of the United States Armed Forces in Iraq unless the agreement includes a provision under which the Republic of Iraq agrees to reimburse the United States for all costs incurred by the United States related to the presence of United States Armed Forces in Iraq after the effective date of the agreement; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

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

H.R. 406: Mr. ADERHOLT, Mr. BACHUS, Mr. FRELINGHUYSEN, Mr. GOODLATTE, Mr. KING of New York, Mr. KING of Iowa, Mr. LATHAM, Mr. SMITH of New Jersey, and Mr. WELLER.

H.R. 503: Mr. SCOTT of Georgia.

H.R. 510: Mr. BACHUS and Mr. MARCHANT.

H.R. 583: Ms. GIFFORDS.

H.R. 643: Ms. PRYCE of Ohio and Mr. DAVIS of Alabama.

H.R. 715: Ms. KILPATRICK.

H.R. 741: Mr. BOUCHER.

H.R. 821: Mr. LEVIN.

H.R. 826: Mr. WAMP.

H.R. 998: Ms. ZOE LOFGREN of California.

H.R. 1076: Mr. CARNEY.

H.R. 1108: Mr. MURTHA.

H.R. 1110: Mr. INSLEE.

H.R. 1113: Mr. COHEN and Mr. HOLT.

H.R. 1157: Mrs. CHRISTENSEN.

H.R. 1222: Mr. WITTMAN of Virginia.

H.R. 1228: Mr. HONDA.

H.R. 1232: Mr. BRALEY of Iowa.

H.R. 1245: Mr. TOWNS, Mr. ROSS, and Mr. DAVIS of Illinois.

H.R. 1283: Mr. HULSHOF.

H.R. 1295: Mr. MILLER of Florida.

H.R. 1363: Mr. RYAN of Ohio and Mr. SCOTT of Virginia.

H.R. 1395: Mr. LEVIN.

H.R. 1419: Mr. MCHUGH, Mr. MITCHELL, and Mr. HINCHEY.

H.R. 1431: Mrs. SCHMIDT.

H.R. 1552: Mr. WELCH of Vermont.

H.R. 1576: Mr. WITTMAN of Virginia.

H.R. 1609: Mr. LATTA, Mrs. BONO MACK, Mr. SCOTT of Virginia, and Mrs. MUSGRAVE.

H.R. 1610: Ms. WASSERMAN SCHULTZ and Mr. CRAMER.

H.R. 1621: Mr. RAHALL.

H.R. 1646: Mr. ISRAEL.

H.R. 1647: Mr. NEAL of Massachusetts, Mr. COHEN, Mr. HOLT, Mr. LIPINSKI, and Mr. COSTELLO.

H.R. 1655: Mr. COSTELLO and Mr. FILNER.

H.R. 1667: Mr. ISRAEL.

H.R. 1738: Ms. CASTOR and Mr. FOSSELLA.

H.R. 1783: Mr. HONDA.

H.R. 1827: Ms. FOXX and Mr. CAMPBELL of California.

H.R. 1881: Ms. SLAUGHTER.

H.R. 1889: Mr. BOREN.

H.R. 1890: Mr. BOREN.

H.R. 1930: Mrs. BACHMANN.

H.R. 1932: Mr. UDALL of New Mexico and Mr. PAYNE.

H.R. 1940: Mr. WITTMAN of Virginia.

H.R. 1967: Mr. PENCE, Mr. SMITH of Nebraska, Ms. FALLIN, Mr. WITTMAN of Virginia, Mr. MCKEON, Mr. TERRY, and Mr. LAMBORN.

H.R. 2032: Mr. JEFFERSON.

H.R. 2054: Ms. WASSERMAN SCHULTZ.

H.R. 2091: Mr. WU and Mr. LATHAM.

H.R. 2138: Mr. MCHENRY, Mr. LINCOLN DIAZ-BALART of Florida, Mrs. WILSON of New Mexico, and Mr. GARY G. MILLER of California.

H.R. 2188: Ms. BALDWIN, Ms. ZOE LOFGREN of California, and Ms. ROS-LEHTINEN.

H.R. 2230: Mr. PEARCE.

H.R. 2241: Mr. PASTOR.

H.R. 2280: Mr. WALZ of Minnesota.

H.R. 2325: Mr. BOREN.

H.R. 2330: Mrs. DRAKE, Mr. ENGLISH of Pennsylvania, and Mr. POE.

H.R. 2370: Mr. BRALEY of Iowa.

H.R. 2611: Mr. ALTMIRE.

H.R. 2676: Mr. BOUCHER.

H.R. 2744: Ms. SLAUGHTER, Mrs. BONO MACK, Mr. ROSKAM, Mr. MEEKS of New York, Mr. RANGEL, Mr. BECERRA, and Ms. CASTOR.

H.R. 2802: Mr. TOWNS and Mr. KUCINICH.

H.R. 2833: Mr. DONNELLY.

H.R. 2878: Mrs. DAVIS of California.

H.R. 2892: Mr. GRIJALVA.

H.R. 2914: Mr. BOOZMAN.

H.R. 2941: Mr. GERLACH.

H.R. 3036: Mr. RUPPERSBERGER.

H.R. 3089: Ms. GRANGER, Mr. SHIMKUS, and Mr. COLE of Oklahoma.

H.R. 3098: Mr. RODRIGUEZ.

H.R. 3140: Mr. YOUNG of Alaska and Mr. GOODLATTE.

H.R. 3186: Mr. ALTMIRE, Mr. BONNER, Mr. PASTOR, Mr. MCNERNEY, Mr. GENE GREEN of Texas, and Mr. ARCURI.

H.R. 3202: Mr. MEEKS of New York.

H.R. 3229: Mr. BERMAN, Mr. ACKERMAN, Ms. BERKLEY, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. BOSWELL, Mr. BRALEY of Iowa, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDOZA, Mr. CHANDLER, Ms. DELAURO, Mr. DOYLE, Mr. EDWARDS, Mr. EMANUEL, Ms. ESHOO, Mr. FARR, Mr. FOSTER, Mr. FRANK of Massachusetts, Mr. GENE GREEN of Texas, Ms. HERSETH SANDLIN, Mr. HOLDEN, Mr. HONDA, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. KANJORSKI, Ms. KAPTUR, Mr. KENNEDY, Mr. LARSON of Connecticut, Mr. LEVIN, Mr. LOEBSACK, Mr. MCDERMOTT, Mr. MCINTYRE, Mr. MOLLOHAN, Mr. MOORE of Kansas, Ms. MOORE of Wisconsin, Mr. PATRICK MURPHY of Pennsylvania, Mr. MURTHA, Mr. NADLER, Mr. PALLONE, Mr. PASTOR, Mr. PRICE of North Carolina, Mr. RAHALL, Mr. SCHIFF, Ms. SLAUGHTER, Mr. SNYDER, Mr. STARK, Mr. THOMPSON of California, Mr. UDALL of New Mexico, Mr. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr. WU, Ms. BALDWIN, Ms. CASTOR, Mr. DINGELL, Mr. ENGEL, Mr. ETHERIDGE, Mr. GONZALEZ, Mr. GRIJALVA, Mr. HARE, Mr. INSLEE, Ms. ZOE LOFGREN of California, Mrs. MCCARTHY of New York, Mrs. NAPOLITANO, Mr. OBERSTAR, Mr. ORTIZ, Mr. RODRIGUEZ, Mr. ROTHMAN, Ms. LINDA T. SÁNCHEZ of California, Ms. SHEA-PORTER, Ms. SOLIS, Ms. SUTTON, and Mr. WAXMAN.

H.R. 3232: Mr. BRADY of Pennsylvania and Mr. HIGGINS.

H.R. 3341: Mr. BARTLETT of Maryland.

H.R. 3419: Mr. MCDERMOTT.

H.R. 3457: Mr. GONZALEZ and Mr. MCCOTTER.

H.R. 3544: Mr. WAXMAN and Mrs. MALONEY of New York.

H.R. 3622: Mr. ARCURI and Ms. HIRONO.

H.R. 3700: Mr. ALLEN.

H.R. 3800: Mr. DONNELLY.

H.R. 3865: Mr. COBLE, Mr. FARR, Mr. ELLISON, and Mr. BOUCHER.

H.R. 3976: Mr. BISHOP of New York.

H.R. 4008: Mr. KELLER.

H.R. 4020: Mr. JEFFERSON and Mr. CARSON.

H.R. 4107: Mr. BOUCHER.

H.R. 4114: Mr. DEFAZIO.

H.R. 4202: Mr. COSTELLO.

H.R. 4218: Mrs. CAPPS.

H.R. 4236: Mr. SCOTT of Virginia and Mr. CARNEY.

H.R. 4335: Mr. CAPUANO.

H.R. 4344: Mr. KUHL of New York.

H.R. 4450: Mr. BACA, Mr. CUMMINGS, Mr. BOUCHER, and Mr. MORAN of Virginia.

H.R. 4460: Mr. HUNTER and Mr. CONAWAY.

H.R. 4544: Mrs. DRAKE, Mr. SIMPSON, Mr. OBERSTAR, Mr. MILLER of Florida, and Mr. GALLEGLY.

H.R. 4688: Mr. PORTER and Mr. GRIJALVA.

H.R. 4879: Mr. BRADY of Pennsylvania.

H.R. 4900: Mr. SHUSTER, Mr. MCCRERY, Mr. HALL of Texas, Mr. KINGSTON, Mr. ORTIZ, Mr. BARROW, Mr. THORNBERRY, Mr. TIM MURPHY of Pennsylvania, Mr. BONNER, and Mr. TERRY.

H.R. 4930: Mr. BOUCHER and Ms. BALDWIN.

H.R. 4959: Mr. HARE and Mr. STARK.

H.R. 5131: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 5180: Mr. DONNELLY and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 5244: Mr. GENE GREEN of Texas and Mr. YARMUTH.

H.R. 5265: Mr. HOLT.

H.R. 5268: Mr. HARE, Mr. DAVIS of Illinois, Ms. ESHOO, and Mr. WEINER.

H.R. 5404: Mr. WITTMAN of Virginia.

H.R. 5448: Mrs. NAPOLITANO.

H.R. 5461: Ms. BALDWIN.

H.R. 5465: Mr. PETERSON of Minnesota and Ms. BALDWIN.

H.R. 5467: Mr. SHULER.

H.R. 5498: Mr. GERLACH.

H.R. 5510: Mr. HILL.

H.R. 5534: Mr. BERMAN, Mr. MORAN of Virginia, Ms. DELAURO, Mr. ROHRABACHER, Mr. BILBRAY, Mr. ALEXANDER, Mr. PALLONE, and Ms. MATSUI.

H.R. 5541: Mr. WALDEN of Oregon.

H.R. 5546: Mr. WAMP.

H.R. 5548: Mr. TOWNS.

H.R. 5552: Mr. GARRETT of New Jersey and Mr. KAGEN.

H.R. 5611: Ms. PRYCE of Ohio.

H.R. 5613: Ms. WATSON, Mrs. EMERSON, and Mr. HOBSON.

H.R. 5626: Mr. CARSON and Mr. MCDERMOTT.

H.R. 5648: Mr. WALDEN of Oregon.

H.R. 5656: Mr. DAVIS of Kentucky, Mr. ROGERS of Kentucky, Mr. THORNBERRY, Mr. NEUGEBAUER, and Mr. BOUSTANY.

H.R. 5669: Ms. ROS-LEHTINEN, Mr. BISHOP of Georgia, and Ms. WASSERMAN SCHULTZ.

H.R. 5673: Mr. ENGLISH of Pennsylvania, Mr. KUHL of New York, Mr. YOUNG of Alaska, and Ms. FALLIN.

H.R. 5674: Mr. BOREN.

H.R. 5676: Mr. MACK, Ms. ROS-LEHTINEN, Mr. BILIRAKIS, Mr. MARIO DIAZ-BALART of Florida, Ms. CORRINE BROWN of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. KELLER, and Mr. Lincoln Diaz-Balart of Florida.

H.R. 5681: Ms. ZOE LOFGREN of California.

H.R. 5700: Mr. CROWLEY.

H.R. 5716: Mr. GONZALEZ.

H.R. 5723: Mr. EDWARDS, Mr. NEUGEBAUER, and Mr. BOUSTANY.

H.R. 5728: Ms. GINNY BROWN-WAITE of Florida.

H.R. 5731: Mr. JORDAN.

H.R. 5740: Mr. MCCAUL of Texas, Mr. WAXMAN, Mr. MCDERMOTT, Mr. KELLER, Mr. GERLACH, Mr. FOSTER, Mr. STEARNS, Ms. KILPATRICK, Mr. GUTIERREZ, Ms. NORTON, and Mr. FERGUSON.

H.R. 5752: Mr. BROUN of Georgia.

H.R. 5776: Mr. PENCE, Mr. WELDON of Florida, Mr. DOOLITTLE, Mr. KUHL of New York, Mr. CHABOT, Mr. SHIMKUS, Mr. WITTMAN of Virginia, and Ms. FALLIN.

H.R. 5782: Mr. BARRETT of South Carolina.

H.R. 5788: Ms. MATSUI and Ms. HIRONO.

H.R. 5794: Mr. BONNER and Mr. POE.

H.R. 5795: Mr. BROUN of Georgia.

H.R. 5818: Ms. CLARKE, Ms. MOORE of Wisconsin, and Mr. WILSON of Ohio.

H.R. 5825: Mrs. EMERSON, Mr. JOHNSON of Illinois, Mr. MACK, Mr. ROGERS of Michigan, Mr. DAVID DAVIS of Tennessee, Mr. RENZI, Mr. POE, Mr. DUNCAN, and Mr. KNOLLENBERG.

H. Con. Res. 249: Mr. MICA.

H. Con. Res. 257: Mr. SAXTON, Mr. BOREN, Mr. MANZULLO, and Mr. HUNTER.

H. Con. Res. 295: Ms. FALLIN, Mr. LAMBORN, and Mr. FORBES.

H. Con. Res. 317: Mr. CHABOT, Mr. WILSON of South Carolina, Ms. DELAURO, and Mr. PAYNE.

H. Con. Res. 318: Mr. INGLIS of South Carolina and Mr. Carson.

H. Con. Res. 320: Mr. FILNER, Ms. KAPTUR, Mr. FATTAH, and Mrs. NAPOLITANO.

H. Con. Res. 323: Mr. FORBES.

H. Con. Res. 328: Ms. DELAURO.

H. Con. Res. 329: Mr. TIM MURPHY of Pennsylvania, Mr. GERLACH, Mr. FEENEY, Mr. PLATTS, Mr. MCCOTTER, Mr. GOODE, Mr. BURTON of Indiana, and Mr. JONES of North Carolina.

H. Res. 37: Mr. COHEN.

H. Res. 373: Mr. TIM MURPHY of Pennsylvania and Ms. SLAUGHTER.

H. Res. 795: Mr. VAN HOLLEN.

H. Res. 821: Mr. MILLER of Florida.

H. Res. 881: Mr. CAMPBELL of California, Mr. FEENEY, Mr. BARTLETT of Maryland, Mr. PENCE, Mr. DAVID DAVIS of Tennessee, Mr. CHABOT, Mr. BURTON of Indiana, Mr. TANCREDO, Mr. ROYCE, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. WALBERG, Mr. FLAKE, Mr. REYNOLDS, Mrs. MYRICK, and Mr. STEARNS.

H. Res. 923: Mr. DAVID DAVIS of Tennessee, Mr. WALBERG, Mr. FRANKS of Arizona, Mr. SHADEGG, Mr. CAMPBELL of California, Mr. KUHL of New York, Mr. PRICE of Georgia, Mr. CLAY, Mr. ADERHOLT, Mr. DANIEL E. LUNGREN of California, Mr. DICKS, Mr. CARNEY, Mr. FOSTER, Mr. GARRETT of New Jersey, Mr. SCOTT of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK, Mr. HILL, Mr. CLYBURN, Mr. ALTMIRE, Mr. DAVIS of Illinois, Mr. BISHOP of Georgia, Mr. HOEKSTRA, Mr. GOHMERT, Mr. NEUGEBAUER, Mr. KLEIN of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. HASTINGS of Florida, Mr. FLAKE, Mr. WELDON of Florida, Mr. PUTNAM, Mr. ROSKAM, Mr. HULSHOF, Mr. WILSON of South Carolina, Mr. TIM MURPHY of Pennsylvania, Mr. FRANK of Massachusetts, Mr. COSTELLO, Mr. LATTA, Mr. SHIMKUS, Mr. FEENEY, Mr. CRENSHAW, Ms. PRYCE of Ohio, Mr. HENSARLING, Mr. COLE of Oklahoma, Mr. LEWIS of Kentucky, Mr. JONES of North Carolina, Mr. LOEBSACK, Mr. CAPUANO, Mr. CONYERS, Mr. SKELTON, Mr. SHULER, Mr. MITCHELL, Mr. TAYLOR, Mr. DONNELLY, Mr. ELLSWORTH, Mr. WILSON of Ohio, Mr. BILBRAY, Mrs. CUBIN, Mr. LAHOOD, Mrs. SCHMIDT, Mr. BROUN of Georgia, Ms. FOXX, Mr. WESTMORELAND, Mrs. DRAKE, Mr. BROWN of South Carolina, Mr. BARRETT of South Carolina, Mr. WAMP, Mrs. BLACKBURN, Mr. LAMBORN, Mr. MARCHANT, Mrs. MUSGRAVE, Mr. PITTS, Mr. HOBSON, Mr. BOUSTANY, Mr. AKIN, Mr. GINGREY, Mr. GOODE, Mr. DOOLITTLE, Mr. DUNCAN, Mrs. BONO MACK, Mr. MACK, Mrs. CAPITO, Mr. MCCARTHY of California, Mr. JORDAN, Mr. SALI, Mr. FORTENBERRY, Mr. DEAL of Georgia, Mr. LINDER, Mr. PEARCE, Mr. HALL of New York, Mr. KELLER, Mr. MILLER of Florida, Mr. SNYDER, Mr. BURGESS, Mrs. MCMORRIS RODGERS, Mrs. EMERSON, Mr. LEWIS of California, Mr. MARKEY, Mr. CASTLE, Mr. PENCE, Mr. GILCHREST, Mr. PAUL, Mr. BARTLETT of Maryland, Mr. KUCINICH, Mr. REICHERT, Mr. GERLACH, Mr. DENT, Mr. TOM DAVIS of Virginia, Mr. SAXTON, Mr. HAYES, Mr. MCHENRY, Mr. STEARNS, Ms. ROS-LEHTINEN, and Mr. ROGERS of Kentucky.

H. Res. 937: Ms. FALLIN and Mr. REYES.

H. Res. 981: Mr. MILLER of North Carolina.

H. Res. 984: Mr. PASTOR, Mr. DOOLITTLE, Mrs. DAVIS of California, Mr. BOYD of Florida, Mr. TANNER, Mr. ROSS, Mr. TAYLOR, Mr. SHULER, Mr. SPACE, Mr. CHANDLER, Mr. COOPER, Mr. MCINTYRE, Mr. HILL, Mr. PATRICK MURPHY of Pennsylvania, Mr. COSTA, Mr. BISHOP of Georgia, Mr. CRAMER, Mr. LINCOLN DAVIS of Tennessee, Mr. CARNEY, Mr. BARROW, Mr. KENNEDY, Ms. HERSETH SANDLIN, Mr. ELLSWORTH, Mr. ARCURI, and Mr. MAHONEY of Florida.

H. Res. 992: Mr. PETERSON of Minnesota.

H. Res. 1002: Mr. KLEIN of Florida, Mr. WYNN, Ms. BERKLEY, Ms. LINDA T. SÁNCHEZ of California, Mr. SCOTT of Georgia, Mr. CUMMINGS, Mr. MORAN of Virginia, Mr. CASTLE, Ms. WOOLSEY, Ms. CASTOR, Mr. THOMPSON of Mississippi, Mr. UPTON, and Mr. COSTELLO.

H. Res. 1008: Mr. FILNER and Mr. LATHAM.

H. Res. 1054: Mrs. BIGGERT.

H. Res. 1056: Mr. HARE and Mr. BRALEY of Iowa.

H. Res. 1062: Mr. FILNER.

H. Res. 1067: Mr. LOBIONDO and Mr. SALAZAR.

H. Res. 1070: Mr. CONAWAY.

H. Res. 1076: Mrs. CUBIN, Mr. SOUDER, Mr. PENCE, and Mr. JONES of North Carolina.

H. Res. 1079: Mr. ORTIZ, Ms. GINNY BROWN-WAITE of Florida, Mrs. BACHMANN, Ms. ZOE LOFGREN of California, and Ms. KILPATRICK.

H. Res. 1081: Mr. HINOJOSA.

H. Res. 1099: Mr. HINOJOSA.

H. Res. 1109: Mr. MCGOVERN, Mr. MORAN of Virginia, Ms. LEE, and Mr. ENGEL.

H. Res. 1110: Ms. SCHWARTZ, Mr. TIBERI, Mr. REICHERT, Mrs. EMERSON, Mrs. TAUSCHER, Mr. SAXTON, Ms. GINNY BROWN-WAITE of Florida, Mr. DAVIS of Kentucky, Mr. BONNER, and Mr. FEENEY.

H. Res. 1111: Mr. ENGEL, Mr. RUPPERSBERGER, Mr. TANNER, Mr. WEXLER, Mr. HASTINGS of Florida, Mr. ALTMIRE, Mr. SIRES, Mr. HODES, Mr. BRALEY of Iowa, and Mr. INSLEE.

H. Res. 1115: Mr. RUPPERSBERGER, Mr. ARCURI, and Mr. WITTMAN of Virginia.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

236. The SPEAKER presented a petition of the National Legislative Commission of the American Legion, relative to Resolutions with legislative intent for the 110th Congress Second Session; to the Committee on Veterans' Affairs.

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE *110th* CONGRESS, SECOND SESSION

Vol. 154 WASHINGTON, THURSDAY, APRIL 17, 2008 *No. 61*

Senate

The Senate met at 12:45 p.m. and was called to order by the Honorable CLAIRE MCCASKILL, a Senator from the State of Missouri.

PRAYER

Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, who has given us this good land for our heritage, help us to be a people mindful of Your favor and glad to do Your will. Save us from violence, discord, and confusion, from pride and arrogance and from every evil way.

Lord, defend our liberties and fashion us into one united people. Empower our Senators with the spirit of wisdom that justice and peace may reign. May they serve You with such faithfulness that America will show forth Your praise among the nations of the Earth. In times of prosperity, fill their hearts with thankfulness, and in the day of trouble give them a robust faith in You. May they keep their attention on You as the only one they must please.

We pray in the Redeemer's Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CLAIRE MCCASKILL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 17, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CLAIRE MCCASKILL, a Senator from the State of Missouri, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. MCCASKILL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

TEMPORARY EXTENSION OF THE FARM SECURITY AND RURAL INVESTMENT ACT OF 2002

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 5813.

The ACTING PRESIDENT pro tempore. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5813) to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond April 18, 2008.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Madam President, I ask unanimous consent that the bill be read the third time and passed; that the motion to reconsider be laid upon the table; that there be no intervening action or debate; and that any statements relating to this matter be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 5813) was ordered to a third reading, was read the third time, and passed.

Mr. REID. Madam President, this farm bill has been extended for a short period of time. The conferees have worked extremely hard. I hope we can get the conference report to us early next week. It would be a real disappointment if we didn't get this bill done.

WELCOMING POPE BENEDICT XVI TO THE UNITED STATES

Mr. REID. Madam President, I ask unanimous consent that we now proceed to the consideration of S. Res. 519.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 519) welcoming Pope Benedict XVI to the United States and recognizing the unique insights his moral and spiritual reflections bring to the world stage.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 519) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 519

Whereas Pope Benedict XVI will travel to the United States for his first pastoral visit as Pope and will visit Washington, DC, and New York;

Whereas Pope Benedict XVI was elected as the 265th Bishop of Rome on April 19, 2005, succeeding the much beloved Pope John Paul II;

Whereas the visit of Pope Benedict XVI will mark the 9th visit of a pope to the United States, recognizing the historical importance of the Catholic Church in American

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life, the deep faith and charity of its members, and the responsibilities of the United States in world affairs;

Whereas Pope Benedict XVI has spoken approvingly of the vibrance of religious faith in the United States, a faith nourished by a constitutional commitment to religious liberty;

Whereas Pope Benedict XVI remains committed to ecumenical dialogue and, during his trip to the United States, will meet with leaders of world religions and representatives of other Christian denominations and will visit a synagogue in New York City, all demonstrating his commitment to sincere dialogue and unity among all members of the human family;

Whereas Pope Benedict XVI has authored 2 encyclical letters inviting the world to meditate on the virtues of love and hope, ''Deus caritas est'' and ''Spe salvi'';

Whereas millions of Americans have discovered in Pope Benedict 's words a renewed faith in the power of hope over despair and love over hate;

Whereas Pope Benedict XVI has been a clear and courageous voice for the voiceless, working tirelessly for the recognition of human dignity and religious freedom across the globe;

Whereas Pope Benedict XVI has spoken out for the weak and vulnerable;

Whereas Pope Benedict XVI seeks to advance a ''civilization of love'' across our world; and

Whereas Catholics in parishes and schools across the Nation, and countless other Americans as well, eagerly await the visit of Pope Benedict XVI to the United States: Now, therefore, be it

Resolved, That the Senate welcomes Pope Benedict XVI on the occasion of his first pastoral visit to the United States and recognizes the unique insights his moral and spiritual reflections bring to the world stage.

SCHEDULE

Mr. REID. Madam President, we are going to resume consideration of the highway bill very soon. Yesterday, we filed cloture on the Boxer substitute amendment to the underlying bill.

Under the rule, Senators have until 1 p.m. today to file first-degree amendments. Senator MCCONNELL and I are going to have a consent agreement that we will present to the Senate in the immediate future.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

HIGHWAY TECHNICAL CORRECTIONS ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1195, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1195) to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to make technical corrections, and for other purposes.

Pending:

Boxer amendment No. 4146, in the nature of a substitute.

Coburn amendment No. 4538 (to amendment No. 4146), to create a bipartisan, bicameral special committee to investigate the improper insertion of an earmark for Coconut Road into the conference report of the 2005 highway bill after both Chambers of Congress had approved identical versions of the conference report.

Boxer amendment No. 4539 (to the text of the committee substitute to be inserted), to call for a review by the Department of Justice of allegations of violations of Federal criminal law.

Coburn amendment No. 4540 (to amendment No. 4539), relative to the Coconut Road Investigation.

The ACTING PRESIDENT pro tempore. The Senator from Idaho is recognized.

Mr. CRAIG. Madam President, I ask unanimous consent that I be allowed to speak for up to 10 minutes in morning business.

Mrs. BOXER. Madam President, reserving the right to object, I wanted to have a minute before to explain the lay of the land.

Mr. CRAIG. I yield to the chairman and leader of the bill.

Mrs. BOXER. Madam President, for the interest of all Members, we have been working now since Monday to pass a technical corrections bill, which, it seems to me, should have been passed very quickly. It basically makes some corrections to the last big highway and transit bill so certain projects that have been held up for technical reasons can go forward, and others that weren't ready, pushed aside, and another can go forward. This will unleash about a billion dollars' worth of important programs for our Nation.

These projects have been vetted, and they have been posted on the Web page of the committee, as we must do according to our new ethics rules. We are very pleased it looks like we might be able to wrap this up in the next few hours.

As far as I am concerned, we are ready to vote. We have the Coburn amendment and the Boxer amendment, which deal with a real problem that occurred at some point during the SAFETEA–LU consideration years ago. We have corrected the problem in the bill. We want to now have some type of investigation to find out exactly what went wrong and if there were any crimes committed. There were two options. Senator COBURN is setting up a complicated select committee of the House and Senate. We believe strongly that it creates constitutional problems, and we think it might interfere with a Justice Department investigation.

And then Senator REID had recommended, I think a far better way to get at the problem, which is a Justice Department investigation. I have written an amendment to go along with that. We are hoping to vote on that and then, hopefully, get to a cloture vote and final passage.

So that is the lay of the land, as best I see it. I wish I had more control over this at the moment. If I did, we would be voting in 5 minutes on the whole package. Until then, I will see you as soon as we have an agreement and, hopefully, we will get this matter done today.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Idaho is recognized.

EXTENSION OF THE FARM BILL

Mr. CRAIG. Madam President, I am on the floor to speak about something the majority leader proposed and that we have accepted by unanimous consent; that is, a 1-week extension of existing farm policy, the existing farm bill.

I come to the floor to speak because last night I put a hold on that UC request. I, similar to many Senators—and especially American agriculture—am growing very frustrated and restless about the reality that we don't have a farm bill. As we know, across America and in central parts of our country—certainly in the South—spring is here and it is planting season. The farm bill that is current law, which we extended a few moments ago, actually expired on September 30 of 2007.

It was in July 2007 that the House passed their version, and on December 14 we passed ours. Now, we have offered several extensions so the principals—the House and Senate Ag committees—could work on their differences with the administration and solve these problems. Yet they have not been able to do it.

Is this symbolic of a dysfunctional Congress that we have been experiencing for the last several years, where we simply cannot grapple with the big and responsible basic public policy issues of our country? It appears to be that way. I will blame both sides on this issue. It is both sides that are at fault that they cannot come together and, if you will, split the difference and solve a problem that is the basic public policy for American agriculture. NANCY PELOSI, the Speaker of the House, opposes the tax provision within the bill. Why? She isn't a member of the Finance Committee or a member of the Agriculture Committee. Yes, she is the majority leader and, therefore, if she opposes it, she could certainly block it, and she can kill farm policy.

I have worked with Senator HARKIN and Senator SAXBY CHAMBLISS for the last month, and I know they have worked overtime. This is not a criticism of our colleagues; it is a criticism of a dysfunctional system that no longer can cut a deal and make basic and important public policy. So here we are, with one more extension. SAXBY CHAMBLISS called me this morning and said: LARRY, would you give us another week? I said I would give them 1 more week, but, frankly, this is it; I will not accept another extension next week on the farm bill, unless the deal has been cut, unless the agreement has been made and it is simply the procedure of putting it in writing and getting it to print and to the President.

The President, when he signed the extension last time, said: ''Enough is enough.'' Even this week, he softly talked about vetoing an extension. So I guess the point I am trying to make is, what is at stake? Why are we bickering over the fine points, when the fundamental policy points are in place?

Let's look at what we have done, because we ought to be proud of the work of the new farm bill: Significant increases in conservation funding for our working farmlands, including conservation, stewardship, and environmental quality incentive programs. These are programs that encourage farmers and ranchers to incorporate better tillage practices, thereby sequestering more carbon and doing their part as it relates to reducing greenhouse gas emissions. We have added, for our dairies, better manure management practices to reduce methane gas emissions. Here we are talking about climate change. The President spoke to climate change yesterday. Yet we cannot come to an agreement on something that would allow American agriculture to advance their practices to make it work, in their instance, and allow a contribution to the climate change carbon emissions issue.

There is a provision within the new farm bill that I and Senator STABENOW have worked on—literally for 5 years—to get a new provision in the farm bill to recognize the near 50 percent of gross revenue coming out of agriculture today, known as specialty crops. For the first time, we have a new title on specialty crops. If I say at the end of the week—and their work is not done—I am not going to extend it any more, I am going to have to forgo this. I am going to forgo it and say to the farmers in Idaho and across America: Let's do a 2-year extension on existing policy, or at least 1-year extension so you know where you are when you get to planting season, instead of watching Congress fall all over itself because they cannot cut a deal.

Isn't it about time we settle our differences and show America we can function, that we can work the process? Have we truly become so dysfunctional and partisan on these fundamentally bipartisan issues that they simply cannot be resolved? On our side, there is a bipartisan effort. I cannot speak to the House side. I have not been in the negotiations. I can only see the results. The results simply don't exist. That is why this Senator is on the floor today speaking with considerable frustration over why we have a Congress that, months after the expiration of the law, simply cannot get its work done. Commodity programs maintain a safety net. Yes, commodity prices are high today and farmers are profiting. What goes up clearly can, and does, come down in the commodity markets. A property safety net for wheat and barley was in there. It is extremely important we do that.

There are nutritional program increases, making the school snack program nationwide to deal with better health, and fresh fruit availabilities for our schoolchildren. That is different and better. The disaster assistance program will help aid our farmers and ranchers in a more efficient fashion in periods of serious drought and fire and other whole farm types of disasters.

There is an issue in agriculture and beef production that has been an issue of considerable contention over time. It is called country-of-origin labeling. The American consumer today, when they go to the shelf and pick up a commodity and look at it, wants to know where it comes from. Is it a domestic U.S. product or was it produced somewhere else in the world?

We know we have concern today about certain types of products coming out of China and other areas, and the consumer's right to know the marketing certainly is important in country-of-origin labeling. We finally acquiesced to implement country-of-origin labeling by September of this year. I don't know if we can do it if we keep shoving the farm bill out, keep extending it and not allowing the operative language to come in place.

There are critical tax provisions within this bill. My colleague, Senator MIKE CRAPO, has an Endangered Species Act compliance in reduction and credits. There are wind energy credits and production tax credits for cellulosic ethanol. Once again, as a nation that has grown increasingly dependent on foreign energy sources, we are saying to American agriculture in this farm bill: Here are some incentives for increased production.

I was recently in Ottawa, Canada, looking at a cellulosic ethanol production plant, hoping it will be brought south of the border into the United States so we can begin to use agricultural residues for the purpose of making ethanol, lessening the pressure on some of our grain crops, especially our corn crops.

There are provisions in the bill to incentivize biodiesel. Yet those incentives are the kind Speaker PELOSI says are nonstarters, they are deal breakers. How can making our country energy independent, how can incentivizing the promotion of the Endangered Species Act within private lands and giving folks the benefit of doing that be a deal breaker? It simply demonstrates how this Congress cannot function today. We are basically on hold right now. We are not getting our work done in a variety of areas, and agriculture and the farm bill is simply a very tragic example of that type of effort, or lack thereof.

As I have said, September 30 of last year the policy expired. Current law was extended until March 15 and then again until tomorrow, and that is why the leader was on the floor today advancing it for 1 more week so that agriculture is not without policy in place.

This is the 17th. The work has not been done. This Monday, Chairman HARKIN said he was fed up. If he is fed up and he is a prime negotiator, what do we get? How do we deliver an ultimatum? I am not sure. But I am sure we will not, nor should we, allow American agriculture to be without policy.

All of the gains I have talked about, all of the gains that were negotiated inside the Senate Agriculture Committee and inside the House Agriculture Committee could simply be wiped away because there is no willingness or ability to come together and work together in behalf of American agriculture.

So I agreed on a 1-week extension. This is not an ultimatum, this is simply a statement of fact. I cannot agree any longer. American agriculture and Idaho's farmers need to know. They deserve to know. They should not be kept in limbo bouncing on the end of a string because the politicians in Washington cannot get their act together and simply cannot agree. We have always come to an agreement on agriculture. It has always been a bipartisan policy. I hope that practice of the past is a practice that ultimately can dominate the negotiations over this coming week.

I hope my colleagues will keep their lights on during the weekend. It is time we work a little overtime to get this done because I am one of several Senators who are simply at a point of saying: Can't go there anymore; time to finish it; time to tell American agriculture: Here is the new policy. And if we cannot, then let's extend the old policy and give them certainty for a minimum of at least 1 year.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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. I request permission to speak as in morning business for no more than 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TANKER REPLACEMENT PROGRAM

Mr. WICKER. Mr. President, on February 29, 2008, the U.S. Air Force announced its award of the KC–45A air refueling tanker program, a replacement to the aging KC–135 fleet. The two competitors in this process were Northrop Grumman-EADS on the one hand and the Boeing Company on the other. After a 13-month-long process, the Northrop Grumman proposal was selected as the better product for the American soldier and also the better value for the American taxpayer. It should come as no surprise that this decision amounted to a major disappointment for Boeing. Their employees and executives would understandably have appreciated the economic benefit such an award would have brought to them.

The award of the tanker program to Northrop Grumman was not the first setback to the Boeing Company in this regard.

In 2004, Congress intervened, in the fiscal year 2005 Defense bill, to terminate the Air Force tanker lease agreement. This agreement would have been costly and simply bad public policy. Afterward, the Air Force responded with one of the clearest and most transparent acquisition processes in history. The Air Force is now able to purchase and own 179 KC–45s for the same price it was going to spend to lease 100 Boeing 767s.

Compared to the reactions in States where Boeing has a presence, the selection of Northrop Grumman was greeted with enthusiasm in Mobile, AL, and along the gulf coast of my State of Mississippi, where thousands of jobs will be created locally. The tankers will be built in Mobile, but the economic impact will be felt throughout the gulf coast and, in reality, throughout the Nation. Such is the nature of the competitive process. One contestant is selected, and the other must deal with disappointing news.

It is important for Senators to understand that the Air Force and the Defense Department utilized an extremely fair and open acquisition process. The Government requested and received proposals for the tanker in early 2007 and then continued with an open review process until Northrop Grumman was announced as the winner in February of this year.

In winning this contract, Northrop Grumman simply did a better analysis and provided a better solution for the Air Force. The KC–45A carries more fuel, more passengers, and more cargo. It will also cost less to produce, passing along savings to the American taxpayers. By utilizing a broad base of suppliers in 49 of our 50 States, the Northrop Grumman tanker will create 48,000 direct and indirect jobs across our country.

Despite this, some want to stop this process from going forward. I have been disturbed by the words and actions of Boeing and its supporters. The level of misinformation injected into this process with the clear intent of derailing the award is troubling for many reasons—not the least of which is the precedent that would be set by Congress should it overturn this decision. The Air Force should be allowed to make this acquisition decision based solely on the facts and the merits of the two competing proposals, and that is exactly what it did in choosing the Northrop Grumman tanker.

Let's look at some of the claims made by Boeing and its supporters—first, that the competition was somehow unfair. The Air Force and the Defense Department testified recently to the Senate Armed Services Committee that the KC–45A tanker competition was perhaps the most rigorous, fair, and transparent acquisition in DOD history. This open process allowed for a significant amount of dialog among the Air Force, the Department of Defense, and the two bidders. This included weekly teleconferences with the Air Force, which, during the review process, sent Northrop Grumman 295 evaluation notices. They sent approximately 250 notices to Boeing.

Furthermore, following the formal request for proposals in January 2007, the Air Force received no complaints from Boeing or anyone else that the proposal request was somehow unfair. There were ample opportunities for those concerns to be aired, but no one said a word in this regard. Considering this, it is very hard to make a straight-faced claim that the process was not open or fair.

There has also been a high level of misinformation about the so-called exportation of American jobs. Some erroneously claim the Northrop Grumman award will outsource thousands of U.S. jobs to Europe. This is simply not true. No jobs are being exported to Europe. On the contrary, the KC–45A will create thousands of new jobs in America and will support a total of 48,000 direct and indirect jobs in 49 States, as I have said.

More than 230 suppliers across the United States helped make up the 60 percent U.S. content in the KC–45A tanker. This will truly be America's tanker, assembled in America by American workers and for the protection of the American military. The KC–45A will be fully assembled and militarized for U.S. Air Force operations by American workers in two separate facilities in Mobile.

No sensitive military technology will be exported to Europe in connection with this program. Instead, a new aerospace corridor will continue to grow and flourish along the gulf coast region.

The KC–45A tanker will join the Global Hawk, Fire Scout, joint cargo aircraft, and the light utility helicopter production facilities that are already successfully producing high-reliability defense systems for our Nation. The light utility helicopter, for example, is being built by EADS North America in Columbus, MS. It is a true success for the Army and for our economy. The Lakota, as the helicopter is known, was delivered to the Army 3 months ahead of schedule. To date, 24 Lakota helicopters have been delivered on or ahead of schedule. The Lakota has over 2,000 flight hours, with over a 90-percent full mission capable rate. In addition, EADS North America completed a 314,000-square-foot expansion to its Mississippi facility to manufacture this helicopter. Perhaps most importantly, the program is on budget and on schedule to deliver a critical platform to the American warfighter—just another example of EADS North America producing a product for our country's defense, using American workers.

There should be no doubt that the workforce in the gulf coast region is up to the task of building these complex systems. The results to date on the systems I just mentioned speak for themselves.

Our workforce is second to none in the Nation. So this debate, as much as some would make you believe otherwise, is not about American jobs versus European jobs. It is about where in the United States those jobs will be.

A recent full-page ad in newspapers across the country represented the worst of the misinformation. The ad claimed the Air Force selection ''penalized the warfighter and the taxpayer.''

The facts tell another story. The KC–45A was evaluated to be a superior product for the warfighter. It was also judged by the Air Force to be a better value for the taxpayer, providing superior military capability across the board at a lower total cost than the competing KC–767 aircraft.

The U.S. Air Force is not alone in choosing the KC–45A. Our friend and ally, the United Kingdom, recently announced the selection of this same aircraft frame as the best solution to meet their national security requirements. The U.K. selection is the fifth tanker competition in a row where the EADS platform was chosen as the winner over all other competitors. Australia, Saudi Arabia, and the United Arab Emirates have also recently placed orders for this tanker.

Some are calling for tighter restrictions on the level of international content in U.S. defense systems. That, to my mind, would be a mistake and would amount to changing the rules in the middle of the game. The U.S. economy is tightly integrated into the global economy, and the aerospace sector is no exception.

There are numerous examples of transatlantic cooperation on vital U.S. military programs where foreign suppliers do play essential roles. Some of the more visible programs include the F–35 Joint Strike Fighter produced by Lockheed Martin, Northrop Grumman, and British Aerospace; the VH–71 Presidential helicopter produced by Lockheed Martin and Augusta Westland, a European consortium; and the Joint Cargo Aircraft produced by L–3, Boeing, and Alenia, built in Florida from an Italian airframe.

I don't recall anyone in this Chamber or from Boeing expressing concern about the level of European participation in the Joint Cargo Aircraft, which has only about 60 percent U.S. content, nor did anyone complain about possible interruption of supplies of spare parts, which some have suggested would be a likely outcome of buying the KC–45A.

To repeat, Boeing's Joint Cargo Aircraft is 60 percent U.S. content and 40 percent international. When this contract was awarded, no one raised a single complaint about that. Now, when Boeing loses a competition to a partnership with a similar domestic-foreign ratio, they make it sound as if the world is coming to an end.

It seems to me the level of noise depends on whose ox is being gored. I

must stress this point. Any further delay of this contract would put at risk the brave Americans flying the current Air Force fleet of KC–135 tankers. These aircraft, on average, are more than 45 years old. Replacement has been the Air Force's top modernization priority for several years.

If the GAO upholds the Air Force selection and denies Boeing's protest, that should be the end of it. At that point, no Member of this body should stand in the way of the program moving ahead. Any further efforts to delay the program would not only be harmful to our national security but would be viewed by many of our foreign partners and allies as a major shift in U.S. policy.

From an economic point of view, potential retaliation by our European allies could have a negative impact on the current $6 billion in annual purchases of defense systems from the United States.

In closing, I would like to acknowledge that Boeing has every right to protest this decision to the Government Accountability Office. Beyond that, however, if this decision is not overturned by GAO, any attempt to alter this decision through the appropriations process or any other legislative maneuver would be dangerously shortsighted, in my opinion.

It would set a damaging precedent that would destroy our contract process now and in the future. Frankly, I would view such a move as an attack on the competition process itself, not only this award.

The workers along the gulf coast in Alabama and Mississippi and this entire corridor are ready to proceed with this work for our national defense. We would all do well to step back and let the facts in this situation speak for themselves. That is what the Air Force did when choosing the Northrop Grumman tanker as the best option for our warfighters' terms and the American taxpayer and their decision should be allowed to stand.

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.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I ask unanimous consent that no further amendments be in order to H.R. 1195, and that at 3:30 p.m. today, the Senate proceed to vote in relation to Boxer amendment No. 4539, and that the amendment be modified to be to amendment No. 4146; to be followed by a vote in relation to Coburn amendment No. 4538, and that Coburn amendment No. 4540 be withdrawn once this agreement is entered; that each of those two amendments be subject to a 60 affirmative vote threshold, and that if neither achieves that threshold, then it be withdrawn; that if either or both achieve the 60-vote threshold, that it be agreed to and the motion to reconsider be laid upon the table; that prior to each vote there be 2 minutes of debate equally divided and controlled in the usual form, and upon disposition of these listed amendments, the Senate proceed to vote on the motion to invoke cloture on the Boxer substitute, amendment No. 4146; that if cloture is invoked on amendment No. 4146, then the substitute, as amended, if amended, be agreed to, the committee-reported substitute, as amended, be agreed to, and the bill then read a third time; and without further intervening action or debate the Senate proceed to vote on passage of H.R. 1195, as amended; that the cloture motion on the bill be withdrawn; provided further that after the first vote, all subsequent votes in the sequence be limited to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

GAS TAX RELIEF

Mr. KYL. Mr. President, about almost 24 hours ago I had asked the chairman of the committee about offering an amendment to this legislation. It is clear that as a result of the agreement that has been worked out and the filing of cloture and so on that it is not going to be possible to get a vote on the amendment I was speaking about.

But I would like to talk briefly about that amendment and indicate that it would be offered on behalf of Senator MCCAIN, my colleague from Arizona, as well as other Senators, some of whom may want to also speak to it briefly.

We all know gasoline prices have risen dramatically. And the amendment Senator MCCAIN and I and others would offer would provide a temporary tax holiday from Memorial Day to Labor Day, preventing the Federal Government from collecting the 18.4-percent tax, the gasoline tax, that otherwise motorists would pay.

I assure my colleagues that the highway trust fund, which that tax goes into, would be kept whole with Federal revenues from the General Treasury. So the money we use to build highways and bridges and so on would not be affected by this amendment.

Briefly, I think we all feel the pinch when we fill up our cars and trucks. But listen to these statistics. According to economy.com, gasoline prices at the pump have increased from $2.22 to $3.33 a gallon, up 50 percent since the start of 2006.

I checked in my home State of Arizona yesterday. It was $3.38. There is very little that Congress can do in the near term to reduce gas prices other than this gas tax holiday. In the long term, we know we have to add more production and refining capacity in our country and that we have to encourage supplies to increase. But for right now, the one thing that Congress can do, and do virtually immediately, is to provide this short-term relief from the Federal gas tax.

At $3.33 a gallon, prices are the highest on record. Nearly 50 cents of the cost of each gallon of gas is due to taxes. According to the Bureau of Labor Statics 2005 Consumer Expenditure Survey, families with two cars spent, on average, $2,013 on gasoline. Since that study was released prices have increased dramatically. Gasoline price increases imply families are now paying at least $3,065 on gasoline in a year.

A big chunk of that is Federal, State, and local taxes. In fact, the average family pays nearly $170 in Federal gas taxes. With the growing financial strains placed on so many Americans' rising food prices and falling home prices, the additional hit of rising fuel prices is becoming a breaking point.

That is why my colleague, Senator JOHN MCCAIN, talked about the need to do something, and do something quickly, and proposed this gas tax holiday in comments he made to the Nation a couple of days ago, and why he has asked this amendment be introduced on his behalf, as well as Senators WARNER, BURR, MARTINEZ, LIEBERMAN, and GRAHAM.

In an effort to ease some of the hardship caused by the higher fuel prices that I have indicated, the amendment would merely suspend the 18.4-percent-per-gallon tax on gas and the 24.4-percent tax on diesel fuel from Memorial Day to Labor Day.

As I said, the amendment would not deplete the highway trust fund balance. The amendment would offset any revenue loss from the suspension of this tax with Treasury revenues. So the highway trust found will remain whole.

We all agree that our roads and highways must be maintained to ensure the safety of the road-traveling public, and this amendment would in no way impact highway construction.

It is interesting, last Memorial Day alone, approximately 32 million Americans traveled by car 50 miles or more from home. So suspending the Federal excise tax during the summer when fuel prices have historically been at their highest level would allow millions of Americans to keep a few more of their hard-earned dollars and help them better make ends meet.

Two final comments: There is an argument that this loss should be offset somehow by programs raising taxes somewhere else. Of course, I have never understood why, if you are going to provide tax relief to Americans, you would want to provide the tax relief and then tax them in some other way.

The Congressional Budget Office, former Council of Economic Advisers, Chairman Martin Feldstein, and Clinton Treasury Secretary Robert Rubin are three of the entities or individuals who have said it is unnecessary to offset temporary tax cuts when an economy is slowing.

The $150 billion stimulus bill that passed the Senate by a vote of 81 to 16

in early February was not offset. The $15 billion-plus housing bill that passed the Senate 84 to 12 last week was not offset. Most of the revenue losses associated with the housing bill benefited companies and other businesses, not consumers. If offsets were not needed to offset the benefit to private firms, I ask why our amendment would need to be offset since it aids struggling American families.

Finally, I heard rumors that Senators would like to propose an alternative to what we have produced, a Democratic alternative that was developed yesterday afternoon, that would effectively raise corporate income taxes on oil and gas companies.

Now, I suppose everyone likes to pick on oil and gas companies, though we sure want to have some gasoline in the pumps when we decide we need to fill up our cars and trucks, but this proposal eliminates or curtails the so-called section 199 domestic production deduction for oil and gas companies.

What that means in regular English is effectively raising the corporate income tax rate by 3 percentage points. That is exactly the wrong medicine at a time when our economy is not doing well. Let me repeat that. The elimination of this tax incentive is designed to encourage oil and gas companies to produce oil and gas in the United States so we do not have to go abroad and buy it from somewhere else.

I don't agree with this approach. Rather than raising taxes on oil companies, we should be encouraging them to explore for oil and to produce oil and gas in the United States, to improve our energy security and, importantly, to reduce prices for American consumers. Why on Earth would anyone actually want to limit domestic production? Reducing domestic production would only make the United States more dependent on foreign oil imports and would likely cause consumers to pay even more at the pump. Besides, a tax increase of the type being proposed would have the effect of raising prices at the pump, as costs obviously would be passed on to consumers. That would obviously have a reverse impact, the exact opposite of what we are trying to do with a reduction of the gas tax on consumers of gasoline products.

Finally, there is a significant problem with the proposal to repeal section 199 for U.S. oil companies. A proposal to do this passed the House of Representatives earlier this year. But this very same provision that passed the House would have the effect of keeping the 199 tax incentive for CITGO, the oil company owned by the Venezuelan Government; obviously, not a good idea while we are repealing it for American companies, to leave that tax incentive for a competitor of our oil companies owned by the Venezuelan Government. I don't know whether that was unintentional, but that is the effect of the amendment. Clearly that is not something we would want to do. I don't think we want to hold consumer relief hostage to a tax increase.

AMENDMENT NO. 4540, WITHDRAWN

The PRESIDING OFFICER. Under the previous order, amendment No. 4540 is withdrawn.

The Senator from California.

Mrs. BOXER. Mr. President, I thank my colleague, because we need to move this bill along. There are 500 important projects in it. I have colleagues who want to add more projects. I want to say, for the benefit of everyone, there are some very legitimate technical corrections that still need to be done. I have committed to my colleagues, both Democratic and Republican—I have spoken to Senator LINCOLN, Senator LANDRIEU, Senator BEN NELSON, Senator HUTCHISON, only a few moments ago—that our committee, myself working with Senator INHOFE and our colleagues, is going to come up with a follow-on technical corrections bill with the time to ensure it is put together right. We do have some different ethics rules these days. We want to make sure we vet everything and everything is put up on the Web site. We have a number of very important technical corrections still to be done, but we are going to do it in the next 3 weeks in committee. We look forward to it.

I read a very complex unanimous consent request, and I don't think anyone within the sound of my voice could possibly follow all of it. So I thought in plain English, for the good of myself as well as my colleagues, I would say where we are. We are going to have a couple of votes on the issue of Coconut Road, which is a real problem for us, and it has been straightened out in this bill. We fix the problem. But there are colleagues who want to have an investigation, and we have two alternatives. One is the Coburn amendment which sets up what I consider a very complicated special select committee with Members from both bodies. It will have public hearings. It will review things in public. It will do all of that. At the end of that time, what the committee will do is refer something to Justice, if they have found a problem. That is the whole point of the select committee.

The problem is, if you read the Constitution, you see the debate clause. We believe, from our constitutional scholars on this side, that that whole committee will fall. It will not be able to do its job. The House has told us they don't see how Senators can investigate House Members and House Members can investigate Senate Members. We think the best way to go, Senator REID and I and others, is to have the Justice Department get right in there. Ours is not a sense-of-the-Senate approach. We require the Justice Department to move forward. Instead of having a big Senate-House committee, with the press flashing pictures and all the rest, just get to it and ask Justice to investigate. We also worry, if there is a big committee—and there won't be, because the House won't accept it anyway—irony of all ironies, the Coconut Road fix will fall, because we fix it in this bill. If this bill falls because of this committee—because it is unconstitutional—there won't be a fix to Coconut Road. It is going to go back to the terrible change that somebody made in the dead of night. We don't want that to happen.

I hope my colleagues will reject that approach and support the Boxer-Reid approach which I believe is straightforward. It makes sense. It gets right to the heart. If there is a crime, let's find out about it.

On the McCain amendment, I actually was looking forward to debating it. I hope we will be able to, because there is a lot of dispute about how it would actually work in the real world. There is nothing in the McCain amendment that tells the oil companies they can't pocket the 18 cents that is going to come off. We have seen the oil companies. In California, in some places, we are over $4. This hurts our hearts. We see oil company profits soaring. If it were only the cost, they would be having the same profit and passing on the cost. But, no, their profits have gone up. We know about the CEO salaries and all the rest.

There is nothing in the McCain amendment—I would love to talk to JOHN about that—that would say to the oil companies: Don't use this as a moment to raise 18 cents. So where might we be?

We might do this, and we would have to now go to the general fund. All taxpayers would have to pay for this. Let's be clear. There is no pay-for in the McCain amendment—none at all. It goes to the Treasury. Who puts money in the Treasury? My taxpayers, your taxpayers, all taxpayers. So taxpayers are now going to pay for this one way or the other. We take it away from the users and the taxpayers pay, and there is nothing in it that will ensure that the cost won't be nabbed and grabbed by the oil companies. Then they get the extra 18 cents, and we have blown a $9 billion hole in the Federal budget. It is amazing how my colleagues could say, it is a time of stress. We have to do this. We need to be a little bit more responsible.

I am looking forward to this debate. I like to pay for things. Maybe I am old-fashioned. I am an old economics major. I think it is good to pay for things. I think we could figure out a way to pay for things. But to say nobody gets hurt when the tab in the McCain amendment is picked up by all taxpayers is faulty. We will have to make up that $9 billion. We Democrats think there is a way to do it. We see the profits of the oil companies. We say to the oil companies: Good for you, but there is a point at which, when Americans are suffering, you have to do a little bit more.

I, for one, look forward to debating the McCain amendment soon. We will have that debate. But it isn't going to be on this bill. For that, I am grateful for this reason: We are bringing this to a close, and this package is in many ways a ministimulus. It will unleash $1

billion into the economy. It will unleash some of these projects that are so important for our people who got stuck for technical reasons or had to have minor changes for other reasons. This $1 billion, when it is unleashed, will create tens of thousands of good jobs, jobs building highways, bridges, transit systems. We are very happy, and we expect to have this vote at 3:30. We will have first the Boxer amendment, then the Coburn amendment, then a cloture vote, and then a vote on final passage. We should be doing very well.

I ask unanimous consent that Senators GRAHAM, MARTINEZ, and WICKER be recognized for a total of up to 10 minutes and that following their remarks, Senator KENNEDY be recognized for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from South Carolina.

Mr. GRAHAM. Mr. President, there are a lot of things going on in Washington that people probably don't understand and wonder about. How could my Government not do better than it is doing. This is one of the areas where most people understand what we are trying to do and would appreciate any effort on their behalf to accomplish relieving the gas tax for a period of time when a lot of Americans are traveling. If you believe that a $600 check to Americans that comes from the Treasury, that is not offset, is a good thing to help the economy, like 81 of us do, this builds on that concept.

The Senator from California asks what we are trying to do. We are trying to build on some concepts that have already passed the body. We are injecting the economy with money so that people, consumers can buy more to help stimulate the economy. We have all agreed on that being a good idea. What is this doing? This is trying to take a Federal tax that affects every American who drives a car during a window of time when many Americans are going to be on the road doing a lot of things they have looked forward to and planned, to reduce the burden of traveling, to energize the economy, whether it is in terms of recreational travel or business dealings. That will build on the concept we have already agreed on. Now is the time to put money back into the pockets of consumers, and relieving the gas tax during this critical time and during this window of time makes perfect sense. I congratulate Senators MCCAIN and KYL. This will not be a hard sell to anybody out there who is paying taxes and driving a car. I hope we can find a way to make this happen. The public would appreciate it. They are going to appreciate the checks they get. The money will go to good use. If we could relieve the tax burden on traveling by 18.6 cents per gallon of Federal gas taxes during this window of time, people would appreciate it. They understand why we need to do it. It would be a good thing for the Congress, and I appreciate Senators MCCAIN and KYL putting this concept on the floor. It is sad we can't get it passed today, but I hope we do it sooner rather than later.

With that, being from South Carolina and Florida and Mississippi, where people travel to destinations that are attractive to come to, I hope we can pass this and help the American consumer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MARTINEZ. Mr. President, I am pleased to follow my colleague from South Carolina. I understand where we are. This amendment has been withdrawn. However, let me touch on this issue for a few moments, because it is so very important that we give this concept due consideration. In fact, at some point, the Senate should give it an up-or-down vote. A gas tax holiday from Memorial Day to Labor Day, which has a number of cosponsors, would allow American taxpayers to suspend the gas tax during that period of time. The fact is we are not in easy times in America today. We have rising gas prices, falling home prices, which is resulting in falling home equity opportunities for families to utilize their home as a means of defraying other costs in their family's life. As food prices go up, home prices are going down.

The price of gasoline has gone up tremendously. Unleaded regular has increased 53 cents per gallon this year. As a matter of fact, a tax holiday of 18 cents a gallon gas tax and 24 cents a gallon on diesel fuel from Memorial Day to Labor Day will help American families, will help those who make a living driving on the road, moving and hauling things through the trucking industry.

Why is it important to me as a Senator from Florida? We are a tourism State. A lot of tourists travel to Florida by car. In fact, the overwhelming majority of tourists come to Florida by car.

This is the average working family—the same people we are trying to help with this economic stimulus. This is allowing a family to throw their kids in the car and get on one of the interstate highways and come down to Florida and visit the attractions, visit the beaches this summer, and do what people do to bring families together, to be able to recreate, to be able to vacation as families together.

This is an economic stimulus to the State of Florida. The State of Florida is in hard times today because of the downdraft in the housing economy. So this would act as a tremendous boost, and it would help tremendously the families who are traveling in Florida and coming to Florida.

Gas is about $3.38 a gallon for regular in the State of Florida right now. It is a 51-cent increase from what it was a year ago. We get about 75 million tourists a year who come to the State of Florida. As a result of that, a great deal of economic activity is generated. Over the course of a year, about 25 million families are paying an additional $68 million in Federal gas tax for just one fill-up. That is on top of the fluctuating prices for a barrel of oil.

At the end of the day, we have to recognize this is an opportunity to provide a stimulus to our economy, to help the Florida economy, and to help the American family to be able to vacation this summer.

The Department of Treasury would transfer funds under this amendment to make the highway trust fund whole. So, in other words, it is not going to create a hole in the highway trust fund. It will not mean a diminution in our commitment to maintaining our infrastructure. It is simply going to give families a break between Memorial Day and Labor Day. What a great thing. What a great time of year. For the 4th of July we know millions of American families are going to set to the road—hopefully, set to the road—if they do not have to break to their kids the bad news because of the situation today. Because of difficult family budgets, that kitchen table conversation may also include saying: Children, guess what. We have to cancel our vacation to Florida this summer. We can't afford to take the family car. The price of gas is too high.

This would be a way to give the American family a break.

AMENDMENT NO. 4538

Mr. President, I want to take a moment and comment on something else. The distinguished Senator from California, Chairman BOXER, commented on the issue of Coconut Road. It is in my State of Florida. I am very concerned about what occurred in the situation there, which I think is well known to my colleagues in the Senate.

The fact is, what happened here is, at best, a questionable procedure. So the reason for Senator COBURN's amendment, which I have cosponsored, and Senator NELSON has cosponsored—so it is a bipartisan amendment—is to try to get at the bottom of it. It is not to try to create a Justice Department investigation. I do not know if there is any criminal wrongdoing that has taken place. These are congressional actions which are, frankly, in many ways reprehensible in my view but which may not rise to criminality.

So the issue is, why not just investigate? Let's find out: How did this happen? Because what I would hope we would all want to do is prevent this from happening in the future. Do we need to change rules, do we need to change procedures, or do we need to simply allow the public to know who did something like this and what their motivations were? I am not sure it rises to criminality. That is what the Justice Department does. They investigate criminal conduct. I do think it rises to the level of conduct that is not becoming to public officials that is not designed to enhance the public trust.

The people of southwest Florida, who have tremendous traffic problems—that I–75 is dramatically important to

their lives, frankly, as to the cost of fuel, the cost of how much time they spend idling on the highways—want to know what occurred here.

All I want to do is allow, through this process, to provide some clarity so they can know some answers. I believe the Coburn amendment is appropriate. I do not want to see this be created into some inquisition by the Justice Department but simply to get some Members to come together around a table and say: How did this happen? What happened here?

Let's give the people of southwest Florida the kind of answers they deserve, they demand, and give confidence to the American people that the Congress is acting in the people's best interests and not at the behest of special interests.

With that, Mr. President, I appreciate the opportunity to comment on both of these items, and I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Mississippi.

Mr. WICKER. Mr. President, might I inquire, how much of the 10 minutes is remaining from the request of the Senator from California?

The PRESIDING OFFICER. A minute and a half.

Mr. WICKER. I will do my best.

Mr. President, I thank Senator MCCAIN and Senator KYL for putting forward this proposal. I was delighted to see it. I would, frankly, hope that Democrats and Republicans could come together on this issue in a bipartisan manner and provide this temporary relief for hard-pressed Americans during the summer months.

Many people ask us, why are gas prices so high? Why is this continuing to happen? As we know, there are many complex factors involved in that: worldwide demand, countries such as China and India increasing their demand for oil and gas at this point; also, unstable governments in oil-producing regions; and Americans' continued reliance on foreign sources of oil.

But, also, I must confess the problem being experienced by Americans, in large measure, is due to Federal policies. In the mid-1990s, President Clinton vetoed a proposal to drill in ANWR, even though the residents of the State of Alaska have asked us for permission to drill there and have told us they are satisfied it can be done in an environmentally friendly manner. Also, we have had the refusal to produce energy in America when we know it can be done in an environmentally safe way, whether that be the production of more crude oil, oil shale, or liquefied coal.

So the Federal Government and this Congress bear a good bit of the responsibility. In light of that, I think we have to ask ourselves—Mr. President, might I have an additional 1½ minutes?

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WICKER. Thank you, Mr. President.

I think this Senate—Republicans and Democrats—needs to ask: We have a choice. Do we ask the Federal Government to tighten its belt a bit and adopt this summer-long Federal gasoline tax holiday or do we continue to require American families to tighten their belts and pay higher gasoline prices? Do we continue to require American farmers and small businesses, who have to use transportation to earn a living, to tighten their belts?

I think the better answer there is to provide 18 cents per gallon of relief for American families, 24 cents per gallon of relief to those who are required to use diesel to earn their livelihoods, and for the Federal Government to tighten its belt and absorb this $8 billion to $9 billion that the Senator from California talked about.

The Senator from South Carolina mentioned we have already passed a much more expensive economic stimulus measure because we are concerned about the economy. This economy could go either way. We can take action to prevent it from sliding into a recession. We have already adopted one a few months ago. The McCain plan is another one. I enthusiastically support the concept. I think it is time we give Americans a break at the pump. This would do so during an important period as our economy teeters on the edge.

I hope we continue to have this debate, as the Senator from California suggested, and adopt it on a bipartisan basis.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

LILLY LEDBETTER FAIR PAY ACT

Mr. KENNEDY. Mr. President, the Senate must act to pass the Lilly Ledbetter Fair Pay Act, and we must do so now. The House has already acted on this bill to restore the basic protection against pay discrimination as part of our Nation's commitment to equal justice and full civil rights for all.

Protecting these fundamental rights and ending discrimination in all forms are essential to our success as a nation. Republicans and Democrats worked together to enact our civil rights laws, and the American people want and deserve these protections to be implemented in full.

The guarantee of equal pay was first enacted in 1963. When President Kennedy signed the Equal Pay Act in 1963, he emphasized that protection against pay discrimination is ''basic to democracy,'' and those words are still true today.

In the years that followed, Congress passed other strong, bipartisan laws to strengthen the guarantee of equal pay for millions of Americans. Over the years, the Senate has gone on record time and again in favor of fairness and against discrimination.

The Civil Rights Act of 1964 was enacted after long, difficult, and contentious debate, but the cause of justice eventually prevailed. That landmark legislation included many important protections, including, for the first time, protection against pay discrimination on the job because of race, national origin, gender, and religion. That is title VII of the Civil Rights Act of 1964. Public accommodations is another very major part of that legislation. But title VII provided these kinds of protections against discrimination. That legislation passed 73 to 27.

We went on record again when the Age Discrimination in Employment Act was passed in 1967, with unanimous support in the Senate. Equal pay for those who are older; you are not going to be able to discriminate against the elderly. It was passed unanimously.

The consensus in favor of the Rehabilitation Act of 1973, which outlaws discrimination based on disability in federally funded programs and activities, was so strong it passed the Senate by a voice vote.

All of us are familiar with the fact that if there is going to be a dispute or major differences, people are going to call for a rollcall vote, even if there is going to be only a handful of people against it. In this situation, with regard to fair pay, equal pay, in the areas of those people who are working with the disabled, the guarantee was going to be fair pay. It, effectively, in the Rehabilitation Act of 1973, passed the Senate by a voice vote.

In 1990, the Senate passed the Americans with Disabilities Act 91 to 6, and it was signed into law by the first President Bush. The first President Bush has stated—and I have heard him eloquently say it was the most important piece of legislation that passed and he signed into law. It had protections against discriminating against those who are disabled individuals.

We passed the Civil Rights Act of 1991 by an overwhelming margin of 93 to 5. That was a clear vote in favor of fairness. It too was signed into law by the current President's father.

On this chart is the list where the Senate has addressed this issue of equal pay for equal work. Going back to 1963, these are the different Presidents who signed legislation—including President Johnson, President Nixon, President Reagan, President Bush. Look at the overwhelming votes: a clear indication of what the intention has been by this Congress in terms of fairness and justice, and correctly so.

Each time we have considered the issue, the Senate has taken the high road. Once again, we must demonstrate that we mean what we say. These important laws established the bedrock principle of equal pay for equal work, and they have made our Nation a stronger and better and fairer land.

In these times of economic hardship, working people deserve more than ever the chance to earn a fair day's pay for an honest day's work. Yet, as a result of the Supreme Court's 5-to-4 decision—5 to 4: one vote—last May in Ledbetter v. Goodyear Tire & Rubber Company, more American workers will have to endure pay discrimination, without the means to stop it.

Let me show what is happening with regard to women at the present time. We have serious economic challenges we are facing today. But look at the overall economic challenges, the downturn in our economy, and how it is playing out in terms of women. Women's earnings are falling faster than men's. We all hear about the falling of purchasing power among working families across this country. We can see it is falling a good deal faster in terms of the decline in median wages in the year 2007 for women.

As I mentioned, this legislation also applies in terms of African Americans, the disability community, age discrimination, national origin quotas—all of them. Look what is happening with the current economic crisis. Minorities are hit hardest by the economic downturn. So we have the economic downturn going on, and we have this decision which said the employers are going to be able to discriminate against workers on the basis of race, gender, national origin. It is unbelievable that a Supreme Court of the United States, 5 to 4, would overturn 5 to 6 major pieces of legislation that were decided overwhelmingly by this body over a 30-year period which say we want equal pay for equal work.

The list goes on. We know, basically, women make 77 cents for every dollar paid to men. That is existing. These are the current data of the U.S. census in 2007. So this is the current situation, generally. What we are trying to do is change this; to get equal pay for equal work. But inherently, this is where we are in 2007, and unless we change this, it is going to continue or probably even grow worse.

It is reflected, as we would expect, in family income. This chart shows we are talking about equal pay for women, and this legislation also applies to African Americans and national origin. Here we have African-American men receiving 21 percent less pay than White men. We find the same for Latinos. They are affected by this decision as well. Latinos receive 72 cents for every dollar earned by White workers. This shows the distinction, the annual distinction, about $8,000 a year. This has been true.

So we know we are facing a difficult economic time. We also know the people who suffer the most are the people—whether it is women, whether it is African Americans, whether it is Latino, whether it is disability or whether it is elderly, all those groups are affected by the Ledbetter decision, and in the face of 30 years of this Congress saying time and time and time again, in a bipartisan way, we are going to insist on equality of pay for equal work. That is the issue. That had been the law. This legislation we are talking about with Ledbetter, we are trying to go back to what the law was.

This chart indicates—the light green is what we would go back to, and the dark green is where the EEOC held the same as we are proposing in this legislation. This had worked and worked effectively. That is why the CBO said this isn't any further additional burden on industry or business. We are going to hear that argument. We have the CBO study which says that, because basically most employers want to do the right thing. They understand it, they respect it, and they want to do the right thing. So they are not going to be penalized; it will be others who will be penalized.

On this final point, as I mentioned the different groups affected, this shows pay discrimination hurts all kinds of Americans. This orange depicts the disabled, this is national origin, 760. These are cases of pay discrimination charges, including 2,470 in terms of the gender; and on race, 2,352; on age discrimination, 978. So this is 7,000—these are the cases that are brought. Most estimates are it is in the hundreds of thousands of actual cases that are out there that people don't know about.

Lilly Ledbetter didn't know about the fact that she was being shortchanged for years and years and years because people keep the payroll secret. Finally, she hears from others who are working and who are doing comparable work, and she gradually puts it together that she has been shortchanged. Sure enough, she had been shortchanged for years and years and years. The local jury made the decision to pay the damages and the Supreme Court overruled it and said: You are out of luck, Lilly Ledbetter. You should have brought your case within 180 days of the time you were employed. Even though you didn't know about it, you still should have brought it. Even if you didn't know about it, tough luck. You have no remedies. No remedies. No remedies. It has been going on for years. None. That is fundamentally and basically wrong, and that is what we are changing.

We have very strong support for this legislation. We have the support of various groups, including the American Association of People With Disabilities; the AARP, obviously, because of discrimination of the elderly; Business and Professional Women, the NAACP, United Auto Workers, National Congress of Black Women, the Religious Action Center, U.S. Women's Chamber of Commerce. They understand it and see it. The list goes on. I will include a more complete list with my remarks for the RECORD.

Many people give speeches on fairness and the need to help people in these tough economic times. An important way we can do so is by proving we still stand strongly against pay discrimination, that we would not allow the rights workers thought they had to be undone by misguided court decisions. Fair treatment for all employees is especially important now. As I mentioned, our faltering economy is hitting working families hard. There were 230,000 jobs lost in the first 3 months of this year. Unemployment rates climbed. Over 1 million working men and women have joined the unemployed since this past year.

Few doubt that we are now in a serious recession. It has been particularly hard on women and minorities and on workers—particularly hard. Of the 80,000 jobs that were lost in this last month, 50,000 were construction workers. The unemployment rate among women has risen sharply in the past year. Minorities are suffering more. Unemployment for African Americans is now well over 9 percent, almost twice the national average.

The impact of unfair pay practices is staggering. Today, as I mentioned, women still earn 23 percent less than men; African Americans, 21 percent less than White men; and Latinos earn 72 cents for every dollar paid to White workers.

In fact, the financial security of all working men and women is undermined by this recession. Workers are suffering already, and millions increasingly find their paychecks do not go far enough. They don't deserve to bear the additional burden of discrimination in their pay. The cost of this discrimination becomes more and more intolerable over time. Lilly Ledbetter lost tens of thousands of dollars over the course of her career because every paycheck made the burden of the discrimination even greater.

There is no doubt that the Supreme Court's decision in the Ledbetter case has left employees without one of the fundamental protections against pay discrimination that Congress intended them to have. The Court decision undermined their ability to hold employers accountable for such discrimination by imposing serious and unnecessary obstacles to ending the discrimination against them.

Under the Ledbetter case, the time limit for filing of pay discrimination claim begins to run, as I mentioned, when an employer decides to discriminate—not when the worker finds out about the discriminatory paycheck. Employers who conceal their illegal action for 180 days are free to discriminate. They can pay women less than men. They can pay African Americans less than Whites. They can pay older Americans less than younger ones and pay religious minorities and persons with disabilities less than other workers. These employees can never, ever obtain relief. Paycheck after paycheck can keep implementing the discrimination, and workers have no way to hold employers accountable.

Clearly, the decision has opened up a flagrant loophole in our civil rights, and the Congress cannot let it stand. Under this bill, the 180-day clock restarts with every discriminatory paycheck, so employees can challenge ongoing discrimination, even if their employer successfully hides its true motives at first.

Lilly Ledbetter was one of the few women supervisors at the Goodyear Tire and Rubber Company in Gadsen,

AL. She worked at the plant for almost two decades, constantly fighting to prove that women could do a job traditionally done by men. She endured insults from her male supervisors. She was told the plant didn't need women. Yet she persevered and gave the company a fair day's work. She had children and both she and her husband were working hard to support them. She had no idea Goodyear was not living up to its responsibility to pay her fairly.

For almost two decades, the company discriminated against her by using discriminatory evaluations to pay her less than her male colleagues who performed exactly the same duties. Many of those male colleagues had less seniority and experience than she had, but they were still paid more than she was for identical work.

The jury saw the injustice of Goodyear's mistreatment of Ms. Ledbetter and awarded her full damages. Five members of the Supreme Court ignored that injustice and ruled Ms. Ledbetter was entitled to nothing at all—nothing at all—because she filed her claim too late. The Court's decision gives countless employers a free hand to conceal and continue illegal discrimination and leaves workers powerless to stop it.

The bipartisan Fair Pay Restoration Act will restore the clear intent of Congress when we passed the important laws I mentioned earlier. It would restore the fair and reasonable rule that applied in the vast majority of the country until May 29 of last year. If we pass this bill, we can go back to the longstanding rule that the clock begins to run for filing a pay discrimination claim on the day a worker receives a discriminatory paycheck, rather than the day the employer first decides to discriminate.

By enacting this law, we will restore a rule that reflects how pay discrimination actually occurs in the workplace, and it will give all workers a fair means to stop ongoing discrimination and obtain fair compensation for the discrimination they have endured. By doing so, we will also be helping to prevent employers from engaging in such discrimination in the first place.

There is nothing radical about the changes this bill will make. It simply restores the law employers and workers had lived with for many years, until last May 29, the date of the Supreme Court's distressing decision.

I urge my colleagues to join me in restoring the full strength of the antipay discrimination laws we have enacted in the past. Let's take a clear stand for all working men and women and pass the Lilly Ledbetter Fair Pay Act.

Mr. President, I ask unanimous consent that this list of supporters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ORGANIZATIONS IN SUPPORT OF THE FAIR PAY RESTORATION ACT (S. 1843)

LCCR; 9to5, National Association of Working Women; Advocacy, Inc.; Alliance for Disabled in Action; Alliance for Justice; American Association of People with Disabilities (AAPD); AARP; American Association of University Women; American Civil Liberties Union; American Federation of Labor and Congress of Industrial Organizations (AFL–CIO); American Federation of State, County and Municipal Employees (AFSCME); American Federation of Teachers (AFT); American Humanist Association; American Library Association; Anti-Defamation League; Asian American Justice Center; Association for Women in Science; Bazelon Center for Mental Health Law; Business and Professional Women.

Center for Inquiry; Center on Women and Policy; Clearinghouse on Women's Issues; Coalition of Labor Union Women (CLUW); Consortium of Citizens with Disabilities Rights Task Force; Educational Foundation of America; Easter Seals; Equip for Equality; Equal Rights Advocates; Federally Employed Women; Feminist Majority; Healthy Teen Network; International Union, United Auto Workers (UAW); Jobs with Justice; Lawyers' Committee for Civil Rights Under Law; League of United Latin American Citizens (LULAC); Legal Momentum; Let Justice Roll Living Wage Campaign; MANA—A National Latina Organization; Mexican American Legal Defense and Educational Fund (MALDEF).

NAACP; NAACP Legal Defense & Educational Fund, Inc.; National Academy of Engineering; National Association for Girls and Women in Sports; National Association of Collegiate Women Athletic Administrators; National Associations of Commissions for Women; National Center for Lesbian Rights; National Center on Domestic and Sexual Violence; National Coalition for Disability Rights; National Committee on Pay Equity; National Congress of Black Women, Inc.; National Council of Jewish Women (NCJW); National Council of Women's Organizations; National Disability Rights Network; National Education Association; National Employment Lawyers Association; National Fair Housing Alliance; National Gay and Lesbian Task Force; National Organization for Women (NOW); National Partnership for Women & Families; National Senior Citizens Law Center.

National Women's Conference Committee; National Women's Law Center; National Women's Political Caucus; NETWORK, A National Catholic Social Justice Lobby; OWL—The Voice of Midlife and Older Women; Paralyzed Veterans of America; People For the American Way (PFAW); Religious Action Center; Sargent Shriver National Center on Poverty Law; Service Employees International Union (SEIU); The Disability Law Center of Massachusetts; The Impact Fund; The WAGE Project, Inc.

U.S. Women's Chamber of Commerce; USAction; Veteran Feminists of America; Wider Opportunities for Women; WIN Group International; Women Employed; Women Work! Women Work! The National Network for Women's Employment; Women's Institute for a Secure Retirement; Women's Law and Policy Project; Women's Law Project; Women's Research & Education Institute (WREI); Women's Sports Foundation; YWCA USA; 4ERA.org; 9to5 Atlanta; 9to5 Bay Area; 9to5 Colorado; 9to5 Los Angeles; 9to5 Poverty Network Initiative; ACLU Women's Rights Project; Adrian Middle School; ADA Watch; AFSCME; Alliance for Disabled in Action; Alliance for the Status of Missouri Women.

AAUW of Alabama; AAUW of Alaska; AAUW of Arizona; AAUW of Arkansas; AAUW of California; AAUW of Colorado; AAUW of Connecticut; AAUW of Delaware; AAUW of District of Columbia; AAUW of Florida; AAUW of Georgia; AAUW of Hawaii; AAUW of Idaho; AAUW of Illinois; AAUW of Indiana; AAUW of Iowa; AAUW of Kansas; AAUW of Kentucky; AAUW of Louisiana; AAUW of Maine; AAUW of Maryland.

AAUW of Massachusetts; AAUW of Michigan; AAUW of Minnesota; AAUW of Mississippi; AAUW of Missouri; AAUW of Montana; AAUW of Montgomery County; AAUW of Nebraska; AAUW of Nevada; AAUW of New Hampshire; AAUW of New Jersey; AAUW of New Mexico; AAUW of New York; AAUW of North Carolina; AAUW of North Dakota; AAUW of Ohio; AAUW of Oklahoma; AAUW of Oregon; AAUW of Pennsylvania; AAUW of Rhode Island.

AAUW of South Carolina; AAUW of South Dakota; AAUW of Tennessee; AAUW of Texas; AAUW of Utah; AAUW of Vermont; AAUW of Virginia; AAUW of Washington; AAUW of West Virginia; AAUW of Wisconsin; AAUW of Wyoming; Arizona Coalition Against Domestic Violence; Asian American Justice Center; Association for Women in Science; Black Women's Health Imperative; BPW/Alabama; BPW/Alaska; BPW/American Samoa; BPW/Arizona; BPW/Arkansas.

BPW/California; BPW/Colorado; BPW/Connecticut; BPW/Delaware; BPW/District of Columbia; BPW/Florida; BPW/Georgia; BPW/Hawaii; BW/Idaho; BPW/Illinois; BPW/Indiana; BPW/Iowa; BPW/Kansas; BPW/Kentucky; BPW/Louisiana; BPW/Maine; BPW/Maryland; BPW/Massachusetts; BPW/Michigan; BPW/Minnesota.

BPW/Mississippi; BPW/Missouri; BPW/Montana; BPW/Montgomery County; BPW/Nebraska; BPW/Nevada; BPW/New Hampshire; BPW/New Jersey; BPW/New Mexico; BPW/New York; BPW/North Carolina; BPW/North Dakota; BPW/Ohio; BPW/Oklahoma; BPW/Oregon; BPW/Pennsylvania; BPW/Puerto Rico; BPW/Rhode Island; BPW/South Carolina.

BPW/South Dakota; BPW/Tennessee; BPW/Texas; BPW/Utah; BPW/Vermont; BPW/Virgin Islands; BPW/Virginia; BPW/Washington; BPW/West Virginia; BPW/Wisconsin; BPW/Wyoming; Chicago Abortion Fund; Citizen Action of NY; Clearinghouse on Women's Issues; Philadelphia CLUW; Connecticut Permanent Commission on the Status of Women Crossrodes; Urban Center; Dads and Daughters; Georgia Coalition Against Domestic Violence; Georgia Rural Urban Summit.

Hard Hatted Women; Justice Jane; Las Animas County CSE; Legal Momentum; Let Justice Roll Living Wage Campaign; MANA A National Latina Organization; NETWORK, A National Catholic Social Justice Lobby; National Capital Area Union Retirees Club; National Center for Lesbian Rights; National Coalition for Disability Rights; National Council of Jewish Women—California; National Council of Jewish Women—Connecticut; National Council of Jewish Women—Greater Detroit Section; National Council of Jewish Women—Greater New Orleans; National Council of Jewish Women—Minnesota; National Council of Jewish Women—Northern Virginia; National Council of Jewish Women—Ohio; National Council of Jewish Women—Pennsylvania; National Council of Jewish Women—Portland; National Council of Jewish Women—Rhode Island; National Council of Jewish Women—St. Louis.

National Council of Jewish Women—Virginia; National Council of Jewish Women—West Virginia; National Council of Women's Organizations; Alabama, NOW; California, NOW; Colorado, NOW; Connecticut, NOW; Fayetteville, NOW; Florida, NOW; Georgia, NOW; 1Illinois, NOW; Iowa, NOW; Kansas, NOW; Lawrence Chapter, NOW; Los Angeles, NOW; Maryland, NOW; Massachusetts, NOW; Minnesota, NOW; Missouri, NOW; Nevada, NOW.

New Hampshire, NOW; New Jersey, NOW; Oregon, NOW; Santa Fe, NOW; Treasure Valley, NOW; Utah, NOW; Virginia, NOW; West

Pinellas, NOW; Missouri Women's Network; MomsRising.org; Montgomery County Commission for Women; National Women's Conference Committee; National Women's Law Center; National Women's Political Caucus; New Mexico Voices for Children; New York State Pay Equity Coalition; Ohio Domestic Violence Network; San Bernardino, OWL; PathWaysPA.

Pennsylvania NOW, Inc.; Pick Up the Pace; Planned Parenthood of Nassau County; Project IRENE; Silver & Brass Music; South Dakota Advocacy Network for Women; UAW 1853 Women's Committee; Veteran Feminist of America; USAction; West Virginia Women's Commission; Wisconsin Women's Network; Women Against Sexual Harassment; Women on the Job Task Force, NY; Women's Institute for a Secure Retirement; Women's Law Center of Maryland, Inc.; Women's Opportunity Link of Delaware, Inc.; Women's Research & Education Institute (WREI); YWCA Greensboro.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I believe I have an obligation to say a few things about the amendments offered by Senators COBURN and BOXER regarding the investigation of the Coconut Road controversy.

As most of my colleagues know, there are reports that a Member of the House of Representatives arranged to have the text of the 2005 highway bill changed during the enrolling process, which is quite unusual. This was after the bill had passed both Houses. Serious allegations have been made about the motives of this Member for doing this. The facts are not certain, but some say they are clear.

The junior Senator from Oklahoma has done an important service by shining public attention on this matter. The facts are not yet all known, as I have just said, but if these allegations—or some of them—are true, this is one more example of the corruption that permeated the Congress in recent years. We have two Members of Congress who have gone to prison. We have staff members who are in prison. Some are on probation and have pled guilty. So it is fair to say there was a lot of corruption in recent years.

Just last year, the new Democratic Congress passed S. 1, the most sweeping lobbying reform effort in the history of our country, in an effort to restore public trust in Congress. These reforms are already changing the way business is done in Washington. Lobbyists have less influence, and there is more transparency in the legislative process.

We all agree that any misconduct in the legislative process should be fully investigated. Specifically, we want to get to the bottom of this alleged misconduct involving the Coconut Road provision in the 2005 highway bill. The only disagreement between Senators COBURN and BOXER is how the investigation should be conducted.

Certainly, an investigation of the conduct of a Member of the House of Representatives should be done by the House. I think we get ourselves into a problem we should not, constitutionally or morally, by having the House tell us what we should do as far as our own Senators. We should not be telling them what they should be doing regarding House Members. Our Constitution does not provide the Senate with authority to direct a House committee to initiate any kind of action like that.

The Coburn amendment proposes a committee of Members from both the House and Senate conduct this investigation. But I believe Senators should not and cannot investigate a House Member any more than a House Member should or could investigate a Senator. Although Senator COBURN's goal of fully investigating the incident is worthy—and I think everyone shares his goal—the Senator's amendment is at odds with article I of the Constitution.

If we send this constitutionally dubious amendment to the House, it could jeopardize the entire highway technical corrections bill. Why do we want to mess with that? We should not. That is why Senator BOXER has proposed that the Justice Department review the allegations of criminal misconduct.

I would want everyone to recognize that in law, there is this saying: What are you trying to do, make a Federal case out of it? Why do we say that? Because it puts the fear into people because they know the Justice Department does a better job than anyone else investigating wrongdoing.

So what Senator BOXER proposed is to let the Department of Justice review the allegation of criminal conduct, which is the right way to go, and it is not an easy way to go.

According to public reports, the Justice Department and the FBI may already be investigating related matters, and who knows, maybe this precise matter.

If violations of Federal criminal law occur, it is in the province of the Justice Department and FBI to investigate and prosecute. The Boxer amendment simply calls on the Justice Department to review allegations of impropriety and find if Federal criminal laws have been broken.

The Boxer amendment asks the Justice Department to act in an appropriate manner. In fact, to be precise, it says the Department ''shall act consistent with applicable standards and procedures.'' In effect, we are asking that this be made a Federal case. This phrase recognizes the importance of separation of powers that we have in our great country. The language incorporates the principles, privileges, and responsibilities that guide Congress's exercise of its constitutional authority to discipline itself. It also remains true to the principles of legislative autonomy and fair, neutral enforcement of the laws.

This amendment does not waive any legislative privileges of Members or committees of Congress. It does not seek to intrude upon the constitutional duty of each House of Congress to discipline its own Members, nor does it alter the duty of the executive branch to faithfully execute laws.

The amendment simply memorializes the reality that there are serious allegations that may rise, perhaps to the level of criminal violations.

Again, what we are trying to do is make a Federal case out of this. It is entirely appropriate for the Justice Department to assume this responsibility.

For these reasons, I urge my colleagues to support the Boxer amendment and oppose the Coburn amendment. I express my appreciation to Senator BOXER for her hard work on this bill and certainly on this amendment. Those of us who know Senator BOXER know how tenacious she is. We have had the good fortune to work together for almost 26 years in Congress. I have the greatest affection, admiration, and respect for her as a person and her legislative skills and abilities. They certainly have been made very apparent with the work done on this latest piece of work which we hope will be completed in an hour or so from right now.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from California is recognized.

Mrs. BOXER. Madam President, before the majority leader leaves the floor, I thank him very much because he helped me enormously in this whole matter of an investigation. What we all want to do is get to the bottom of what happened with this Coconut Road situation, where it appears as if there may have been some activity that merits punishment.

When we heard that Senator COBURN wanted to take on this issue, we welcomed that because we do believe we have a responsibility to regain the trust of our people. That is why under Senator REID's leadership we passed the most far-reaching ethics reforms ever.

I see my friend is in the chair. She is part of the new class of Senators who pushed very hard for that legislation. Therefore, when Senator COBURN came forward, we believed we certainly wanted to do something. But what Senator REID, because he is a distinguished attorney, taught me is, there is a speech and debate clause in the Constitution, and this investigation with a select committee, House Members and Senate Members investigating each other and staff, could fall.

Here is the point, before my friend leaves the floor. The irony of all ironies is, if, in fact, the Coburn solution were to be adopted today and it did go forward, although we think it will bring the whole bill down, it wouldn't.

But let's say it is adopted. Nothing they do would really lead to anything until the end of their hearings. I call it kind of a circus atmosphere where colleagues would come, flashbulbs in everybody's face, and they take testimony. Nothing of consequence would occur, I say to my friend, until the end when they decide if there was something the Justice Department needed to look into.

Why have all that hoopla when you can get to the heart of the matter, which is saying to the Department of Justice: We want you—and this will require them. It doesn't say you ''may,'' it says you ''shall'' look into this. If the bill did fall, here is the totally irony: The fix to Coconut Road would fall. In other words, in the technical corrections bill, we fix the problem. If this whole thing falls because of the Coburn amendment, then we go back to the real problem of somebody changing the route of this particular road or building, freeway, whatever it was that was going to increase somebody's property. That would be the worst of all worlds.

I thank my leader for his help on this matter. He knows when I heard about this amendment, I said to him: Yes, we need to look into this, and he wanted to do it in the right way. He and his staff have been so helpful in getting us to this point where we have a very good alternative. I hope everybody votes for it.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I hope everyone heard what the chairman of the Environment and Public Works Committee just said. If we are unable to pass this technical corrections bill, which we hope to do in an hour, an hour and a half, if we fail to do that, the fix that was put in the bill, the technical correction that was made to take care of the Coconut Road problem would not be taken care of. That would be a travesty and a circular road to nowhere.

I even hope my friend, Dr. Coburn, would withdraw his amendment. He perhaps will not do that, but I hope that everyone, Democrats and Republicans—this is not a partisan issue. It deals with housekeeping that we do. It is important.

I say to my friend, the chairman of the Environment and Public Works Committee, she also has another job that is extremely difficult and extremely important. She is chairman of the Ethics Committee. Having served on that Ethics Committee and having chaired that committee for a long time, I know it is a tough job. This gives me an opportunity publicly to say—and I think all Senators will extend this appreciation to her, Senator CORNYN and the other four Members who serve on that most important committee, for the dedication and the hours they spend away from the cameras. These are in closed hearings talking about allegations made against individual Senators. They have done, and they continue to do, a remarkably good job.

There is no one who is in a better position today to talk about what is going on in the Senate with matters of violations having been alleged than the Senator from California.

What I think the amendment does is focus attention on the Justice Department, just where it should be. I hope everyone will go along with that amendment, Democrats and Republicans.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. VITTER. Madam President, today I stand on the Senate floor and continue a very important discussion that I began with all of my Republican classmates in the Senate several weeks ago. It is about the need for dramatic, bold, health care reform in this country.

We adopted this as a class project, if you will. Again, I thank my colleagues Senators THUNE, BURR, DEMINT, MARTINEZ, ISAKSON, and COBURN for their hard work on this important debate, on this important discussion.

Again, the idea is very simple: to put forward our conservative, free-market principles and what vision that leads to in terms of necessary, bold, transformative health care reform, and also to provide a clear contrast between that vision and the alternative, which is clearly in our mind a big government solution, a one-size-fits all solution that has the government role in health care grow and grow and private individual choice lessened and lessened.

In the first week of this discussion on the Senate floor, I rose and laid out our broad principles and where we wanted this discussion to lead. Again, as I said that week, I believe there is great consensus in America, almost universal consensus that our health care delivery system is badly broken and that major reform needs to take place. But, of course, having said that, the hard part is figuring out what that change is and how it can work best for the American people.

As I said in those introductory comments, I believe the broad choices are clear. Our conservative, free-market vision is to empower the individual, to maximize choice, to help everyone get good private insurance that is accessible and affordable, to use taxpayer dollars where appropriate to help the truly poor afford that sort of good private insurance that stresses preventive care and other measures that will bring down health care costs. But that is a very different vision from one based on Government first and foremost, based on Government programs, one-size-fits-all, growing those programs and in the process lessening individual choice and responsibility and lessening the sanctity of the individual doctor-patient relationship.

In the second week of our discussion, our colleague JOHN THUNE came to the floor and elaborated on a very important component of this message, which is that we want to stress a choice of private health plans as a predominant factor in American health care versus Government programs, or the one-size-fits-all, pushing people more and more in that direction and increasing the dominance of Government in this very major sector of our economy.

Following up on that, I come to the Senate floor this week to talk about a closely related principle and closely related theme, which is, again, opting for individual choice and incentives versus forced enrollment or forcing action upon citizens by the Government. Again, this is a crucial element of our vision for the dramatic, bold health care reform we need.

We believe firmly and we believe strongly that individuals are capable of choosing their own health insurance plan and that we must continue to focus on individuals and empowering individuals with choices and with incentives, not forcing individuals in a certain direction. So we are opposed to forcing people to enroll in certain plans rather than providing incentives for individuals to make rational choices that fit their own circumstances.

Congress should be pushing reform that creates those incentives for individuals, for employers, for insurance companies, and for States to come up with innovative solutions. We shouldn't be forcing mandates down people's throats, forcing them to enroll in any particular big government or other program. The way we can most effectively maximize this choice and empower the individual is through the Tax Code, creating options for families and individuals through the Tax Code that help those families buy insurance, that create those incentives that make sure it is accessible and affordable for everyone.

Now, as I suggest, Madam President, I have some pretty fundamental philosophical objections to mandating action on people. But in addition to that, I have some very practical concerns. If we look at other jurisdictions—States, even other countries—that force these mandates on people, we find they really don't work in the end.

A few examples. Hawaii—obviously a State—has a mandate that all employers must provide their workers with health insurance. Well, they think that is a magic wand that just automatically solves the problem. But it doesn't. First of all, unfortunately, it creates a barrier in many instances to creating jobs, increasing employment, and growing business. So that is a problem. But even beyond that, it doesn't insure all workers. In fact, in Hawaii, 10 percent of workers—not unemployed people, not nonworkers, but

10 percent of workers—- do not have health insurance. So there is the very practical issue of simply throwing out an edict, a mandate from the Government which doesn't accomplish the goal.

Another example is Canada. Canada requires everyone to be covered. Again, that creates significant challenges in actually making that happen and enforcing that rule. For instance, in the province of British Columbia alone, more than 40,000 people somehow slipped through the cracks or slipped through that mandate. It isn't a magic wand, and it doesn't get done.

So we believe there is a better way, and that is to maximize choice, empower the individual, and create incentives. That will get a great number of people enrolled and provide more affordability and access to health care.

We believe, as a part of that, that existing Government programs can be improved and modernized and made more efficient. And that is important. But we are opposed to attempts which often come up in this body and the other body of Congress that try to significantly expand these programs well beyond the bounds of how they were originally set up, well beyond the core constituencies or income levels for which they were established. We believe that is going down the path of big government, nationalizing health care, making government the dominant force by far, and we don't want to do that.

We also believe that encouraging competition in the marketplace is key to lowering health care costs. So we are opposed to price controls, profit ceilings, rigid expensive requirements, and mandates that usually end up doing exactly the opposite.

We believe in recognizing that seniors have increasingly turned to Medicare Advantage Plans because they offer a better value and in many cases a higher quality of care than traditional fee-for-service Medicare. So we are opposed to efforts to dismantle these programs and again lessen choice, lessen individual responsibility and choice, and push folks in one certain direction—back to a one-size-fits-all traditional Medicare fee-for-service.

We also believe that taxes should be as low as possible and that the Tax Code should be changed to put money back into families' hands, which would allow them to purchase their own health insurance. We are opposed to increasing taxes and using that money to pay for a big government one-size-fits-all model.

Madam President, I look forward, as do all of my Republican Senate classmates—Senators THUNE and BURR, DEMINT, MARTINEZ, ISAKSON, and COBURN—to continuing this discussion, continuing this debate. As I said at the beginning, I believe virtually all of America agrees that the American health care delivery system is badly broken, that we are in desperate need of not just tinkering around the edges but bold, dramatic reform. So we want to come forward and lay out those conservative and market-based principles that we believe are the right type of change, the type of reform Americans want, reform that empowers the individual, that respects that individual doctor-patient relationship, and that maximizes choice and creates incentives, and not the wrong choice that grows big government, that lessens choice, that increases mandates, that pushes individuals in a certain direction rather than allowing them to understand what best meets their needs.

Next week, Madam President, we will continue the discussion as another of my Republican Senate classmates takes to the floor to talk about another issue in this important debate, and I look forward to listening and participating in that discussion.

Madam President, I yield the floor, and 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. COBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COBURN AND BOXER AMENDMENTS

Mr. COBURN. Madam President, I wish to spend a few minutes just to make some observations during this short debate we are going to have before the amendments are voted on.

We are going to have a vote on the Boxer amendment and then on the Coburn amendment, both trying to get to the bottom of a problem. We have agreed to a 60-vote margin on both of those, but I wonder what happens to this issue if neither of those amendments gets 60 votes, and why are we having a 60-vote margin? Everybody agrees that this amendment about a postenrollment change to a bill needs to be solved. The mystery surrounding how it happened, where it happened, and why it happened needs to be solved. But now we have before us a hurdle which, in all likelihood, will eliminate our ability to find out.

It is claimed, and understandably, that my amendment would look into a problem in the House. That assumption, however, is incorrect because nobody knows exactly where this enrollment change happened. Some may think they do, but we don't know that.

Second of all, and probably more importantly, is the fact that a bill agreed to by both Houses of Congress was changed before it got to the President without our knowledge.

There also is the claim that if, in fact, we would have a bipartisan committee, with Members of both Houses looking into this, it is somehow precedent setting. It is not. In 1992, the House and Senate did combine—not on this specific issue—so there is a precedent there that no one can deny, that we looked at rules and processes and procedures, and we did that without any difficulty.

On the other side of the aisle is the Boxer amendment, which says we are going to ask the Justice Department. We are not going to ask them, actually, we are going to tell them that they shall do this.

The argument has been made that the speech and debate clause is violated by my amendment. I don't think that is accurate, but I will take that as an argument. But for the Boxer amendment to pass, the separation of powers will be violated. These are not laws. These are rules of Congress. Yet we are going to now invite in the executive branch to handle what we refuse to handle? The cynicism in me says that maybe we don't want to know the answer to this question.

We very simply could have had a majority vote on both of these, and the one that got the most votes would have won. We don't have the parliamentary power to force that to happen, and we do have the concurrent agreement of the chairwoman of the EPW Committee to have a vote, which I appreciate. I would not tell her that I do not appreciate that. I do appreciate the opportunity to have a vote. But the question still remains: What happens if we don't get 60 votes? Will something happen on this?

What I want us to do is restore the integrity of the enrollment process. If we fail to do that, if we fail to do that and if we invite the executive branch into our Houses, we have failed—we have failed to live up to our own responsibility in the Senate and in the House, and we have failed to protect what is truly a separation between us and the executive branch in how we have gone about it.

So I thank the good nature and good humor of the chairman of the committee for the lively debate we had yesterday. But, someday, somebody will write about this issue, and I am not sure history is going to be very kind to us as we worry about partisan issues, who gets credit, who didn't, pointing fingers.

The fact is, we have a problem that should be solved by a joint group of Members of this body. To say we can't do that denies the fact that we have integrity. We do have integrity. We do have honor. We do have commitment. And most of all, we want to build the confidence of the American people in Congress. I believe that will happen under my amendment. I am not sure it will happen if we don't pass it. As a matter of fact, I am certain that if we don't have one of these that gets accepted in conference, we will not be able to claim that.

I have heard the statements of the chairwoman of the EPW Committee, and I believe her statements. So whatever happens here, it is my hope that she will encourage that to happen in conference. It won't be telling the House what to do; rather, it will be asking them to concur that we ought to look into this.

Washington has a problem, and the problem is this: We are not believable

to the American public. More than 70 percent of the people in this country have no confidence in us, and we ought to be about repairing the institution and repairing that confidence.

With that, Madam President, I yield back.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I thank my colleague for bringing this issue to our attention. I think he knows that in the beginning there were some voices that said: Let's not deal with this. But we worked together, and we did come up eventually with a way to deal with it.

I think some of our colleagues believe that where there is a constitutional issue and a precedent-setting issue here involving such a delicate matter, such a matter that could lead to a criminal investigation and punishment, we ought to have some type of consensus on it. But I share his concern.

Madam President, I ask unanimous consent for an additional minute before we go to the regular order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I think if neither amendment gets 60 votes—and I certainly hope the Boxer amendment does, and I expect it would, but I don't know, it might not—I am already working on an alternative I would talk to my friend about right now, which is for us to communicate in writing very strongly to the Justice Department and tell them how strongly we feel.

I also wish to make the point that my friend is right. Someday, somebody will write about this. People are already writing about it because of the work we are doing on this matter. The Senator and I have been quite forceful in the way we feel about this. People are writing about it. My hope is that what we do is not create a new kind of select committee. My friend said it has been done before, and he may be right. But why a committee when we can get right to the heart of the matter, which is: Was there a crime? If so, let's get to the bottom of it.

I do want to say, and I say this as chair of the Ethics Committee of the Senate, nothing is more important to me than having a fair Ethics Committee that works hard and is objective. Any Member of the Senate can make a complaint any day of the week and it automatically is looked at. I want to reiterate that. If people have an issue, please, let us know. That is why we are there.

For those of us who care a lot about this matter, we do need, if nobody gets 60—I hope we will, but if nobody does, this issue does not go away as far as I am concerned. It cannot go away.

I think it is very important, the way we deal with this, to understand that if we do something that the House has constitutional objections to and it brings down the technical corrections bill, the irony of ironies is the Coconut Road project doesn't get fixed, it goes back to the crooked way it was handled. We don't want that. We want to fix the Coconut Road problem and we want to have an investigation.

I yield the floor to get to the regular order at this time.

AMENDMENT NO. 4539, AS MODIFIED

The PRESIDING OFFICER. Under the regular order, there will be 2 minutes of debate prior to a vote on amendment No. 4539, offered by the Senator from California, as modified.

Mrs. BOXER. Madam President, we have a very simple amendment. Sometimes in simplicity is strength. Sometimes in simplicity is power. Sometimes in simplicity you get to the place you want to get.

I do not like a lot of words. I believe a few words will say it. Look at what we say here:

Consistent with applicable standards and procedures—

which means everybody's rights are protected—

the Department of Justice shall review allegations of impropriety regarding item 462 in section 1934(c) of Public Law 109–59—

That is the Coconut Road project—

to ascertain if a violation of Federal criminal law has occurred.

I think we know enough to warrant this kind of amendment. I think we know enough to be concerned. I think we know enough to say to the Justice Department: Please pay attention to this. Do your work. Make a determination and get on with it because this is very serious.

I yield the floor.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Oklahoma.

Mr. COBURN. Madam President, I will repeat the three points I think are important. No. 1 is we do not know enough. The next amendment relates to the Justice Department if we do know enough.

No. 2 is I am very hesitant to set a precedent that invites the Justice Department to come into the Senate and House to investigate us.

No. 3, and finally, the Justice Department does not have to do it even if we say they shall. They do not have to do it. There is no force of law that we can make the Justice Department come and investigate us. If we did, our forefathers would roll over in their graves. That is what the separation of powers is all about. When we go directly to the Justice Department, we shirk our responsibility to control our own house and bring our own Members under it.

I urge my colleagues to not support this new precedent setting seeking of the Justice Department, in violation of the separation of powers, to come into the Senate and the House to do an investigation before we have done our own investigation to find out the jot and tittles.

I yield the floor.

Mrs. BOXER. I ask for 10 more seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I want to make the point, if we pass the Boxer amendment today and this bill gets signed into law by the President and we are requiring the Justice Department to do this, then they will be breaking the law.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mrs. BOXER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Hawaii (Mr. INOUYE), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Nebraska (Mr. HAGEL), the Senator from Indiana (Mr. LUGAR), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''aye.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 64, nays 28, as follows:

[Rollcall Vote No. 105 Leg.]

YEAS—64

Akaka	Feinstein	Reed
Baucus	Harkin	Reid
Bayh	Isakson	Roberts
Bingaman	Johnson	Rockefeller
Bond	Kennedy	Salazar
Boxer	Kerry	Sanders
Brown	Klobuchar	Schumer
Brownback	Kohl	Smith
Bunning	Landrieu	Snowe
Cantwell	Lautenberg	Specter
Cardin	Leahy	Stabenow
Carper	Levin	Sununu
Casey	Lieberman	Tester
Chambliss	Lincoln	Thune
Coleman	Martinez	Vitter
Collins	McConnell	Voinovich
Conrad	Menendez	Warner
Corker	Mikulski	Webb
Dodd	Murray	Whitehouse
Dole	Nelson (FL)	Wyden
Dorgan	Nelson (NE)	
Durbin	Pryor	

NAYS—28

Allard	DeMint	Inhofe
Barrasso	Domenici	Kyl
Bennett	Ensign	McCaskill
Burr	Enzi	Murkowski
Byrd	Feingold	Sessions
Coburn	Graham	Shelby
Cochran	Grassley	Stevens
Cornyn	Gregg	Wicker
Craig	Hatch	
Crapo	Hutchison	

NOT VOTING—8

Alexander	Hagel	McCain
Biden	Inouye	Obama
Clinton	Lugar	

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

Mrs. BOXER. Madam President, I move to reconsider the vote.

Ms. LANDRIEU. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. For the information of Senators, we have three more votes. We are going to be in session tomorrow, but there will be no votes. Because of the Passover holiday, on Monday, there will be no votes. We expect to have a full, heavy week next week.

I appreciate the cooperation of Senators this week. As indicated, we should be finished within the next hour.

AMENDMENT NO. 4538

The PRESIDING OFFICER. There are now 2 minutes equally divided prior to a vote on the Coburn amendment.

Mr. COBURN. Madam President, we have voted an invitation to the Justice Department to investigate a rules violation in either the House or the Senate. We have set an amazing precedent.

What we recommend is a bicameral committee made up of four members of each body, two from each party, that would report back to the appropriate ethics committee or to the Justice Department, if there is, in fact, an infraction of law.

My hope would be that we would take care of the problems in our own body. The House would take care of the problems in their body and that we would, in fact, give greater than 36 votes to this amendment.

The PRESIDING OFFICER. Who yields time?

The Senator from California.

Mrs. BOXER. Colleagues, this is very important. I wish to commend my colleague for bringing this whole issue to the floor of the Senate. But I think we have done something important. We have taken his concerns to heart, and with a very big vote, we have stated that the Justice Department is now required to open an investigation.

What the Senator does is set up an elaborate commission of Senators, of House Members; it is political on its face. It will only put off the day until an investigation is done by Justice. Because after having this elaborate commission, Senators investigating House Members, House Members investigating Senators, it is unconstitutional on its face on the speech and debate clause.

That will bring down this entire bill. Here is the irony of ironies. If we bring this bill down, the fix of Coconut Road will fall. We fix the Coconut Road problem in this bill.

I urge you, please say no to this idea because I feel we have done the right thing on this matter.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. COBURN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second. There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Hawaii (Mr. INOUYE), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Nebraska (Mr. HAGEL), the Senator from Indiana (Mr. LUGAR), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER), would have voted ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 43, as follows:

[Rollcall Vote No. 106 Leg.]

YEAS—49

Allard	Crapo	McCaskill
Barrasso	DeMint	McConnell
Bayh	Dole	Murkowski
Bennett	Domenici	Nelson (FL)
Bond	Ensign	Roberts
Brownback	Enzi	Sessions
Bunning	Feingold	Shelby
Burr	Graham	Smith
Cardin	Grassley	Specter
Chambliss	Gregg	Stevens
Coburn	Hatch	Sununu
Cochran	Hutchison	Thune
Coleman	Inhofe	Vitter
Collins	Isakson	Warner
Corker	Klobuchar	Wicker
Cornyn	Kyl	
Craig	Martinez	

NAYS—43

Akaka	Johnson	Reed
Baucus	Kennedy	Reid
Bingaman	Kerry	Rockefeller
Boxer	Kohl	Salazar
Brown	Landrieu	Sanders
Byrd	Lautenberg	Schumer
Cantwell	Leahy	Snowe
Carper	Levin	Stabenow
Casey	Lieberman	Tester
Conrad	Lincoln	Voinovich
Dodd	Menendez	Webb
Dorgan	Mikulski	Whitehouse
Durbin	Murray	Wyden
Feinstein	Nelson (NE)	
Harkin	Pryor	

NOT VOTING—8

Alexander	Hagel	McCain
Biden	Inouye	Obama
Clinton	Lugar	

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is withdrawn.

Mrs. BOXER. I move to reconsider the vote.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. There are now 2 minutes equally divided prior to the cloture vote on the substitute amendment.

The Senator from California.

Mrs. BOXER. Madam President, we are ready.

Mr. INHOFE. We are ready.

Mrs. BOXER. All we want is an ''aye'' vote. Let's get this good bill passed. Let's unleash $1 billion worth of good, important projects into our communities and create tens of thousands of jobs.

We appreciate we have come this far. We thank you.

I yield to my colleague.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I think we have talked enough on this bill. Everyone knows what it is. We have to get our road construction programs going. We cannot do it without an ''aye'' vote on this motion. I urge you to vote aye.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the Boxer substitute amendment No. 4146 to H.R. 1195, an act to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to make technical corrections, and for other purposes.

Barbara Boxer, Harry Reid, Charles E. Schumer, Frank R. Lautenberg, Jon Tester, Mark L. Pryor, Bernard Sanders, Benjamin L. Cardin, Jeff Bingaman, Patty Murray, Sheldon Whitehouse, Debbie Stabenow, Bill Nelson, John D. Rockefeller, IV, Jack Reed, Ron Wyden, Dianne Feinstein.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on amendment No. 4146, offered by the Senator from California, to H.R. 1195, the highway technical corrections bill, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Hawaii (Mr. INOUYE), and the Senator from Illinois (Mr. OBAMA), are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Nebraska (Mr. HAGEL), the Senator from Indiana (Mr. LUGAR), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 90, nays 2, as follows:

[Rollcall Vote No. 107 Leg.]

YEAS—90

Akaka	Bennett	Brownback
Allard	Bingaman	Bunning
Barrasso	Bond	Burr
Baucus	Boxer	Byrd
Bayh	Brown	Cantwell

Cardin	Hatch	Pryor
Carper	Hutchison	Reed
Casey	Inhofe	Reid
Chambliss	Isakson	Roberts
Coburn	Johnson	Rockefeller
Cochran	Kennedy	Salazar
Coleman	Kerry	Sanders
Collins	Klobuchar	Schumer
Conrad	Kohl	Sessions
Corker	Kyl	Shelby
Cornyn	Landrieu	Smith
Craig	Lautenberg	Snowe
Crapo	Leahy	Specter
Dodd	Levin	Stabenow
Dole	Lieberman	Stevens
Domenici	Lincoln	Sununu
Dorgan	Martinez	Tester
Durbin	McCaskill	Thune
Ensign	McConnell	Vitter
Enzi	Menendez	Voinovich
Feingold	Mikulski	Warner
Feinstein	Murkowski	Webb
Graham	Murray	Whitehouse
Grassley	Nelson (FL)	Wicker
Harkin	Nelson (NE)	Wyden

NAYS—2

DeMint	Gregg

NOT VOTING—8

Alexander	Hagel	McCain
Biden	Inouye	Obama
Clinton	Lugar	

The PRESIDING OFFICER. On this question, the yeas are 90, the nays are 2. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. SPECTER. Madam President, I have sought recognition to speak to an amendment to the pending legislation by myself and Senator CASEY, which would authorize an addition of lane miles in Pennsylvania to the Appalachian Development Highway System so that a vital highway project can be constructed.

The Central Susquehanna Valley Thruway project is a proposed 13-mile, four-lane limited access highway extending from the Selinsgrove Bypass of U.S. Routes 11/15 to PA Route 147 in Northumberland. Because the project involves construction of a bridge across the Susquehanna River, the estimated cost to construct it is $370 million. The current conditions are a major impediment to north-south travel in Central Pennsylvania and this project is widely supported by State and local elected officials. In addition to the traffic problems it will address, the project is a major economic development initiative in the predominately rural region between Williamsport and Harrisburg. The Pennsylvania Department of Transportation, PENNDOT, has thus far not been able to identify the funds necessary to construct this project, and neither has the Federal Government. However, it has been suggested that if the 12-mile route were added to the Appalachian Development Highway System, ADHS, it would open up a new source of funds which PENNDOT could use to construct this project.

The ADHS encompasses 2,600 miles across the Appalachian States and is administered by the Appalachian Regional Commission. The intention of this highway system is to improve the connectivity of economically depressed Appalachian regions with metropolitan areas. Approximately 500 miles of the ADHS have yet to be completed, including 178 miles which need to be completed within Pennsylvania. Although the affected counties of Northumberland, Snyder, and Union are within the Appalachian region, this 12-mile route in question is not a part of the existing ADHS system and therefore does not qualify for ADHS funding.

This amendment would authorize Federal ADHS assistance for the 13-mile thruway project. For purposes of connectivity, it would also authorize a larger 52-mile segment from I–180 near Williamsport to the intersection of U.S. 11/15 and U.S. 22 near Duncannon as part of the ADHS. This will connect the 13-mile system to the rest of Pennsylvania's existing ADHS system, but the only segment of this 52-mile addition that would be eligible for funding under the amendment is the 13-mile thruway project. Further the amendment provides that this addition will not affect Pennsylvania's Federal ADHS apportionment. It is important to note that the amendment does not provide more funding to Pennsylvania, it simply gives PENNDOT the ability to use existing ADHS apportionment funding for this high-priority project.

Madam President, I also wish to speak to an amendment to the pending legislation by myself and Senator CASEY, regarding the use of ''toll credits'' by the Pennsylvania Department of Transportation, PENNDOT, with respect to construction of the U.S. Route 219 highway improvement project in Somerset County, PA.

The Somerset County Commissioners have identified the U.S. Route 219 improvement project as essential to improving north-south transportation mobility and safety in Somerset County. The project involves construction of a four-lane, limited access highway connecting the towns of Somerset and Meyersdale, PA. A 1999 study conducted by PENNDOT noted that this section of U.S. Route 219 has a number of deficiencies that cause traffic congestion and high accident rates. The project also promises economic benefits by linking motorists with a new business park. PENNDOT received approval to conduct environmental and engineering studies in 1999 and planned on using ''toll credits'' to match $45 million in Federal funds allocated to the project through the Appalachian Development Highway System, ADHS, program. However, the necessary land was not acquired until 2006, and in the meantime, the 2005 SAFETEA–LU bill prohibited the use of toll credits as a non-Federal match requirement to ADHS funds.

Toll credits are a ''soft-match'' that allow States to substitute previous, toll-financed transportation spending as a credit toward the match requirement. In doing so, it effectively increases the Federal share to 100 percent, thereby reducing the pot of available Federal funds. With the limited availability of Federal resources, I can understand why Congress would have an interest in ensuring that States contribute actual dollars toward highway construction projects rather than credits. That is why this amendment does not eliminate the prohibition on the use of toll credits to match ADHS dollars. This is something that we can debate as we consider the next highway and transit authorization bill.

This amendment provides for a narrow exception to that prohibition. It would allow PENNDOT, in the case of U.S. Route 219 only, to use toll credits so that this important transportation and economic development project can move forward. I believe this exception to the toll credit prohibition is warranted at this time because PENNDOT was planning on using them when it entered the environmental and engineering phase of this project. Without the ability to use credits, I am advised that PENNDOT has no matching funds available to finance this project.

Mr. DODD. Mr. President, the Senate is now debating the SAFETEA–LU technical corrections bill. It is regrettable that we had to file cloture on the motion to proceed to this bill in order to make progress on this legislation. This is a technical corrections bill. It fixes mistakes made in the heat of passage of SAFETEA–LU, a bill that was 835 pages long. These types of technical corrections bills are not at all uncommon, and almost always pass with little, if any debate, much less disagreement.

All of the relevant committees the Banking Committee, which has jurisdiction over the transit title of the bill, the EPW Committee, with highway jurisdiction, and the Commerce Committee, which oversees highway safety—have worked together in a bipartisan fashion to produce a corrections bill with broad support.

I thank my colleague and ranking member on the Banking Committee, Senator SHELBY, for his work in producing this title, which passed the Banking Committee unanimously in May of last year. I also want to commend EPW Chairman BOXER and Ranking Member INHOFE, as well as Commerce Chairman INOUYE and Ranking Member STEVENS, for their hard work on developing this highly technical bill.

Unfortunately, despite these efforts, we have been blocked from moving forward by a small handful of our colleagues. I want to thank the majority leader for making time in the Senate's schedule to debate this bill.

Although this is only a corrections bill, it will have a real impact for our local communities, which are struggling to keep up with the demands of crumbling infrastructure. There are funds that were authorized in SAFETEA–LU to help meet these demands, but for technical reasons, they have not been distributed. This bill will unlock those funds so that they can be used for the purpose for which they were intended, which is to shore up our transit systems, our roads and bridges—all of the vital components of

the transportation network that we rely on every day for the safe and efficient movement of people and goods.

The funds that would be unlocked by passage of this bill will allow for critical maintenance and capital improvement projects to go forward on our roadways; they will allow for dangerous overpasses to be replaced; they will allow for transit systems to more efficiently meet the needs of their riders; and they will allow for a greater degree of safety on our roads and rails.

And it is important to understand, this bill does not cost a single penny. It allows funds that have already been authorized to be distributed as intended.

The Banking Committee reported the transit title of this bill last May. We worked closely with our colleagues here in the Senate as well as in the House to develop a bipartisan, consensus package. I want to again thank my ranking member, Senator SHELBY, for his efforts on this bill; he has worked hard to try to get this done since the last Congress.

The Banking Committee's title of this bill addresses the drafting errors contained in the transit title of SAFETEA–LU and makes necessary changes to various project authorizations so that funds can be released. In addition, I just want to note that this bill recognizes the hard work and leadership of our former colleague, and past chairman of the Banking Committee, Senator Paul Sarbanes, by naming the Transit in Parks program, which he authored, after him.

It is more important than ever that we invest in our Nation's transit systems. Safe, reliable, and efficient public transportation is essential if we are to tackle the growing problems of traffic congestion, rising gas prices, and global climate change. Transit systems provide significant benefits both to transit riders and to others in the community, including employers, property owners, and automobile drivers. For example, when people ride transit, the amount of time that transit riders and automobile drivers alike spend in traffic goes down; in fact, the Texas Transportation Institute has estimated that transit saves Americans over $18 billion a year by reducing the time they would otherwise waste sitting on clogged roadways.

And, in this era of high gasoline prices, public transportation provides an additional benefit: according to economists Robert Shapiro and Kevin Hassett, public transportation saves more than 855 million gallons of gasoline a year, helping to reduce our dependence on foreign oil and providing us with a cleaner, healthier environment.

Transit ridership is at the highest level in 40 years, and strong support for transit is essential in light of this increasing demand. In fact, I strongly believe that if we are to keep up with the demands of our growing economy, we must renew our commitment to our Nation's infrastructure, not just in transportation, but in water systems, housing, and other areas. Senator HAGEL and I have put forward a proposal to create a National Infrastructure Bank, which would leverage private investment through tax-credit bonds to fund large-scale, regionally or nationally significant infrastructure projects. I held a hearing on this proposal last month and I intend to hold another in the coming weeks.

We have an enormous challenge before us in meeting the infrastructure needs of our nation. The National Infrastructure Bank is not intended to be the only tool in our toolbox; neither is the technical corrections bill we are discussing today.

But passage of the bill now before the Senate would be an essential step forward in meeting that challenge. It would put an end to the technicalities that are holding up vital funding for road and transit improvements. There is no excuse for any further delay in getting these funds to the communities which need them.

Let me take just a moment to address the Administration's Statement of Administration Policy opposing one of the provisions in the transit title of this bill, related to the transit New Starts program. This program, which supports the development and construction of new transit systems, is widely recognized for its focus on performance measures and accountability. Each applicant for New Starts funds enters a rigorous review process based on statutory rating criteria, including factors such as mobility improvements, environmental benefits, and cost effectiveness. In order to more fully capture the impact that a major transit project has on communities, Congress in SAFETEA–LU added economic development and land use effects to the statutory list.

However, the Federal Transit Administration is not applying the statutory rating criteria as Congress intended. Instead, the FTA has assigned inordinate weight to a few statutory factors, while giving others, such as economic development and environmental benefits, only minimal weight.

The language in the technical corrections bill reiterates Congress's intent in SAFETEA–LU that each of the factors must be given comparable weight when evaluating New Starts grant applications. This language passed the House of Representatives last summer as part of their technical corrections package.

I say to my colleagues, I could not disagree more with the position the administration is taking on this point. The language in the transit title has broad bipartisan support, both from the Banking Committee and from the House Transportation and Infrastructure Committee. If the Administration does not agree with the criteria included in SAFETEA–LU for the evaluation of New Starts projects, I would be happy to consider their views in the context of the next reauthorization. I intend to begin that process later this year and I expect to proceed in an open and bipartisan way. In the meantime, the administration's responsibility is to implement the law, and unfortunately they have failed to do so in this case.

In conclusion, although it is technical, this is an important bill. It has broad bipartisan support on both sides of the Capitol and would allow urgently needed funds to be distributed to the States and local communities trying to address their transportation needs. I commend it to my colleagues and ask for their support.

Mr. BYRD. Madam President, I am proud to support H.R. 1195, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act, and the benefits that it will provide to West Virginia and the rest of the country. However, I must oppose the two amendments offered by Senators BOXER and COBURN. Both amendments have the good intention of ensuring open and honest government, but I must oppose them because of my concerns about their implications, particularly as they may impinge on the powers of the legislative branch.

I applaud the Senators for their attempts to eliminate any waste, fraud, and abuse that have plagued the Congress in previous years. As chairman of the Appropriations Committee, I have instituted on-line access to spending bills, so that the public may see where their tax money is being spent. But both of these amendments may inappropriately expose Congress to scrutiny by the executive branch by way of the Department of Justice.

Congress is fully capable of proceeding with its own internal investigations. Both Houses have bipartisan Ethics Committees that may undertake these investigations. If criminal activities are discovered in the course of a congressional inquiry, such crimes should then be investigated by the appropriate Federal authorities.

The PRESIDING OFFICER. Under the previous order, the Boxer substitute amendment No. 4146, as amended, is agreed to.

The committee substitute, as amended, is agreed to.

The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. DORGAN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN),

the Senator from New York (Mrs. CLINTON), the Senator from Hawaii (Mr. INOUYE), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Illinois (Mr. OBAMA), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

I further announce that, if present and voting, the Senator from Louisiana (Ms. LANDRIEU) would vote ''yea.''

Mr. KYL. The following Senators are necessarily absent: the Sentor from Tennessee (Mr. ALEXANDER), the Senator from Nebraska (Mr. HAGEL), the Senator from Indiana (Mr. LUGAR), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 88, nays 2, as follows:

[Rollcall Vote No. 108 Leg.]

YEAS—88

Akaka	Domenici	Murkowski
Allard	Dorgan	Murray
Barrasso	Durbin	Nelson (FL)
Baucus	Ensign	Nelson (NE)
Bayh	Enzi	Pryor
Bennett	Feingold	Reed
Bingaman	Feinstein	Reid
Bond	Graham	Roberts
Boxer	Grassley	Rockefeller
Brown	Harkin	Salazar
Brownback	Hatch	Schumer
Bunning	Hutchison	Sessions
Burr	Inhofe	Shelby
Byrd	Isakson	Smith
Cantwell	Johnson	Snowe
Cardin	Kennedy	Specter
Carper	Kerry	Stabenow
Casey	Klobuchar	Stevens
Chambliss	Kohl	Sununu
Coburn	Kyl	Tester
Cochran	Lautenberg	Thune
Coleman	Leahy	Vitter
Collins	Levin	Voinovich
Conrad	Lieberman	Warner
Corker	Lincoln	Webb
Cornyn	Martinez	Whitehouse
Craig	McCaskill	Wicker
Crapo	McConnell	Wyden
Dodd	Menendez	
Dole	Mikulski	

NAYS—2

DeMint	Gregg

NOT VOTING—10

Alexander	Inouye	Obama
Biden	Landrieu	Sanders
Clinton	Lugar	
Hagel	McCain	

The bill (H.R. 1195), as amended, was passed, as follows:

H.R. 1195

Resolved, That the bill from the House of Representatives (H.R. 1195) entitled ''An Act to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes.'', do pass with the following amendment:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''SAFETEA–LU Technical Corrections Act of 2008''.

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

Sec. 1. Short title; table of contents.

TITLE I—HIGHWAY PROVISIONS

Sec. 101. Surface transportation technical corrections.
Sec. 102. MAGLEV.
Sec. 103. Projects of national and regional significance and national corridor infrastructure improvement projects.
Sec. 104. Idling reduction facilities.
Sec. 105. Project authorizations.
Sec. 106. Nonmotorized transportation pilot program.
Sec. 107. Correction of Interstate and National Highway System designations.
Sec. 108. Budget justification; buy America.
Sec. 109. Transportation improvements.
Sec. 110. I–95/Contee Road interchange design.
Sec. 111. Highway research funding.
Sec. 112. Rescission.
Sec. 113. TEA–21 technical corrections.
Sec. 114. High priority corridor and innovative project technical corrections.
Sec. 115. Definition of repeat intoxicated driver law.
Sec. 116. Research technical correction.
Sec. 117. Buy America waiver notification and annual reports.
Sec. 118. Efficient use of existing highway capacity.
Sec. 119. Future interstate designation.
Sec. 120. Project flexibility.
Sec. 121. Effective date.

TITLE II—TRANSIT PROVISIONS

Sec. 201. Transit technical corrections.

TITLE III—OTHER SURFACE TRANSPORTATION PROVISIONS

Sec. 301. Technical amendments relating to motor carrier safety.
Sec. 302. Technical amendments relating to hazardous materials transportation.
Sec. 303. Highway safety.
Sec. 304. Correction of study requirement regarding on-scene motor vehicle collision causation.
Sec. 305. Motor carrier transportation registration.
Sec. 306. Applicability of Fair Labor Standards Act requirements and limitation on liability.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Conveyance of GSA Fleet Management Center to Alaska Railroad Corporation.
Sec. 402. Conveyance of retained interest in St. Joseph Memorial Hall.

TITLE V—OTHER PROVISIONS

Sec. 501. De Soto County, Mississippi.
Sec. 502. Department of Justice review.

TITLE I—HIGHWAY PROVISIONS

SEC. 101. SURFACE TRANSPORTATION TECHNICAL CORRECTIONS.

(a) CORRECTION OF INTERNAL REFERENCES IN DISADVANTAGED BUSINESS ENTERPRISES.—Paragraphs (3)(A) and (5) of section 1101(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1156) are amended by striking ''paragraph (1)'' each place it appears and inserting ''paragraph (2)''.

(b) CORRECTION OF DISTRIBUTION OF OBLIGATION AUTHORITY.—Section 1102(c)(5) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1158) is amended by striking ''among the States''.

(c) CORRECTION OF FEDERAL LANDS HIGHWAYS.—Section 1119 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1190) is amended by striking subsection (m) and inserting the following:

''(m) FOREST HIGHWAYS.—Of the amounts made available for public lands highways under section 1101—

''(1) not more than $20,000,000 for each fiscal year may be used for the maintenance of forest highways;

''(2) not more than $1,000,000 for each fiscal year may be used for signage identifying public hunting and fishing access; and

''(3) not more than $10,000,000 for each fiscal year shall be used by the Secretary of Agriculture to pay the costs of facilitating the passage of aquatic species beneath forest roads (as defined in section 101(a) of title 23, United States Code), including the costs of constructing, maintaining, replacing, and removing culverts and bridges, as appropriate.''.

(d) CORRECTION OF DESCRIPTION OF NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROJECT.—Item number 1 of the table contained in section 1302(e) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1205) is amended in the State column by inserting ''LA,'' after ''TX,''.

(e) CORRECTION OF HIGH PRIORITY DESIGNATIONS.—

(1) KENTUCKY HIGH PRIORITY CORRIDOR DESIGNATION.—Section 1105(c)(18)(E) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 112 Stat. 189; 115 Stat. 872) is amended by inserting before the period at the end the following: '', follow Interstate Route 24 to the Wendell H. Ford Western Kentucky Parkway, then utilize the existing Wendell H. Ford Western Kentucky Parkway and Edward T. Breathitt (Pennyrile) Parkway to Henderson''.

(2) INTERSTATE ROUTE 376 HIGH PRIORITY DESIGNATION.—

(A) IN GENERAL.—Section 1105(c)(79) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 119 Stat. 1213) is amended by striking ''and on United States Route 422''.

(B) CONFORMING AMENDMENT.—Section 1105(e)(5)(B)(i)(I) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2033; 119 Stat. 1213) is amended by striking ''and United States Route 422''.

(f) CORRECTION OF INFRASTRUCTURE FINANCE SECTION.—Section 1602(d)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1247) is amended by striking ''through 189 as sections 601 through 609, respectively'' and inserting ''through 190 as sections 601 through 610, respectively''.

(g) CORRECTION OF PROJECT FEDERAL SHARE.—Section 1964(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1519) is amended—

(1) by striking ''only for the States of Alaska, Montana, Nevada, North Dakota, Oregon, and South Dakota,''; and

(2) by striking ''section 120(b)'' and inserting ''section 120''.

(h) TRANSPORTATION SYSTEMS MANAGEMENT AND OPERATIONS DEFINED.—Section 101(a) of title 23, United States Code, is amended by adding at the end the following:

''(39) TRANSPORTATION SYSTEMS MANAGEMENT AND OPERATIONS.—

''(A) IN GENERAL.—The term 'transportation systems management and operations' means an integrated program to optimize the performance of existing infrastructure through the implementation of multimodal and intermodal, cross-jurisdictional systems, services, and projects designed to preserve capacity and improve security, safety, and reliability of the transportation system.

''(B) INCLUSIONS.—The term 'transportation systems management and operations' includes—

''(i) regional operations collaboration and coordination activities between transportation and public safety agencies; and

''(ii) improvements to the transportation system, such as traffic detection and surveillance, arterial management, freeway management, demand management, work zone management, emergency management, electronic toll collection, automated enforcement, traffic incident management, roadway weather management, traveler information services, commercial vehicle operations, traffic control, freight management, and coordination of highway, rail, transit, bicycle, and pedestrian operations.''.

(i) CORRECTION OF REFERENCE IN APPORTIONMENT OF HIGHWAY SAFETY IMPROVEMENT PROGRAM FUNDS.—Effective October 1, 2007, section 104(b)(5)(A)(iii) of title 23, United States Code, is amended by striking ''the Federal-aid system'' each place it appears and inserting ''Federal-aid highways''.

(j) CORRECTION OF AMENDMENT TO ADVANCE CONSTRUCTION.—Section 115 of title 23, United States Code, is amended by redesignating subsection (d) as subsection (c).

(k) CORRECTION OF HIGH PRIORITY PROJECTS.—Section 117 of title 23, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively;

(2) by redesignating the second subsection (c) (relating to Federal share) as subsection (d);

(3) in subsection (a)(2)(A) by inserting ''(112 Stat. 257)'' after ''21st Century''; and

(4) in subsection (a)(2)(B)—

(A) by striking ''subsection (b)'' and inserting ''subsection (c)''; and

(B) by striking ''SAFETEA–LU'' and inserting ''Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256)''.

(l) CORRECTION OF TRANSFER OF UNUSED PROTECTIVE-DEVICE FUNDS TO OTHER HIGHWAY SAFETY IMPROVEMENT PROGRAM PROJECTS.—Section 130(e)(2) of title 23, United States Code, is amended by striking ''purposes under this subsection'' and inserting ''highway safety improvement program purposes''.

(m) CORRECTION OF HIGHWAY BRIDGE PROGRAM.—

(1) IN GENERAL.—Section 144 of title 23, United States Code, is amended—

(A) in the section heading by striking ''***replacement and rehabilitation***'';

(B) in subsections (b), (c)(1), and (e) by striking ''Federal-aid system'' each place it appears and inserting ''Federal-aid highway'';

(C) in subsections (c)(2) and (o) by striking ''the Federal-aid system'' each place it appears and inserting ''Federal-aid highways'';

(D) in the heading to paragraph (4) of subsection (d) by inserting ''SYSTEMATIC'' before ''PREVENTIVE'';

(E) in subsection (e) by striking ''off-system bridges'' each place it appears and inserting ''bridges not on Federal-aid highways'';

(F) by striking subsection (f);

(G) by redesignating subsections (g) through (s) as subsections (f) through (r), respectively;

(H) in paragraph (1)(A)(vi) of subsection (f) (as redesignated by subparagraph (G) of this paragraph) by inserting ''and the removal of the Missisquoi Bay causeway'' after ''Bridge'';

(I) in paragraph (2) of subsection (f) (as redesignated by subparagraph (G) of this paragraph) by striking the paragraph heading and inserting ''BRIDGES NOT ON FEDERAL-AID HIGHWAYS'';

(J) in subsection (m) (as redesignated by subparagraph (G) of this paragraph) by striking the subsection heading and inserting ''PROGRAM FOR BRIDGES NOT ON FEDERAL-AID HIGHWAYS''; and

(K) in subsection (n)(4)(B) (as redesignated by subparagraph (G) of this paragraph) by striking ''State highway agency'' and inserting ''State transportation department''.

(2) SPECIAL CONDITIONS.—Section 1114 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1172) is amended by adding at the end the following:

''(h) SPECIAL CONDITIONS.—Any unobligated or unexpended funds remaining on completion of the project carried out under section 144(f)(1)(A)(vi) of title 23, United States Code, shall be made available to carry out the project described in section 144(f)(1)(A)(vii) of that title after the date on which the Vermont Agency of Transportation certifies to the Federal Highway Administration the final determination of the agency regarding the removal of the Missisquoi Bay causeway.''.

(3) CONFORMING AMENDMENTS.—

(A) METROPOLITAN PLANNING.—Section 104(f)(1) of title 23, United States Code, is amended by striking ''replacement and rehabilitation''.

(B) EQUITY BONUS PROGRAM.—Subsections (a)(2)(C) and (b)(2)(C) of section 105 of such title are amended by striking ''replacement and rehabilitation'' each place it appears.

(C) ANALYSIS.—The analysis for chapter 1 of such title is amended in the item relating to section 144 by striking ''replacement and rehabilitation''.

(n) METROPOLITAN TRANSPORTATION PLANNING.—Section 134 of title 23, United States Code, is amended—

(1) in subsection (f)(3)(C)(ii) by striking subclause (II) and inserting the following:

''(II) FUNDING.—For fiscal year 2008 and each fiscal year thereafter, in addition to other funds made available to the metropolitan planning organization for the Lake Tahoe region under this title and chapter 53 of title 49, prior to any allocation under section 202 of this title and notwithstanding the allocation provisions of section 202, the Secretary shall set aside ½ of 1 percent of all funds authorized to be appropriated for such fiscal year to carry out section 204 and shall make such funds available to the metropolitan planning organization for the Lake Tahoe region to carry out the transportation planning process, environmental reviews, preliminary engineering, and design to complete environmental documentation for transportation projects for the Lake Tahoe region under the Tahoe Regional Planning Compact as consented to in Public Law 96–551 (94 Stat. 3233) and this paragraph.'';

(2) in subsection (j)(3)(D) by inserting ''or the identified phase'' after ''the project'' each place it appears; and

(3) in subsection (k)(2) by striking ''a metropolitan planning area serving''.

(o) CORRECTION OF NATIONAL SCENIC BYWAYS PROGRAM COVERAGE.—Section 162 of title 23, United States Code, is amended—

(1) in subsection (a)(3)(B) by striking ''a National Scenic Byway under subparagraph (A)'' and inserting ''a National Scenic Byway, an All-American Road, or one of America's Byways under paragraph (1)''; and

(2) in subsection (c)(3) by striking ''or All-American Road'' each place it appears and inserting ''All-American Road, or one of America's Byways''.

(p) CORRECTION OF REFERENCE IN TOLL PROVISION.—Section 166(b)(5)(C) of title 23, United States Code, is amended by striking ''paragraph (3)'' and inserting ''paragraph (4)''.

(q) CORRECTION OF RECREATIONAL TRAILS PROGRAM APPORTIONMENT EXCEPTIONS.—Section 206(d)(3)(A) of title 23, United States Code, is amended by striking ''(B), (C), and (D)'' and inserting ''(B) and (C)''.

(r) CORRECTION OF INFRASTRUCTURE FINANCE.—Section 601(a)(3) of title 23, United States Code, is amended by inserting ''bbb minus, BBB (low),'' after ''Baa3,''.

(s) CORRECTION OF MISCELLANEOUS TYPOGRAPHICAL ERRORS.—

(1) Section 1401 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1226) is amended by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(2) Section 1404(e) of such Act (119 Stat. 1229) is amended by inserting ''tribal,'' after ''local,''.

(3) Section 10211(b)(2) of such Act (119 Stat. 1937) is amended by striking ''plan administer'' and inserting ''plan and administer''.

(4) Section 10212(a) of such Act (119 Stat. 1937) is amended—

(A) by inserting ''equity bonus,'' after ''minimum guarantee,'';

(B) by striking ''freight intermodal connectors'' and inserting ''railway-highway crossings'';

(C) by striking ''high risk rural road,''; and

(D) by inserting after ''highway safety improvement programs'' the following: ''(and separately the set aside for the high risk rural road program)''.

SEC. 102. MAGLEV.

(a) FUNDING.—Section 1101(a)(18) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1155) is amended by striking ''Act—'' and all that follows through the end of the paragraph and inserting ''Act, $45,000,000 for each of fiscal years 2008 and 2009.''.

(b) CONTRACT AUTHORITY.—Section 1307 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1217) is amended by adding at the end the following:

''(e) CONTRACT AUTHORITY.—Funds authorized under section 1101(a)(18) shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code; except that the funds shall not be transferable and shall remain available until expended, and the Federal share of the cost of a project to be carried out with such funds shall be 80 percent.''.

(c) ALLOCATION.—Section 1307 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1217) is amended by striking subsection (d) and inserting the following:

''(d) ALLOCATION.—Of the amounts made available to carry out this section for a fiscal year, the Secretary shall allocate—

''(1) 50 percent to the Nevada department of transportation who shall cooperate with the California-Nevada Super Speed Train Commission for the MAGLEV project between Las Vegas and Primm, Nevada, as a segment of the high-speed MAGLEV system between Las Vegas, Nevada, and Anaheim, California; and

''(2) 50 percent for existing MAGLEV projects located east of the Mississippi River using such criteria as the Secretary deems appropriate.''.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2007.

SEC. 103. PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE AND NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROJECTS.

(a) PROJECT OF NATIONAL AND REGIONAL SIGNIFICANCE.—The table contained in section 1301(m) of the Safe, Accountable, Flexible, Efficient Transportation Equity: A Legacy for Users (119 Stat. 1203) is amended—

(1) in item number 4 by striking the project description and inserting ''$7,400,000 for planning, design, and construction of a new American border plaza at the Blue Water Bridge in or near Port Huron; $12,600,000 for integrated highway realignment and grade separations at Port Huron to eliminate road blockages from NAFTA rail traffic'';

(2) in item number 19 by striking the project description and inserting ''For purposes of construction and other related transportation improvements associated with the rail yard relocation in the vicinity of Santa Teresa''; and

(3) in item number 22 by striking the project description and inserting ''Redesign and reconstruction of interchanges 298 and 299 of I–80 and accompanying improvements to any other public roads in the vicinity, Monroe County''.

(b) NATIONAL CORRIDOR INFRASTRUCTURE IMPROVEMENT PROJECT.—The table contained in section 1302(e) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1205) is amended in item number 23 by striking the project description and inserting ''Improvements to State Road 312, Hammond''.

SEC. 104. IDLING REDUCTION FACILITIES.

Section 111(d) of title 23, United States Code, is repealed.

SEC. 105. PROJECT AUTHORIZATIONS.

(a) PROJECT MODIFICATIONS.—The table contained in section 1702 of the Safe, Accountable,

Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256) is amended—

(1) in item number 34 by striking the project description and inserting ''Removal and Reconfiguration of Interstate ramps, I–40, Memphis'';

(2) by striking item number 61;

(3) in item number 87 by striking the project description and inserting ''M–291 highway outer road improvement project'';

(4) in item number 128 by striking ''$2,400,000'' and inserting ''$4,800,000'';

(5) in item number 154 by striking ''Virginia'' and inserting ''Eveleth'';

(6) in item number 193 by striking the project description and inserting ''Improvements to or access to Route 108 to enhance access to the business park near Rumford'';

(7) in item number 240 by striking ''$800,000'' and inserting ''$2,400,000'';

(8) by striking item number 248;

(9) in item number 274 by striking the project description and inserting ''Intersection improvements at Belleville and Ecorse Roads and approach roadways, and widen Belleville Road from Ecorse to Tyler, Van Buren Township, Michigan'';

(10) in item number 277 by striking the project description and inserting ''Construct connector road from Rushing Drive North to Grand Ave., Williamson County'';

(11) in item number 395 by striking the project description and inserting ''Plan and construct interchange at I–65, from existing SR–109 to I–65'';

(12) in item number 463 by striking ''Cookeville'' and inserting ''Putnam County'';

(13) in item number 576 by striking the project description and inserting ''Design, right-of-way acquisition, and construction of Nebraska Highway 35 between Norfolk and South Sioux City, including an interchange at Milepost 1 on I–129'';

(14) in item number 595 by striking ''Street Closure at'' and inserting ''Transportation improvement project near'';

(15) in item number 649 by striking the project description and inserting ''Construction and enhancement of the Fillmore Avenue Corridor, Buffalo'';

(16) in item number 655 by inserting '', safety improvement construction,'' after ''Environmental studies'';

(17) in item number 676 by striking the project description and inserting ''St. Croix River crossing project, Wisconsin State Highway 64, St. Croix County, Wisconsin, to Minnesota State Highway 36, Washington County'';

(18) in item number 770 by striking the project description and inserting ''Improve existing Horns Hill Road in North Newark, Ohio, from Waterworks Road to Licking Springs Road'';

(19) in item number 777 by striking the project description and inserting ''Akutan Airport access'';

(20) in item number 829 by striking the project description and inserting ''$400,000 to conduct New Bedford/Fairhaven Bridge modernization study; $1,000,000 to design and build New Bedford Business Park access road'';

(21) in item number 881 by striking the project description and inserting ''Pedestrian safety improvements near North Atlantic Boulevard, Monterey Park'';

(22) in item number 923 by striking the project description and inserting ''Improve safety of a horizontal curve on Clarksville St. 0.25 miles north of 275th Rd. in Grandview Township, Edgar County'';

(23) in item number 947 by striking the project description and inserting ''Third East/West River Crossing, St. Lucie River'';

(24) in item numbers 959 and 3327 by striking ''Northern Section,'' each place it appears;

(25) in item number 963 by striking the project description and inserting ''For engineering, right-of-way acquisition, and reconstruction of 2 existing lanes on Manhattan Road from Baseline Road to Route 53'';

(26) in item number 983 by striking the project description and inserting ''Land acquisition for highway mitigation in Cecil, Kent, Queen Annes, and Worcester Counties'';

(27) in item number 1039 by striking the project description and inserting ''Widen State Route 98, including storm drain developments, from D. Navarro Avenue to State Route 111'';

(28) in item number 1047 by striking the project description and inserting ''Bridge and road work at Little Susitna River Access road in Matanuska-Susitna Borough'';

(29) in item number 1124 by striking ''bridge over Stillwater River, Orono'' and inserting ''routes'';

(30) in item number 1206 by striking ''Pleasantville'' and inserting ''Briarcliff Manor'';

(31) in item number 1281 by striking the project description and inserting ''Upgrade roads in Attala County District 4 (Roads 4211 and 4204), Kosciusko, Ward 2, and Ethel, Attala County'';

(32) in item number 1487 by striking ''$800,000'' and inserting ''$1,600,000'';

(33) in item number 1575 by striking the project description and inserting ''Highway and road signage, and traffic signal synchronization and upgrades, in Shippensburg Boro, Shippensburg Township, and surrounding municipalities'';

(34) in item number 1661 by striking the project description and inserting ''Sheldon West Extension in Matanuska-Susitna Borough'';

(35) in item number 1810 by striking the project description and inserting ''Design, engineering, ROW acquisition, construction, and construction engineering for the reconstruction of TH 95, from 12th Avenue to CSAH 13, including bridge and approaches, ramps, intersecting roadways, signals, turn lanes, and multiuse trail, North Branch'';

(36) in item number 1852 by striking ''Milepost 9.3'' and inserting ''Milepost 24.3'';

(37) in item numbers 1926 and 2893 by striking the project descriptions and inserting ''Grading, paving roads, and the transfer of rail-to-truck for the intermodal facility at Rickenbacker Airport, Columbus, Ohio'';

(38) in item number 1933 by striking the project description and inserting ''Enhance Byzantine Latino Quarter transit plazas at Normandie and Pico, and Hoover and Pico, Los Angeles, by improving streetscapes, including expanding concrete and paving'';

(39) in item number 1975 by striking the project description and inserting ''Point MacKenzie Access Road improvements in Matanuska-Susitna Borough'';

(40) in item number 2015 by striking the project description and amount and inserting ''Heidelberg Borough/Scott Township/Carnegie Borough for design, engineering, acquisition, and construction of streetscaping enhancements, paving, lighting and safety upgrades, and parking improvements'' and ''$2,000,000'', respectively;

(41) in item number 2087 by striking the project description and inserting ''Railroad crossing improvement on Illinois Route 82 in Geneseo'';

(42) in item number 2211 by striking the project description and inserting ''Construct road projects and transportation enhancements as part of or connected to RiverScape Phase III, Montgomery County, Ohio'';

(43) in item number 2234 by striking the project description and amount and inserting ''North Atherton Signal Coordination Project in Centre County'' and ''$400,000'', respectively;

(44) in item number 2316 by striking the project description and inserting ''Construct a new bridge at Indian Street, Martin County'';

(45) in item number 2420 by striking the project description and inserting ''Preconstruction and construction activities of U.S. 51 between the Assumption Bypass and Vandalia'';

(46) in item number 2482 by striking ''Country'' and inserting ''County'';

(47) in item number 2663 by striking the project description and inserting ''Rosemead Boulevard safety enhancement and beautification, Temple City'';

(48) in item number 2671 by striking ''from 2 to 5 lanes and improve alignment within rights-of-way in St. George'' and inserting '', St. George'';

(49) in item number 2743 by striking the project description and inserting ''Improve safety of culvert replacement on 250th Rd. between 460th St. and Cty Hwy 20 in Grandview Township, Edgar County'';

(50) by striking item number 2800;

(51) in item number 2826 by striking ''State Street and Cajon Boulevard'' and inserting ''Palm Avenue'';

(52) in item number 2931 by striking ''Frazho Road'' and inserting ''Martin Road'';

(53) in item number 3047 by inserting ''and roadway improvements'' after ''safety project'';

(54) in item number 3078 by striking the project description and inserting ''U.S. 2/Sultan Basin Road improvements in Sultan'';

(55) in item number 3174 by striking the project description and inserting ''Improving Outer Harbor access through planning, design, construction, and relocations of Southtowns Connector–NY Route 5, Fuhrmann Boulevard, and a bridge connecting the Outer Harbor to downtown Buffalo at the Inner Harbor'';

(56) in item number 3219 by striking ''Forest'' and inserting ''Warren'';

(57) in item number 3254 by striking the project description and inserting ''Reconstruct PA Route 274/34 Corridor, Perry County'';

(58) in item number 3260 by striking ''Lake Shore Drive'' and inserting ''Lakeshore Drive and parking facility/entrance improvements serving the Museum of Science and Industry'';

(59) in item number 3368 by striking the project description and inserting ''Plan, design, and engineering, Ludlam Trail, Miami'';

(60) in item number 3410 by striking the project description and inserting ''Design, purchase land, and construct sound walls along the west side of I–65 from approximately 950 feet south of the Harding Place interchange south to Hogan Road'';

(61) in item number 3537 by inserting ''and the study of alternatives along the North South Corridor,'' after ''Valley'';

(62) in item number 3582 by striking the project description and inserting ''Improving Outer Harbor access through planning, design, construction, and relocations of Southtowns Connector–NY Route 5, Fuhrmann Boulevard, and a bridge connecting the Outer Harbor to downtown Buffalo at the Inner Harbor'';

(63) in item number 3604 by inserting ''/Kane Creek Boulevard'' after ''500 West'';

(64) in item number 3632 by striking the State, project description, and amount and inserting ''FL'', ''Pine Island Road pedestrian overpass, city of Tamarac'', and ''$610,000'', respectively;

(65) in item number 3634 by striking the matters in the State, project description, and amount columns and inserting ''FL'', ''West Avenue Bridge, city of Miami Beach'', and ''$620,000'', respectively;

(66) in item number 3673 by striking the project description and inserting ''Improve marine dry-dock and facilities in Ketchikan'';

(67) in item number 2942 by striking the project description and inserting ''Redesigning the intersection of Business U.S. 322/High Street and Rosedale Avenue and constructing a new East Campus Drive between High Street (U.S. 322) and Matlock Street at West Chester University, West Chester, Pennsylvania'';

(68) in item number 2781 by striking the project description and inserting ''Highway and road signage, road construction, and other transportation improvement and enhancement projects on or near Highway 26, in Riverton and surrounding areas'';

(69) in item number 2430 by striking ''200 South Interchange'' and inserting ''400 South Interchange'';

(70) by striking item number 20;

(71) in item number 424 by striking ''$264,000'' and inserting ''$644,000'';

(72) in item number 1210 by striking the project description and inserting ''Town of New Windsor—Riley Road, Shore Drive, and area road improvements'';

(73) by striking item numbers 68, 905, and 1742;

(74) in item number 1059 by striking ''$240,000'' and inserting ''$420,000'';

(75) in item number 2974 by striking ''$120,000'' and inserting ''$220,000'';

(76) by striking item numbers 841, 960, and 2030;

(77) in item number 1278 by striking ''$740,000'' and inserting ''$989,600'';

(78) in item number 207 by striking ''$13,600,000'' and inserting ''$13,200,000'';

(79) in item number 2656 by striking ''$12,228,000'' and inserting ''$8,970,000'';

(80) in item number 1983 by striking ''$1,600,000'' and inserting ''$1,000,000'';

(81) in item number 753 by striking ''$2,700,000'' and inserting ''$3,200,000'';

(82) in item number 64 by striking ''$6,560,000'' and inserting ''$8,480,000'';

(83) in item number 2338 by striking ''$1,600,000'' and inserting ''$1,800,000'';

(84) in item number 1533 by striking ''$392,000'' and inserting ''$490,000'';

(85) in item number 1354 by striking ''$40,000'' and inserting ''$50,000'';

(86) in item number 3106 by striking ''$400,000'' and inserting ''$500,000'';

(87) in item number 799 by striking ''$1,600,000'' and inserting ''$2,000,000'';

(88) in item number 159—

(A) by striking ''Construct interchange for 146th St. and I–69'' and inserting ''Upgrade 146th St. to I–69 Access''; and

(B) by striking ''$2,400,000'' and inserting ''$3,200,000'';

(89) by striking item number 2936;

(90) in item number 3138 by striking the project description and inserting ''Elimination of highway-railway crossing along the KO railroad from Salina to Osborne to increase safety and reduce congestion'';

(91) in item number 2274 by striking ''between Farmington and Merriman'' and inserting ''between Hines Drive and Inkster, Flamingo Street between Ann Arbor Trail and Joy Road, and the intersection of Warren Road and Newburgh Road'';

(92) in item number 52 by striking the project description and inserting ''Pontiac Trail between E. Liberty and McHattie Street'';

(93) in item number 1544 by striking ''connector'';

(94) in item number 2573 by striking the project description and inserting ''Rehabilitation of Sugar Hill Road in North Salem, NY'';

(95) in item number 1450 by striking ''III–VI'' and inserting ''III–VII'';

(96) in item number 2637 by striking the project description and inserting ''Construction, road and safety improvements in Geauga County, OH'';

(97) in item number 2342 by striking the project description and inserting ''Streetscaping, bicycle trails, and related improvements to the I–90/SR–615 interchange and adjacent area and Heisley Road in Mentor, including acquisition of necessary right-of-way within the Newell Creek development to build future bicycle trails and bicycle staging areas that will connect into the existing bicycle trail system at I–90/SR–615, widening the Garfield Road Bridge over I–90 to provide connectivity to the existing bicycle trail system between the I–90/SR–615 interchange and Lakeland Community College, and acquisition of additional land needed for the preservation of the Lake Metroparks Greenspace Corridor with the Newell Creek development adjacent to the I–90/SR–615 interchange'';

(98) in item number 161 by striking the project description and inserting ''Construct False Pass causeway and road to the terminus of the south arm breakwater project'';

(99) in item number 2002 by striking the project description and inserting ''Dowling Road extension/reconstruction west from Minnesota Drive to Old Seward Highway, Anchorage'';

(100) in item number 2023 by striking the project description and inserting ''Biking and pedestrian trail construction, Kentland'';

(101) in item number 2035 by striking ''Replace'' and inserting ''Repair'';

(102) in item number 2511 by striking ''Replace'' and inserting ''Rehabilitate'';

(103) in item number 2981 by striking the project description and inserting ''Roadway improvements on Highway 262 on the Navajo Nation in Aneth'';

(104) in item number 2068 by inserting ''and approaches'' after ''capacity'';

(105) in item number 98 by striking the project description and inserting ''Right-of-way acquisition and construction for the 77th Street reconstruction project, including the Lyndale Avenue Bridge over I–494, Richfield'';

(106) in item number 1783 by striking the project description and inserting ''Clark Road access improvements, Jacksonville'';

(107) in item number 2711 by striking the project description and inserting ''Main Street Road Improvements through Springfield, Jacksonville'';

(108) in item number 3485 by striking the project description and inserting ''Improve SR 105 (Hecksher Drive) from Drummond Point to August Road, including bridges across the Broward River and Dunns Creek, Jacksonville'';

(109) in item number 3486 by striking the project description and inserting ''Construct improvements to NE 19th Street/NE 19th Terrace from NE 3rd Avenue to NE 8th Avenue, Gainesville'';

(110) in item number 3487 by striking the project description and inserting ''Construct improvements to NE 25th Street from SR 26 (University Blvd.) to NE 8th Avenue, Gainesville'';

(111) in item number 803 by striking ''St. Clair County'' and inserting ''city of Madison'';

(112) in item number 615 by striking the project description and inserting ''Roadway improvements to Jackson Avenue between Jericho Turnpike and Teibrook Avenue'';

(113) by striking item number 889;

(114) in item number 324 by striking the project description and inserting ''Alger County, to reconstruct, pave, and realign a portion of H–58 from 2,600 feet south of Little Beaver Lake Road to 4,600 feet east of Hurricane River'';

(115) in item number 301 by striking the project description and inserting ''Improvements for St. Georges Avenue between East Baltimore Avenue on the southwest and Chandler Avenue on the northeast'';

(116) in item number 1519 by inserting ''at the intersection of Quincy/West Drinker/Electric Streets near the Dunmore School complex'' after ''roadway redesign'';

(117) in item number 2604 by inserting ''on Coolidge, Bridge (from Main to Monroe), Skytop (from Gedding to Skytop), Atwell (from Bear Creek Rd. to Pittston Township), Wood (to Bear Creek Rd.), Pine, Oak (from Penn Avenue to Lackawanna Avenue), McLean, Second, and Lolli Lane'' after ''roadway redesign'';

(118) in item number 1157 by inserting ''on Mill Street from Prince Street to Roberts Street, John Street from Roberts Street to end, Thomas Street from Roberts Street to end, Williams Street from Roberts Street to end, Charles Street from Roberts Street to end, Fair Street from Roberts Street to end, Newport Avenue from East Kirmar Avenue to end'' after ''roadway redesign'';

(119) in item number 805 by inserting ''on Oak Street from Stark Street to the township line at Mayock Street and on East Mountain Boulevard'' after ''roadway redesign'';

(120) in item number 2704 by inserting ''on West Cemetery Street and Frederick Courts'' after ''roadway redesign'';

(121) in item number 4599 by striking the project description and inserting ''Pedestrian paths, stairs, seating, landscaping, lighting, and other transportation enhancement activities along Riverside Boulevard and at Riverside Park South'';

(122) in item number 1363 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, handicap access ramps, parking, and roadway redesign on Bilbow Street from Church Street to Pugh Street, on Pugh Street from Swallow Street to Main Street, Jones Lane from Main Street to Hoblak Street, Cherry Street from Green Street to Church Street, Main Street from Jackson Street to end, Short Street from Cherry Street to Main Street, and Hillside Avenue in Edwardsville Borough, Luzerne County'';

(123) in item number 883 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, parking, roadway redesign, and safety improvements (including curbing, stop signs, crosswalks, and pedestrian sidewalks) at and around the 3-way intersection involving Susquehanna Avenue, Erie Street, and Second Street in West Pittston, Luzerne County'';

(124) in item number 625 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, and roadway redesign on Sampson Street, Dunn Avenue, Powell Street, Josephine Street, Pittston Avenue, Railroad Street, McClure Avenue, and Baker Street in Old Forge Borough, Lackawanna County'';

(125) in item number 372 by inserting '', replacement of the Nesbitt Street Bridge, and placement of a guard rail adjacent to St. Vladimir's Cemetery on Mountain Road (S.R. 1007)'' after ''roadway redesign'';

(126) in item number 2308 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, and roadway redesign, including a project to establish emergency access to Catherino Drive from South Valley Avenue in Throop Borough, Lackawanna County'';

(127) in item number 967 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, roadway redesign, and catch basin restoration and replacement on Cherry Street, Willow Street, Eno Street, Flat Road, Krispin Street, Parrish Street, Carver Street, Church Street, Franklin Street, Carolina Street, East Main Street, and Rear Shawnee Avenue in Plymouth Borough, Luzerne County'';

(128) in item number 989 by inserting ''on Old Ashley Road, Ashley Street, Phillips Street, First Street, Ferry Road, and Division Street'' after ''roadway redesign'';

(129) in item number 342 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, roadway redesign, and cross pipe and catch basin restoration and replacement on Northgate, Mandy Court, Vine Street, and 36th Street in Milnesville West, and on Hillside Drive (including the widening of the bridge on Hillside Drive), Club 40 Road, Sunburst and Venisa Drives, and Stockton #7 Road in Hazle Township, Luzerne County'';

(130) in item number 2332 by striking ''Monroe County'' and inserting ''Carbon, Monroe, Pike, and Wayne Counties'';

(131) in item number 4914 by striking the project description and inserting ''Roadway improvements on I–90 loop in Mitchell along

Haven Street from near Burr Street to near Ohlman Street'';

(132) by striking item number 2723;

(133) in item number 61 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Grade crossing improvements along Wiregrass Central RR at Boll Weevil Bypass in Enterprise, AL'', and ''$250,000'', respectively;

(134) in item number 314 by striking the project description and amount and inserting ''Streetscape enhancements to the transit and pedestrian corridor, Fort Lauderdale, Downtown Development Authority'' and ''$610,000'', respectively;

(135) in item number 1639 by striking the project description and inserting ''Operational and highway safety improvements on Hwy 94 between the 20 mile marker post in Jamul and Hwy 188 in Tecate'';

(136) in item number 2860 by striking the project description and inserting ''Roadway improvements from Halchita to Mexican Hat on the Navajo Nation'';

(137) in item number 2549 by striking ''on Navy Pier'';

(138) in item number 2804 by striking ''on Navy Pier'';

(139) in item number 1328 by striking the project description and inserting ''Construct public access roadways and pedestrian safety improvements in and around Montclair State University in Clifton'';

(140) in item number 2559 by striking the project description and inserting ''Construct sound walls on Route 164 at and near the Maersk interchange'';

(141) in item number 1849 by striking the project description and inserting ''Highway, traffic-flow, pedestrian facility, and streetscape improvements, Pittsburgh'';

(142) in item number 697 by striking the project description and inserting ''Highway, traffic-flow, pedestrian facility, and streetscape improvements, Pittsburgh'';

(143) in item number 3597 by striking the project description and inserting ''Road Alignment from IL Route 159 to Sullivan Drive, Swansea'';

(144) in item number 2352 by striking the project description and inserting ''Streetscaping and transportation enhancements on 7th Street in Calexico, traffic signalization on Highway 78, construction of the Renewable Energy and Transportation Learning Center, improve and enlarge parking lot, and create bus stop, Brawley'';

(145) in item number 3482 by striking the project description and inserting ''Conduct a study to examine multi-modal improvements to the I–5 corridor between the Main Street Interchange and State Route 54'';

(146) in item number 1275 by striking the project description and inserting ''Scoping, permitting, engineering, construction management, and construction of Riverbank Park Bike Trail, Kearny'';

(147) in item number 726 by striking the project description and inserting ''Grade Separation at Vanowen and Clybourn, Burbank'';

(148) in item number 1579 by striking the project description and inserting ''San Gabriel Blvd. rehabilitation project, Mission Road to Broadway, San Gabriel'';

(149) in item number 2690 by striking the project description and inserting ''San Gabriel Blvd. rehabilitation project, Mission Road to Broadway, San Gabriel'';

(150) in item number 2811 by striking the project description and inserting ''San Gabriel Blvd. rehabilitation project, Mission Road to Broadway, San Gabriel'';

(151) in item number 259 by striking the project description and inserting ''Design and construction of the Clair Nelson Intermodal Center in Finland, Lake County'';

(152) in item number 3456 by striking the project description and inserting ''Completion of Phase II/Part I of a project on Elizabeth Avenue in Coleraine to west of Itasca County State Aid Highway 15 in Itasca County'';

(153) in item number 2329 by striking the project description and inserting ''Upgrade streets, undertake streetscaping, and implement traffic and pedestrian safety signalization improvements and highway-rail crossing safety improvements, Oak Lawn'';

(154) in item number 766 by striking the project description and inserting ''Design and construction of the walking path at Ellis Pond, Norwood'';

(155) in item number 3474 by striking the project description and inserting ''Yellow River Trail, Newton County'';

(156) in item number 3291 by striking the amount and inserting ''$200,000'';

(157) in item number 3635 by striking the matters in the State, project description, and amount columns and inserting ''GA'', ''Access Road in Montezuma'', and ''$200,000'', respectively;

(158) in item number 716 by striking the project description and inserting ''Conduct a project study report for new Highway 99 Interchange between SR 165 and Bradbury Road, and safety improvements/realignment of SR 165, serving Turlock/Hilmar region'';

(159) in item number 1386 by striking the project description and amount and inserting ''Pedestrian and bicycle facilities, and street lighting in Haddon Heights'' and ''$300,000'', respectively;

(160) in item number 2720 by striking the project description and amount and inserting ''Pedestrian and bicycle facilities and street lighting in Barrington and streetscape improvements to Clements Bridge Road from the circle at the White Horse Pike to NJ Turnpike overpass in Barrington'' and ''$700,000'', respectively;

(161) in item number 2523 by striking the project description and inserting ''Penobscot Riverfront Development for bicycle trails, amenities, traffic circulation improvements, and waterfront access or stabilization, Bangor and Brewer'';

(162) in item number 545 by striking the project description and inserting ''Planning, design, and construction of improvements to the highway systems connecting to Lewistown and Auburn downtowns'';

(163) by striking item number 2168;

(164) by striking item number 170;

(165) in item number 2366 by striking the project description and inserting ''Design, engineering, right-of-way acquisition, and paving of the parking lot at the Casey Plaza in Wilkes-Barre Township'';

(166) in item number 826 by striking ''and Interstate 81'' and inserting ''and exit 168 on Interstate 81 or the intersection of the connector road with Northampton St.'';

(167) in item number 2144 by striking the project description and inserting ''Design, engineering, right-of-way acquisition and construction of streetscaping enhancements, paving, lighting, safety improvements, parking, and roadway redesign on Third Street from Pittston Avenue to Packer Street; Swift Street from Packer Street to Railroad Street; Clark Street from Main Street to South Street; School Street from Main Street to South Street; Plane Street from Grove Street to William Street; John Street from 4 John Street to William Street; Grove Street from Plane Street to Duryea Borough line; Wood Street from Cherry Street to Hawthorne Street in Avoca Borough, Luzerne County'';

(168) in item number 1765 by striking the project description and amount and inserting ''Design, engineering, right-of-way acquisition, and construction of street improvements, streetscaping enhancements, paving, lighting, safety improvements, parking, roadway redesign in Pittston, including right-of-way acquisition, structure demolition, and intersection safety improvements in the vicinity of and including Main, William, and Parsonage Streets in Pittston'' and ''$1,600,000'', respectively;

(169) in item number 2957 by striking the project description and amount and inserting ''Design, engineering, land acquisition, right-of-way acquisition, and construction of a parking garage, streetscaping enhancements, paving, lighting, safety improvements, parking, and roadway redesign in the city of Wilkes-Barre'' and ''$2,800,000'', respectively;

(170) in item number 3283 by striking the project description and amount and inserting ''Pedestrian access improvements, including installation of infrastructure and equipment for security and surveillance purposes at subway stations in Astoria, New York'' and ''$1,300,000'', respectively;

(171) in item number 3556 by striking the project description and amount and inserting ''Design and rehabilitate staircases used as streets due to the steep grade of terrain in Bronx County'' and ''$1,100,000'', respectively;

(172) by striking item number 203;

(173) by striking item number 552;

(174) by striking item number 590;

(175) by striking item number 759;

(176) by striking item number 879;

(177) by striking item number 1071;

(178) by striking item number 1382;

(179) by striking item number 1897;

(180) by striking item number 2553;

(181) in item number 3014 by striking the project description and amount and inserting ''Design and Construct school safety projects in New York City'' and ''$2,500,000'', respectively;

(182) in item number 2375 by striking the project description and amount and inserting ''Subsurface environmental study to measure presence of methane and benzene gasses in vicinity of Greenpoint, Brooklyn, and the Kosciusko Bridge, resulting from the Newtown Creek oil spill'' and ''$100,000'';

(183) in item number 221 by striking the project description and inserting ''Study and Implement transportation improvements on Flatbush Ave. between Avenue U and the Marine Park Bridge in front of Gateway National Park in Kings County, New York'';

(184) in item number 2732 striking the project description and inserting ''Pedestrian safety improvements in the vicinity of LIRR stations'';

(185) by striking item number 99;

(186) in item number 398 by striking the project description and inserting ''Construct a new 2-lane road extending north from University Park Drive and improvements to University Park Drive'';

(187) in item number 446 by striking the project description and inserting ''Transportation improvements for development of the Williamsport-Pile Bay Road corridor'';

(188) in item number 671 by striking ''and Pedestrian Trail Expansion'' and inserting '', including parking facilities and Pedestrian Trail Expansion'';

(189) in item number 674 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Grade crossing improvements along Conecuh Valley RR at Henderson Highway (CR–21) in Troy, AL'', and ''$300,000'', respectively;

(190) in item number 739 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Grade crossing improvements along Luxapalila Valley RR in Lamar and Fayette Counties, AL (Crossings at CR–6, CR–20, SH–7, James Street, and College Drive)'', and ''$300,000'', respectively;

(191) in item number 746 by striking ''Planning and construction of a bicycle trail adjacent to the I–90 and SR 615 Interchange in'' and inserting ''Planning, construction, and extension of bicycle trails adjacent to the I–90 and SR 615 Interchange, along the Greenway Corridor and throughout'';

(192) in item number 749 by striking the matters in the State, project description, and

amount columns and inserting ''PA'', ''UPMC Heliport in Bedford'', and ''$750,000'', respectively;

(193) in item number 813 by striking the project description and inserting ''Preliminary design and study of long-term roadway approach alternatives to TH 36/SH 64 St. Croix River Crossing Project'';

(194) in item number 816 by striking ''$800,000'' and inserting ''$880,000'';

(195) in item number 852 by striking ''Acquire Right-of-Way for Ludlam Trail, Miami, Florida'' and inserting ''Planning, design, and engineering, Ludlam Trail, Miami'';

(196) in item number 994 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Construct 2 flyover ramps and S. Linden Street exit for access to industrial sites in the cities of McKeesport and Duquesne'', and ''$500,000'', respectively;

(197) in item number 1015 by striking the project description and inserting ''Mississippi River Crossing connecting I–94 and US 10 between US 160 and TH 101, MN'';

(198) in item number 1101 by striking the project description and inserting ''I–285 underpass/tunnel assessment and engineering and interchange improvements in Sandy Springs'';

(199) in item number 1211 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Road improvements and upgrades related to the Pennsylvania State Baseball Stadium'', and ''$500,000'', respectively;

(200) in item number 1345 by striking ''to Stony Creek Park, 25 Mile Road in Shelby Township'' and inserting ''south to the city of Utica'';

(201) in item number 1501 by striking the project description and inserting ''Construction and right-of-way acquisition of TH 241, CSAH 35 and associated streets in the city of St. Michael'';

(202) in item number 1525 by striking ''north of CSX RR Bridge'' and inserting ''US Highway 90'';

(203) in item number 1847 by striking the project description and inserting ''Improve roads, sidewalks, and road drainage, City of Seward'';

(204) in item number 2031 by striking the project description and inserting ''Construct and improve Westside Parkway in Fulton County'';

(205) in item number 2103 by striking ''$2,000,000'' and inserting ''$3,000,000'';

(206) in item number 2219 by striking ''SR 91 in City of Twinsburg, OH'' and inserting ''Center Valley Parkway in Twinsburg, OH'';

(207) in item number 2302 by inserting ''and other road improvements to Safford Street'' after ''crossings'';

(208) in item number 2560 by striking the project description and inserting ''I–285 underpass/tunnel assessment and engineering and interchange improvements in Sandy Springs'';

(209) in item number 2563 by striking the project description and amount and inserting ''Construct hike and bike path as part of Bridgeview Bridge replacement in Macomb County'' and ''$486,400'', respectively;

(210) in item number 2698 by striking the project description and inserting ''Interchanges at I–95/Ellis Road and between Grant Road and Micco Road, Brevard County'';

(211) in item number 3141 by striking ''$2,800,000'' and inserting ''$1,800,000'';

(212) by striking item number 3160;

(213) in item number 3353 by inserting ''and construction'' after ''mitigation'';

(214) in item number 996 by striking ''$2,000,000'' and inserting ''$687,000'';

(215) in item number 2166 by striking the project description and inserting ''Design, right-of-way acquisition, and construction for I–35 and CSAH2 interchange and CSAH2 corridor to TH61 in Forest Lake'';

(216) in item number 3251 by striking the project description and inserting ''I–94 and Radio Drive Interchange and frontage road project, design, right-of-way acquisition, and construction, Woodbury'';

(217) in item number 1488 by striking the project description and inserting ''Construct a 4-lane highway between Maverick Junction and the Nebraska border'';

(218) in item number 3240 by striking the project description and inserting ''Railroad-highway crossings in Pierre'';

(219) in item number 1738 by striking ''Paving'' and inserting ''Planning, design, and construction'';

(220) in item number 3672 by striking the project description and inserting ''Pave remaining stretch of BIA Route 4 from the junction of the BIA Route 4 and N8031 in Pinon, AZ, to the Navajo and Hopi border'';

(221) in item number 2424 by striking ''Construction'' and inserting ''preconstruction (including survey and archeological clearances) and construction'';

(222) in item number 1216 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''For roadway construction improvements to Route 222 relocation, Lehigh County'', and ''$1,313,000'', respectively;

(223) in item number 2956 by striking ''$1,360,000'' and inserting ''$2,080,000'';

(224) in item number 1256 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Construction of a bridge over Brandywine Creek as part of the Boot Road extension project, Downingtown Borough'', and ''$700,000'', respectively;

(225) in item number 1291 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Enhance parking facilities in Chester Springs, Historic Yellow Springs'', and ''$20,000'', respectively;

(226) in item number 1304 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Improve the intersection at SR 100/SR 4003 (Kernsville Road), Lehigh County'', and ''$250,000'', respectively;

(227) in item number 1357 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Intersection signalization at SR 3020 (Newburg Road)/Country Club Road, Northampton County'', and ''$250,000'', respectively;

(228) in item number 1395 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Improve the intersection at SR 100/SR 29, Lehigh County'', and ''$220,000'', respectively;

(229) in item number 80 by striking ''$4,544,000'' and inserting ''$4,731,200'';

(230) in item number 2096 by striking ''$4,800,000'' and inserting ''$5,217,600'';

(231) in item number 1496 by striking the matters in the State, project description, and amount columns and inserting ''PA'', ''Study future needs of East-West road infrastructure in Adams County'', and ''$115,200'', respectively;

(232) in item number 2193 by striking the project description and inserting ''710 Freeway Study to comprehensively evaluate the technical feasibility of a tunnel alternative to close the 710 Freeway gap, considering all practicable routes, in addition to any potential route previously considered, and with no funds to be used for preliminary engineering or environmental review except to the extent necessary to determine feasibility'';

(233) in item number 2445 by striking the project description and inserting ''$600,000 for road and pedestrian safety improvements on Main Street in the Village of Patchogue; $900,000 for road and pedestrian safety improvements on Montauk Highway, between NYS Route 112 and Suffolk County Road 101 in Suffolk County'';

(234) in item number 346 by striking the project description and inserting ''Hansen Dam Recreation Area access improvements, including hillside stabilization and parking lot rehabilitation along Osborne Street between Glenoaks Boulevard and Dronfield Avenue'';

(235) by striking item number 449;

(236) in item number 3688 by striking ''road'' and inserting ''trail'';

(237) in item number 3695 by striking ''in Soldotna'' and inserting ''in the Kenai River corridor'';

(238) in item number 3699 by striking ''to improve fish habitat'';

(239) in item number 3700 by inserting ''and ferry facilities'' after ''a ferry'';

(240) in item number 3703 by inserting ''or other roads'' after ''Cape Blossom Road'';

(241) in item number 3704 by striking ''Fairbanks'' and inserting ''Alaska Highway'';

(242) in item number 3705 by striking ''in Cook Inlet for the Westside development/Williamsport-Pile Bay Road'' and inserting ''for development of the Williamsport-Pile Bay Road corridor'';

(243) in item number 3829 by striking the amount and inserting ''$3,050,000'';

(244) by inserting after item number 3829 the following:

''3829A	CO	U.S. 550, New Mexico State line to Durango	$950,000'';

(245) in item number 4788 by striking the project description and inserting ''Heidelberg Borough/Scott Township/Carnegie Borough for design, engineering, acquisition, and construction of streetscaping enhancements, paving, lighting and safety upgrades, and parking improvements'';

(246) in item number 3861 by striking the project description and inserting ''Creation of a greenway path along the Naugatuck River in Waterbury'';

(247) in item number 3883 by striking the project description and inserting ''Wilmington Riverfront Access and Street Grid Redesign'';

(248) in item number 3892 by striking ''$5,000,000'' and inserting ''$8,800,000'';

(249) in item number 3894 by striking ''$5,000,000'' and inserting ''$1,200,000'';

(250) in item number 3909 by striking the project description and inserting ''S.R. 281, the Avalon Boulevard Expansion Project from Interstate 10 to U.S. Highway 91'';

(251) in item number 3911 by striking the project description and inserting ''Construct a new bridge at Indian Street, Martin County'';

(252) in item number 3916 by striking the project description and inserting ''City of Hollywood for U.S. 1/Federal Highway, north of Young Circle'';

(253) in item number 3937 by striking the project description and inserting ''Kingsland bypass from CR 61 to I–95, Camden County'';

(254) in item number 3945 by striking ''CR 293 to CS 5231'' and inserting ''SR 371 to SR 400'';

(255) in item number 3965 by striking ''transportation projects'' and inserting ''and air quality projects'';

(256) in item number 3986 by striking the project description and inserting ''Extension of Sugarloaf Parkway, Gwinnett County'';

(257) in item number 3999 by striking ''Bridges'' and inserting ''Bridge and Corridor'';

(258) in item number 4003 by striking the project description and inserting ''City of Council Bluffs and Pottawattamie County East Beltway Roadway and Connectors Project'';

(259) in item number 4043 by striking ''MP 9.3, Segment I, II, and III'' and inserting ''Milepost 24.3'';

(260) in item number 4050 by striking the project description and inserting ''Preconstruction and construction activities of U.S. 51 between the Assumption Bypass and Vandalia'';

(261) in item number 4058 by striking the project description and inserting ''For improvements to the road between Brighton and Bunker Hill in Macoupin County'';

(262) in each of item numbers 4062 and 4084 by striking the project description and inserting ''Preconstruction, construction, and related research and studies of I–290 Cap the Ike project in the village of Oak Park'';

(263) in item number 4089 by inserting ''and parking facility/entrance improvements serving the Museum of Science and Industry'' after ''Lakeshore Drive'';

(264) in item number 4103 by inserting ''and adjacent to the'' before ''Shawnee'';

(265) in item number 4110 by striking the project description and inserting ''For improvements to the road between Brighton and Bunker Hill in Macoupin County'';

(266) in item number 4120 by striking the matters in the project description and amount columns and inserting ''Upgrade 146th Street to Improve I–69 Access'' and ''$800,000'', respectively;

(267) in item number 4125 by striking ''$250,000'' and inserting ''$1,650,000'';

(268) by striking item number 4170;

(269) by striking item number 4179;

(270) in item number 4185 by striking the project description and inserting ''Replace the Clinton Street Bridge spanning St. Mary's River in downtown Fort Wayne'';

(271) in item number 4299 by striking the project description and inserting ''Improve U.S. 40, MD 715 interchange and other roadways in the vicinity of Aberdeen Proving Ground to support BRAC-related growth'';

(272) in item number 4313 by striking ''Maryland Avenue'' and all that follows through ''Rd. corridor'' and inserting ''intermodal access, streetscape, and pedestrian safety improvements'';

(273) in item number 4315 by striking ''stormwater mitigation project'' and inserting ''environmental preservation project'';

(274) in item number 4318 by striking the project description and inserting ''Planning, design, and construction of improvements to the highway systems connecting to Lewiston and Auburn downtowns'';

(275) in item number 4323 by striking the project description and inserting ''MaineDOT Acadia intermodal passenger and maintenance facility'';

(276) in item number 4338 by striking the project description and inserting ''Construct 1 or more grade-separated crossings of I–75, and make associated improvements to improve local and regional east-west mobility between Mileposts 279 and 282'';

(277) in item number 4355 by striking the project description and inserting ''Design, engineering, ROW acquisition, construction, and construction engineering for the reconstruction of TH 95, from 12th Avenue to CSAH 13, including bridge and approaches, ramps, intersecting roadways, signals, turn lanes, and multiuse trail, North Branch'';

(278) in item number 4357 by striking the project description and inserting ''Design, construct, ROW, and expand TH 241 and CSAH 35 and associated streets in the city of St. Michael'';

(279) in item number 4360 by striking the project description and inserting ''Planning, design, and construction for Twin Cities Bioscience Corridor in St. Paul'';

(280) in item number 4362 by striking the project description and inserting ''I–494/U.S. 169 interchange reconstruction including U.S. 169/Valley View Road interchange, Twin Cities Metropolitan Area'';

(281) in item number 4365 by striking the project description and inserting ''34th Street realignment and 34th Street and I–94 interchange, including retention and reconstruction of the SE Main Avenue/CSAH 52 interchange ramps at I–94, and other transportation improvements for the city of Moorhead, including the SE Main Avenue GSI and Moorhead Comprehensive Rail Safety Program'';

(282) in item number 4369 by striking the project description and inserting ''Construction of 8th Street North, Stearns C.R. 120 to TH 15 in St. Cloud'';

(283) in item number 4371 by striking the project description and inserting ''Construction and ROW of TH 241, CSAH 35 and associated streets in the city of St. Michael'';

(284) in item number 4411 by striking ''Southaven'' and inserting ''DeSoto County'';

(285) in item number 4424 by striking the project description and inserting ''U.S. 93 Evaro to Polson transportation improvement projects'';

(286) in item number 4428 by striking the project description and inserting ''US 76 improvements'';

(287) in item number 4457 by striking the project description and inserting ''Construct an interchange at an existing grade separation at SR 1602 (Old Stantonsburg Rd.) and U.S. 264 Bypass in Wilson County'';

(288) in item number 4461 by striking the project description and inserting ''Transportation and related improvements at Queens University of Charlotte, including the Queens Science Center and the Marion Diehl Center, Charlotte'';

(289) in item number 4507 by striking the project description and inserting ''Design, right-of-way acquisition, and construction of Highway 35 between Norfolk and South Sioux City, including an interchange at milepost 1 on U.S. I–129'';

(290) in item number 4555 by inserting ''Canal Street and'' after ''Reconstruction of'';

(291) in item number 4565 by striking the project description and inserting ''Railroad Construction and Acquisition, Ely and White Pine County'';

(292) in item number 4588 by inserting ''Private Parking and'' before ''Transportation'';

(293) in item number 4596 by striking the project description and inserting ''Centerway Bridge and Bike Trail Project, Corning'';

(294) in item number 4610 by striking the project description and inserting ''Preparation, demolition, disposal, and site restoration of Alert Facility on Access Road to Plattsburgh International Airport'';

(295) in item number 4649 by striking the project description and inserting ''Fairfield County, OH U.S. 33 and old U.S. 33 safety improvements and related construction, city of Lancaster and surrounding areas'';

(296) in item number 4651 by striking ''for the transfer of rail to truck for the intermodal'' and inserting '', and construction of an intermodal freight'';

(297) in item number 4691 by striking the project description and inserting ''Transportation improvements to Idabel Industrial Park Rail Spur, Idabel'';

(298) in item number 4722 by striking the project description and inserting ''Highway, traffic, pedestrian, and riverfront improvements, Pittsburgh'';

(299) in item number 4749 by striking ''study'' and inserting ''improvements'';

(300) in item number 4821 by striking ''highway grade crossing project, Clearfield and Clinton Counties'' and inserting ''Project for highway grade crossings and other purposes relating to the Project in Cambria, Centre, Clearfield, Clinton, Indiana, and Jefferson Counties'';

(301) in item number 4838 by striking ''study'' and inserting ''improvements'';

(302) in item number 4839 by striking ''fuelcelled'' and inserting ''fueled'';

(303) in item number 4866 by striking ''$11,000,000'' and inserting ''$9,400,000'';

(304) by inserting after item number 4866 the following:

''4866A	*RI*	*Repair and restore railroad bridge in Westerly*	*$1,600,000'';*

(305) in item number 4892 by striking the project description and inserting ''Construct a 4-lane highway between maverick Junction and the Nebraska border'';

(306) in item number 4916 by striking ''$1,000,000'' and inserting ''$328,000'';

(307) in item number 4924 by striking ''$3,450,000'' and inserting ''$4,122,000'';

(308) in item number 4960 by inserting ''of which $50,000 shall be used for a street paving project, Calhoun'' after ''County'';

(309) in item number 4974 by striking '', Sevier County'';

(310) in item number 5008 by inserting ''/Kane Creek Boulevard'' after ''500 West'';

(311) in each of item numbers 5011 and 5033 by striking ''200 South Interchange'' and inserting ''400 South Interchange'';

(312) in item number 5021 by striking ''Pine View Dam,'';

(313) in item number 5026 by striking the project description and inserting ''Roadway improvements on Washington Fields Road/300 East, Washington'';

(314) in item number 5027 by inserting ''and roadway improvements'' after ''safety project'';

(315) in item number 5028 by inserting ''and roadway improvements'' after ''lighting'';

(316) in item number 5029 by inserting ''and roadway improvements'' after ''lights'';

(317) in number 5032 by striking the project description and inserting ''Expand Redhills Parkway, St. George'';

(318) in item number 5132 by striking the project description and inserting ''St. Croix River crossing project, Wisconsin State Highway 64, St. Croix County, Wisconsin, to Minnesota State Highway 36, Washington County'';

(319) in item number 5161 by striking the project description and inserting ''Raleigh Street Extension Project in Martinsburg'';

(320) in item number 1824 by striking the project description and inserting ''U.S. Route 10 expansion in Wadena and Ottertail Counties'';

(321) in item number 1194 by striking the project description and inserting ''Roadway and pedestrian design and improvements for Pennsylvania Avenue, Brooklyn'';

(322) in item number 2286 by striking the project description and inserting ''Road improvements for Church Street between NY State Route 25A and Hilden Street in Kings Park'';

(323) in item number 1724 by striking the project description and amount and inserting ''For road resurfacing and upgrades to Old Nichols Road and road repairs in the Nissequogue River watershed in Smithtown'' and ''$1,500,000'', respectively;

(324) in item number 3636 by striking the matters in the State, project description, and amount columns and inserting ''NY'', ''Road repair and maintenance in the Town of Southampton'', and ''$500,000'', respectively;

(325) in item number 3638 by striking the matters in the State, project description, and amount columns and inserting ''NY'', ''Improve NY State Route 112 from Old Town Road to NY State Route 347'', and ''$6,000,000'', respectively;

(326) in item number 3479 by striking the project description and inserting ''Road improvements and utility relocations within the city of Jackson'';

(327) in item number 141 by striking ''construction of pedestrian and bicycle improvements'' and inserting ''transportation enhancement activities'';

(328) in item number 1204 by striking ''at SR 283'';

(329) in item number 2896 by striking the project description and inserting ''Improve streetscape and signage and pave roads in McMinn County, including $50,000 that may be used for paving local roads in the city of Calhoun'';

(330) in item number 3017 by striking '', Pine View Dam'';

(331) in item number 3188 insert after ''Reconstruction'' the following: ''including U.S. 169/Valley View Road Interchange,'';

(332) in item number 1772 by striking the project description and inserting ''Reconstruction of Historic Eastern Parkway'';

(333) in item number 2610 by striking the project description and inserting ''Reconstruction of Times and Duffy Squares in New York City'';

(334) in item number 2462—

(A) by striking ''of the New Jersey Turnpike, Carteret'' and inserting ''and the Tremley Point Connector Road of the New Jersey Turnpike''; and

(B) by striking ''$1,200,000'' and inserting ''$450,000'';

(335) in item number 2871 by striking the amount and inserting ''$2,430,000'';

(336) in item number 3381 by striking the project description and inserting ''Determine scope, design, engineering, and construction of Western Boulevard Extension from Northern Boulevard to Route 9 in Ocean County, New Jersey'';

(337) in item number 2703 by striking the project description and inserting ''Upgrading existing railroad crossings with installation of active signals and gates and to study the feasibility and necessity of rail grade separation'';

(338) in item number 1004 by inserting ''SR 71 near'' after ''turn lane on'';

(339) in item number 2824 by striking the project description and inserting the following: ''Sevier County, TN, SR 35 near SR 449 intersection'';

(340) in item number 373 by striking the project description and inserting ''Widening existing Highway 226, including a bypass of Cash and a new connection to Highway 49'';

(341) in item number 1486, by striking the project description and inserting ''Bridge reconstruction and road widening on Route 252 and Route 30 in Tredyffrin Township, PA, in conjunction with the Paoli Transportation Center Project'';

(342) in item number 4541 by striking ''of the New Jersey Turnpike, Carteret'' and inserting ''and the Tremley Point Connector Road of the New Jersey Turnpike'';

(343) in item number 4006 by striking the project description and inserting ''Improvement to Alice's Road/105th Street Corridor including bridge, interchange, roadway, right-of-way, and enhancements'';

(344) in item number 2901 by striking the project description and inserting ''Purchase of land and conservation easements within U.S. 24 study area in Lucas, Henry, and Fulton Counties, Ohio'';

(345) in item number 2619 by striking the project description and inserting ''Improve access to I–55 between Bayless Avenue and Loughborough Avenue, including bridge 230.06'';

(346) in item number 1687 by striking the project description and inserting ''Construct an interchange at I–675 and Warren Avenue near downtown Saginaw'';

(347) by striking item number 206;

(348) by striking item number 821;

(349) by striking item number 906;

(350) by striking item number 1144;

(351) in item number 1693 by striking the project description and amount and inserting ''Plan and implement truck route improvements in the Maspeth neighborhood of Queens County'' and ''$500,000'', respectively;

(352) in item number 3039 by striking the project description and inserting ''Pittsfield greenways construction to connect Pittsfield to the Ann Arbor greenway system, Pittsfield Township'';

(353) in item number 2922 by striking the project description and amount and inserting ''Detroit River International Wildlife Refuge for land acquisition adjacent to I–75 in Monroe County for wetland mitigation and habitat restoration, Fish and Wildlife Service'' and ''$1,800,000'', respectively;

(354) in item number 3641 by striking the matters in the State, project description, and amount columns and inserting ''MI'', ''River Raisin Battlefield for acquisition of historic battlefield land in Monroe County, Port of Monroe'', and ''$1,200,000''; respectively;

(355) in item number 3643 by striking the matters in the State, project description, and amount columns and inserting ''MI'', ''Phase 1 of Monroe County greenway system construction, Monroe County'', and ''$940,000'', respectively;

(356) in item number 3645 by striking the matters in the State, project description, and amount columns and inserting ''MI'', ''East County fueling operations consolidation at the Monroe County Road Commission and enhancement of facilities to accommodate biodiesel fuel pumps, Monroe County'', and ''$1,000,000'', respectively;

(357) in item number 3646 by striking the matters in the State, project description, and amount columns and inserting ''MI'', ''Greenway trail construction from City of Monroe to Sterling State Park, City of Monroe'', and ''$100,000''; respectively;

(358) in item number 1883 by striking the project description and inserting ''Planning for the Orangeline High Speed MAGLEV from Los Angeles County to Orange County'';

(359) in item number 3757 by inserting '', including Van Asche Drive'' after ''Corridor'';

(360) in item number 4347 by striking the project description and inserting ''Alger County, to reconstruct, pave, and realign a portion of H–58 from 2,600 feet south of Little Beaver Lake Road to 4,600 feet east of Hurricane River'';

(361) in item number 4335 by striking the project description and inserting ''Construct an interchange at I–675 and Warren Avenue near downtown Saginaw'';

(362) in item number 4891 by striking the project description and inserting ''Widening U.S. 17 in Charleston County from the Isle of Palms Connector to a point at or near Darrell Creek Trail'';

(363) in item number 3647 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Drainage and infrastructure improvements on U.S. 11 in front of Springville Middle School in Springville'', and ''$1,000,000'', respectively;

(364) in item number 3648 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Transportation enhancement projects for sidewalks and streetscaping along Cahaba Road between the Botanical Gardens and the Birmingham Zoo in the City of Birmingham'', and ''$1,075,000'', respectively;

(365) in item number 3651 by striking the matters in the State, project description, and amount columns and inserting ''AL'', ''Engineering and right-of-way acquisition for the McWrights Ferry Road extension between Rice Mine Road and New Watermelon Road in Tuscaloosa County'', and ''$1,075,000'', respectively;

(366) in item number 562 by striking ''a designated truck route through'' and inserting ''roadway and sidewalk improvements in'';

(367) in item number 2836 by striking the project description and inserting ''Traffic calming and safety improvements to Lido Boulevard, Town of Hampstead, Nassau County'';

(368) in item number 1353 by striking the project description and inserting ''Improve the flow of truck traffic in Orrville'';

(369) in item number 1975 by striking the project description and inserting ''Hatcher Pass Ski Development Road in Matanuska-Susitna Borough'';

(370) in item number 1661 by striking the project description and inserting ''Hatcher Pass Ski Development Road in Matanuska-Susitna Borough'';

(371) in item number 1574 by striking the project description and inserting ''Construct commuter parking structure in the central business district in the vicinity of La Grange Road, and for projects identified by the Village of La Grange as its highest priorities'';

(372) in item number 3461 by striking the project description and inserting ''Construct Leon Pass overpass, and for projects identified by the Village of Hodgkins as its highest priorities'';

(373) in item numbers 1310 and 2265 by striking the project descriptions and inserting ''To construct up to 2 interchanges on U.S. Alternate Highway 72/Alabama Highway 20 from Interstate 65 to U.S. Highway 31 in Decatur, Alabama, with additional lanes as necessary'';

(374) in item number 4934 by striking ''connection with Hermitage Avenue'' and inserting ''Hermitage Avenue and pedestrian connection'';

(375) in item number 1227 by striking the project description and inserting ''Construct road improvements near industrial park near SR 209 and CR 345 that improve access to the industrial park'';

(376) in item number 2507 by striking the project description and inserting ''Texas Department of Transportation: for those projects the Department has identified as its highest priorities'';

(377) in item number 3903 by striking the project description and inserting ''Planning, design, and engineering study to widen (4 lanes) SR 87 from the intersection of US 90 and SR 87 South to the Alabama State line'';

(378) in item number 56 by striking the project description and inserting ''Bicycle and pedestrian improvements, Oregon'';

(379) in item number 604 by striking the amount and inserting ''$11,800,000'';

(380) in item number 1299 by striking the amount and inserting ''$9,800,000'';

(381) in item number 1506 by striking the amount and inserting ''$5,100,000'';

(382) in item number 1904 by striking the project description and inserting ''Study and construct access to intermodal facility in Azusa'';

(383) in item number 3653 by striking the matters in the State, project description, and amount columns and inserting ''MI'', ''Bicycle and pedestrian trails in Harrison Township'', and ''$2,900,000'', respectively;

(384) in item number 3447 by striking the project description and inserting ''Carlton, 4th Street Railroad Crossing Improvement Project: Construct a safe, at grade crossing of the railroad and necessary bridge, connecting the community's educational and athletic facilities'';

(385) in item number 2321 by striking the project description and inserting ''Design and construct roadway and traffic signal improvements on Stella Street and Front Street, Wormleysburg, PA''; and

(386) in item number 370 by striking the project description and inserting ''Pedestrian paths, stairs, seating, landscaping, lighting, and other transportation enhancement activities along Riverside Boulevard and at Riverside Park South''.

(b) UNUSED OBLIGATION AUTHORITY.—Notwithstanding any other provision of law, unused obligation authority made available for an item in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256) that is repealed, or authorized funding for such an item that is reduced, by this section shall be made available—

(1) for an item in section 1702 of that Act that is added or increased by this section and that is in the same State as the item for which obligation authority or funding is repealed or reduced;

(2) in an amount proportional to the amount of obligation authority or funding that is so repealed or reduced; and

(3) individually for projects numbered 1 through 3676 pursuant to section 1102(c)(4)(A) of that Act (119 Stat. 1158).

(c) TRANSFER OF PROJECT FUNDS.—The Secretary of Transportation shall transfer to the Commandant of the Coast Guard amounts made available to carry out the project described in item number 4985 of the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for

Users (119 Stat. 1447) to carry out that project, in accordance with the Act of June 21, 1940, commonly known as the ''Truman-Hobbs Act'', (33 U.S.C. 511 et seq.).

(d) ADDITIONAL DISCRETIONARY USE OF SURFACE TRANSPORTATION PROGRAM FUNDS.—Of the funds apportioned to each State under section 104(b)(3) of title 23, United States Code, a State may expend for each of fiscal years 2008 and 2009 not more than $1,000,000 for the following activities:

(1) Participation in the Joint Operation Center for Fuel Compliance established under section 143(b)(4)(H) of title 23, United States Code, within the Department of the Treasury, including the funding of additional positions for motor fuel tax enforcement officers and other staff dedicated on a full-time basis to participation in the activities of the Center.

(2) Development, operation, and maintenance of electronic filing systems to coordinate data exchange with the Internal Revenue Service by States that impose a tax on the removal of taxable fuel from any refinery and on the removal of taxable fuel from any terminal.

(3) Development, operation, and maintenance of electronic single point of filing in conjunction with the Internal Revenue Service by States that impose a tax on the removal of taxable fuel from any refinery and on the removal of taxable fuel from any terminal.

(4) Development, operation, and maintenance of a certification system by a State of any fuel sold to a State or local government (as defined in section 4221(d)(4) of the Internal Revenue Code of 1986) for the exclusive use of the State or local government or sold to a qualified volunteer fire department (as defined in section 150(e)(2) of such Code) for its exclusive use.

(5) Development, operation, and maintenance of a certification system by a State of any fuel sold to a nonprofit educational organization (as defined in section 4221(d)(5) of such Code) that includes verification of the good standing of the organization in the State in which the organization is providing educational services.

(e) PROJECT FEDERAL SHARE.—Section 1964 of the Safe, Accountable, Flexible, Efficient Transportation Equity: A Legacy for Users (119 Stat. 1519) is amended by adding at the end the following:

''(c) SPECIAL RULE.—Notwithstanding any other provision of law, the Federal share of the cost of the projects described in item numbers 1284 and 3093 in the table contained in section 1702 of this Act shall be 100 percent.''.

SEC. 106. NONMOTORIZED TRANSPORTATION PILOT PROGRAM.

Section 1807(a)(3) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1460) is amended by striking ''Minneapolis-St. Paul, Minnesota'' and inserting ''Minneapolis, Minnesota''.

SEC. 107. CORRECTION OF INTERSTATE AND NATIONAL HIGHWAY SYSTEM DESIGNATIONS.

(a) TREATMENT.—Section 1908(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1469) is amended by striking paragraph (3).

(b) NATIONAL HIGHWAY SYSTEM.—Section 1908(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1470) is amended by striking ''from the Arkansas State line'' and inserting ''from Interstate Route 540''.

SEC. 108. BUDGET JUSTIFICATION; BUY AMERICA.

(a) BUDGET JUSTIFICATION.—Section 1926 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1483) is amended by striking ''The Department'' and inserting ''Notwithstanding any other provision of law, the Department''.

(b) BUY AMERICA.—Section 1928 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1484) is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively; and

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

''(2) the current application by the Federal Highway Administration of the Buy America test, that is only applied to components or parts of a bridge project and not the entire bridge project, is inconsistent with this sense of Congress;''.

SEC. 109. TRANSPORTATION IMPROVEMENTS.

The table contained in section 1934(c) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1486) is amended—

(1) in item number 436 by inserting '', Saole,'' after ''Sua'';

(2) in item number 448 by inserting ''by removing asphalt and concrete and reinstalling blue cobblestones'' after ''streets'';

(3) by striking item number 451;

(4) in item number 452 by striking ''$2,000,000'' and inserting ''$3,000,000'';

(5) in item number 12 by striking ''Yukon River'' and inserting ''Kuskokwim River'';

(6) in item number 18 by striking ''Engineering and Construction in Merced County'' and inserting ''and safety improvements/realignment of SR 165 project study report and environmental studies in Merced and Stanislaus Counties'';

(7) in item number 38 by striking the project description and inserting ''Relocation of the Newark Train Station'';

(8) in item number 57 by striking the project description and inserting ''Kingsland bypass from CR 61 to I–95, Camden County'';

(9) in item number 114 by striking ''IA–32'' and inserting ''SW'' after ''Construct'';

(10) in item number 122 by striking the project description and inserting ''Design, right-of-way acquisition, and construction of the SW Arterial and connections to U.S. 20, Dubuque County'';

(11) in item number 130 by striking the project description and inserting ''Improvements and rehabilitation to rail and bridges on the Appanoose County Community Railroad'';

(12) in item number 133 by striking ''IA–32'';

(13) in item number 138 by striking the project description and inserting ''West Spencer Beltway Project'';

(14) in item number 142 by striking ''MP 9.3, Segment I, II, and III'' and inserting ''Milepost 24.3'';

(15) in item number 161 by striking ''Bridge replacement on Johnson Drive and Nall Ave.'' and inserting ''Construction improvements'';

(16) in item number 182 by striking the project description and inserting ''Improve U.S. 40, M.D. 715 interchange, and other roadways in the vicinity of Aberdeen Proving Ground to support BRAC-related growth'';

(17) in item number 198 by striking the project description and inserting ''Construct 1 or more grade separated crossings of I–75 and make associated improvements to improve local and regional east-west mobility between Mileposts 279 and 282'';

(18) in item number 201 by striking the project description and inserting ''Alger County, to reconstruct, pave, and realign a portion of H–58 from 2,600 feet south of Little Beaver Lake Road to 4,600 feet east of Hurricane River'';

(19) in item number 238 by striking the project description and inserting ''Develop and construct the St. Mary water project road and bridge infrastructure, including a new bridge and approaches across St. Mary River, stabilization and improvements to United States Route 89, and road/canal from Siphon Bridge to Spider Lake, on the condition that $2,500,000 of the amount made available to carry out this item may be made available to the Bureau of Reclamation for use for the Swift Current Creek and Boulder Creek bank and bed stabilization project in the Lower St. Mary Lake drainage'';

(20) in item number 329 by inserting '', Tulsa'' after ''technology'';

(21) in item number 358 by striking ''fuel-celled'' and inserting ''fueled'';

(22) in item number 374 by striking the project description and inserting ''Construct a 4-lane highway between Maverick Junction and the Nebraska border'';

(23) in item number 402 by striking ''from 2 to 5 lanes and improve alignment within rights-of-way in St. George'' and inserting '', St. George'';

(24) in item number 309 by striking the project description and inserting ''Streetscape, roadway, pedestrian, and parking improvements at the intersection of Meadow Lane, Chestnut Lane, Willow Drive, and Liberty Avenue for the College of New Rochelle campus in New Rochelle''; and

(25) in item number 462 by striking the project description and inserting ''I–75 widening and improvements in Collier and Lee Counties, Florida''.

SEC. 110. I–95/CONTEE ROAD INTERCHANGE DESIGN.

Section 1961 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1518) is amended—

(1) in the section heading by striking ''study'' and inserting ''design'';

(2) by striking subsections (a), (b), and (c) and inserting the following:

''(a) DESIGN.—The Secretary shall make available the funds authorized to be appropriated by this section for the design of the I–95/Contee Road interchange in Prince George's County, Maryland.''; and

(3) by redesignating subsection (d) as subsection (b).

SEC. 111. HIGHWAY RESEARCH FUNDING.

(a) F–SHRP FUNDING.—Notwithstanding any other provision of law, for each of fiscal years 2008 and 2009, at any time at which an apportionment is made of the sums authorized to be appropriated for the surface transportation program, the congestion mitigation and air quality improvement program, the National Highway System, the Interstate maintenance program, the bridge program, or the highway safety improvement program, the Secretary of Transportation shall—

(1) deduct from each apportionment an amount not to exceed 0.205 percent of the apportionment; and

(2) transfer or otherwise make that amount available to carry out section 510 of title 23, United States Code.

(b) CONFORMING AMENDMENTS.—

(1) FUNDING.—Section 5101 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1779) is amended—

(A) in subsection (a)(1) by striking ''509, and 510'' and inserting ''and 509'';

(B) in subsection (a)(4) by striking ''$69,700,000'' and all that follows through ''2009'' and inserting ''$40,400,000 for fiscal year 2005, $69,700,000 for fiscal year 2006, $76,400,000 for each of fiscal years 2007 and 2008, and $78,900,000 for fiscal year 2009''; and

(C) in subsection (b) by inserting after ''50 percent'' the following ''or, in the case of funds appropriated by subsection (a) to carry out section 5201, 5202, or 5203 of this Act, 80 percent''.

(2) FUTURE STRATEGIC HIGHWAY RESEARCH PROGRAM.—Section 5210 of such Act (119 Stat. 1804) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsection (d) as subsection (c).

(c) CONTRACT AUTHORITY.—Funds made available under this section shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share shall be determined under section 510(f) of that title.

(d) APPLICABILITY OF OBLIGATION LIMITATION.—Funds made available under this section shall be subject to any limitation on obligations

for Federal-aid highways and highway safety construction programs under section 1102 the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (23 U.S.C. 104 note; 119 Stat. 1157) or any other Act.

(e) EQUITY BONUS FORMULA.—Notwithstanding any other provision of law, in allocating funds for the equity bonus program under section 105 of title 23, United States Code, for each of fiscal years 2008 and 2009, the Secretary of Transportation shall make the required calculations under that section as if this section had not been enacted.

(f) FUNDING FOR RESEARCH ACTIVITIES.—Of the amount made available by section 5101(a)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1779)—

(1) at least $1,000,000 shall be made available for each of fiscal years 2008 and 2009 to carry out section 502(h) of title 23, United States Code; and

(2) at least $4,900,000 shall be made available for each of fiscal years 2008 and 2009 to carry out section 502(i) of that title.

(g) TECHNICAL AMENDMENTS.—

(1) SURFACE TRANSPORTATION RESEARCH.—Section 502 of title 23, United States Code, is amended by striking the first subsection (h), relating to infrastructure investment needs reports beginning with the report for January 31, 1999.

(2) ADVANCED TRAVEL FORECASTING PROCEDURES PROGRAM.—Section 5512(a)(2) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1829) is amended by striking ''PROGRAM APPRECIATION.—'' and inserting ''PROGRAM APPLICATION.—''.

(3) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5506 of title 49, United States Code, is amended—

(A) in subsection (c)(2)(B) by striking ''tier'' and inserting ''Tier'';

(B) in subsection (i)—

(i) by striking ''In order to'' and inserting the following:

''(1) IN GENERAL.—In order to''; and

(ii) by adding at the end the following:

''(2) SPECIAL RULE.—Nothing in paragraph (1) requires a nonprofit institution of higher learning designated as a Tier II university transportation center to maintain total expenditures as described in paragraph (1) in excess of the amount of the grant awarded to the institution.''; and

(C) in subsection (k)(3) by striking ''The Secretary'' and all that follows through ''to carry out this section'' and inserting ''For each of fiscal years 2008 and 2009, the Secretary shall expend not more than 1.5 percent of amounts made available to carry out this section''.

SEC. 112. RESCISSION.

Section 10212 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (as amended by section 1302 of the Pension Protection Act of 2006 (Public Law 109–280)) (119 Stat. 1937; 120 Stat. 780) is amended by striking ''$8,593,000,000'' each place it appears and inserting ''$8,708,000,000''.

SEC. 113. TEA–21 TECHNICAL CORRECTIONS.

(a) SURFACE TRANSPORTATION PROGRAM.—Section 1108(f)(1) of the Transportation Equity Act for the 21st Century (23 U.S.C. 133 note; 112 Stat. 141) is amended by striking ''2003'' and inserting ''2009''.

(b) PROJECT AUTHORIZATIONS.—The table contained in section 1602 of such Act (112 Stat. 257) is amended—

(1) in item number 1096 (as amended by section 1703(a)(11) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1454)) by inserting '', and planning and construction to Heisley Road,'' before ''in Mentor, Ohio'';

(2) in item number 1646 by striking ''and construction'' and inserting ''construction, reconstruction, resurfacing, restoration, rehabilitation, and repaving''; and

(3) in item number 614 by inserting ''and for NJ Carteret, NJ Ferry Service Terminal'' after ''east''.

SEC. 114. HIGH PRIORITY CORRIDOR AND INNOVATIVE PROJECT TECHNICAL CORRECTIONS.

(a) HIGH PRIORITY CORRIDORS.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 119 Stat. 1212) is amended—

(1) in paragraph (63) by striking ''and United States Routes 1, 3, 9, 17, and 46,'' and inserting ''United States Routes 1, 9, and 46, and State Routes 3 and 17,''; and

(2) in paragraph (64)—

(A) by striking ''United States Route 42'' and inserting ''State Route 42''; and

(B) by striking ''Interstate Route 676'' and inserting ''Interstate Routes 76 and 676''.

(b) INNOVATIVE PROJECTS.—Item number 89 of the table contained in section 1107(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2052) is amended in the matter under the column with the heading ''INNOVATIVE PROJECTS'' by inserting ''and contiguous counties'' after ''Michigan''.

SEC. 115. DEFINITION OF REPEAT INTOXICATED DRIVER LAW.

Section 164(a)(5) of title 23, United States Code, is amended by striking subparagraphs (A) and (B) and inserting the following:

''(A) receive—

''(i) a driver's license suspension for not less than 1 year; or

''(ii) a combination of suspension of all driving privileges for the first 45 days of the suspension period followed by a reinstatement of limited driving privileges for the purpose of getting to and from work, school, or an alcohol treatment program if an ignition interlock device is installed on each of the motor vehicles owned or operated, or both, by the individual;

''(B) be subject to the impoundment or immobilization of, or the installation of an ignition interlock system on, each motor vehicle owned or operated, or both, by the individual;''.

SEC. 116. RESEARCH TECHNICAL CORRECTION.

Section 5506(e)(5)(C) of title 49, United States Code, is amended by striking ''$2,225,000''and inserting ''$2,250,000''.

SEC. 117. BUY AMERICA WAIVER NOTIFICATION AND ANNUAL REPORTS.

(a) WAIVER NOTIFICATION.—

(1) IN GENERAL.—If the Secretary of Transportation makes a finding under section 313(b) of title 23, United States Code, with respect to a project, the Secretary shall—

(A) publish in the Federal Register, before the date on which such finding takes effect, a detailed written justification as to the reasons that such finding is needed; and

(B) provide notice of such finding and an opportunity for public comment on such finding for a period of not to exceed 60 days.

(2) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in paragraph (1) shall be construed to require the effective date of a finding referred to in paragraph (1) to be delayed until after the close of the public comment period referred to in paragraph (1)(B).

(b) ANNUAL REPORTS.—Not later than February 1 of each year beginning after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the projects for which the Secretary made findings under section 313(b) of title 23, United States Code, during the preceding calendar year and the justifications for such findings.

SEC. 118. EFFICIENT USE OF EXISTING HIGHWAY CAPACITY.

(a) STUDY.—The Secretary of Transportation shall conduct a study on the impacts of converting left and right highway safety shoulders to travel lanes.

(b) CONTENTS.—In conducting the study, the Secretary shall—

(1) analyze instances in which safety shoulders are used for general purpose vehicle traffic, high occupancy vehicles, and public transportation vehicles;

(2) analyze instances in which safety shoulders are not part of the roadway design;

(3) evaluate whether or not conversion of safety shoulders or the lack of a safety shoulder in the original roadway design has a significant impact on the number of accidents or has any other impact on highway safety; and

(4) compile relevant statistics.

(c) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study.

SEC. 119. FUTURE INTERSTATE DESIGNATION.

(a) IN GENERAL.—Subject to subsection (b), the Secretary of Transportation shall designate, as a future Interstate Route 69 Spur, the Audubon Parkway and, as a future Interstate Route 66 Spur, the Natcher Parkway in Owensboro, Kentucky. Any segment of such routes shall become part of the Interstate System (as defined in section 101 of title 23, United States Code) at such time as the Secretary determines that the segment—

(1) meets the Interstate System design standards approved by the Secretary under section 109(b) of title 23, United States Code; and

(2) connects to an existing Interstate System segment.

(b) SIGNS.—Section 103(c)(4)(B)(iv) of title 23, United States Code, shall apply to the designations under subsection (a); except that a State may install signs on the 2 parkways that are to be designated under subsection (a) indicating the approximate location of each of the future Interstate System highways.

(c) REMOVAL OF DESIGNATION.—The Secretary shall remove designation of a highway referred to in subsection (a) as a future Interstate System route if the Secretary, as of the last day of the 25-year period beginning on the date of enactment of this Act, has not made the determinations under paragraphs (1) and (2) of subsection (a) with respect to such highway.

SEC. 120. PROJECT FLEXIBILITY.

Section 1935(b)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1510) is amended by inserting ''the project numbered 1322 and'' before ''the projects''.

SEC. 121. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this Act (including subsection (b)), this Act and the amendments made by this Act take effect on the date of enactment of this Act.

(b) EXCEPTION.—

(1) IN GENERAL.—The amendments made by this Act (other than the amendments made by sections 101(g), 101(m)(1)(H), 103, 105, 109, and 201(o)) to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) shall—

(A) take effect as of the date of enactment of that Act; and

(B) be treated as being included in that Act as of that date.

(2) EFFECT OF AMENDMENTS.—Each provision of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) (including the amendments made by that Act) (as in effect on the day before the date of enactment of this Act) that is amended by this Act (other than sections 101(g), 101(m)(1)(H), 103, 105, 109, and 201(o)) shall be treated as not being enacted.

(c) CONFORMING AMENDMENT TO HIGHWAY TRUST FUND.—Subsections (c)(1) and (e)(3) of section 9503 of the Internal Revenue Code of 1986 are each amended by striking ''Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users'' and inserting ''SAFETEA–LU Technical Corrections Act of 2008''.

TITLE II—TRANSIT PROVISIONS

SEC. 201. TRANSIT TECHNICAL CORRECTIONS.

(a) SECTION 5302.—Section 5302(a)(10) of title 49, United States Code, is amended by striking ''charter,'' and inserting ''charter, sightseeing,''.

(b) SECTION 5303.—

(1) Section 5303(f)(3)(C)(ii) of such title is amended by striking subclause (II) and inserting the following:

''(II) FUNDING.—For fiscal year 2008 and each fiscal year thereafter, in addition to other funds made available to the metropolitan planning organization for the Lake Tahoe region under this chapter and title 23, prior to any allocation under section 202 of title 23, and notwithstanding the allocation provisions of section 202, the Secretary shall set aside ½ of 1 percent of all funds authorized to be appropriated for such fiscal year to carry out section 204 of title 23, and shall make such funds available to the metropolitan planning organization for the Lake Tahoe region to carry out the transportation planning process, environmental reviews, preliminary engineering, and design to complete environmental documentation for transportation projects for the Lake Tahoe region under the Tahoe Regional Planning Compact as consented to in Public Law 96–551 (94 Stat. 3233) and this paragraph.''.

(2) Section 5303(j)(3)(D) of such title is amended—

(A) by inserting ''or the identified phase'' before ''within the time''; and

(B) by inserting ''or the identified phase'' before the period at the end.

(3) Section 5303(k)(2) of such title is amended by striking ''a metropolitan planning area serving''.

(c) SECTION 5307.—Section 5307(b) of such title is amended—

(1) in the heading for paragraph (2) by striking ''2007'' and inserting ''2009'';

(2) in paragraph (2)(A)—

(A) by striking ''2007'' and inserting ''2009''; and

(B) by striking ''mass'' and inserting ''public'';

(3) by adding at the end of paragraph (2) the following:

''(E) MAXIMUM AMOUNTS IN FISCAL YEARS 2008 AND 2009.—In fiscal years 2008 and 2009—

''(i) amounts made available to any urbanized area under clause (i) or (ii) of subparagraph (A) shall be not more than 50 percent of the amount apportioned in fiscal year 2002 to the urbanized area with a population of less than 200,000, as determined in the 1990 decennial census of population;

''(ii) amounts made available to any urbanized area under subparagraph (A)(iii) shall be not more than 50 percent of the amount apportioned to the urbanized area under this section for fiscal year 2003; and

''(iii) each portion of any area not designated as an urbanized area, as determined by the 1990 decennial census, and eligible to receive funds under subparagraph (A)(iv), shall receive an amount of funds to carry out this section that is not less than 50 percent of the amount the portion of the area received under section 5311 in fiscal year 2002.''; and

(4) in paragraph (3) by striking ''section 5305(a)'' and inserting ''section 5303(k)''.

(d) SECTION 5309.—Section 5309 of such title is amended—

(1) in subsection (d)(5)(B) by striking ''regulation.'' and inserting ''this subsection and shall give comparable, but not necessarily equal, numerical weight to each project justification criteria in calculating the overall project rating.'';

(2) in subsection (e)(6)(B) by striking ''subsection.'' and inserting ''subsection and shall give comparable, but not necessarily equal, numerical weight to each project justification criteria in calculating the overall project rating.'';

(3) in the heading for paragraph (2)(A) of subsection (m) by striking ''MAJOR CAPITAL'' and inserting ''CAPITAL''; and

(4) in subsection (m)(7)(B) by striking ''section 3039'' and inserting ''section 3045''.

(e) SECTION 5311.—Section 5311 of such title is amended—

(1) in subsection (g)(1)(A) by striking ''for any purpose other than operating assistance'' and inserting ''for a capital project or project administrative expenses'';

(2) in subsections (g)(1)(A) and (g)(1)(B) by striking ''capital'' after ''net''; and

(3) in subsection (i)(1) by striking ''Sections 5323(a)(1)(D) and 5333(b) of this title apply'' and inserting ''Section 5333(b) applies''.

(f) SECTION 5312.—The heading for section 5312(c) of such title is amended by striking ''MASS TRANSPORTATION'' and inserting ''PUBLIC TRANSPORTATION''.

(g) SECTION 5314.—Section 5314(a)(3) is amended by striking ''section 5323(a)(1)(D)'' and inserting ''section 5333(b)''.

(h) SECTION 5319.—Section 5319 of such title is amended by striking ''section 5307(k)'' and inserting ''section 5307(d)(1)(K)''.

(i) SECTION 5320.—Section 5320 of such title is amended—

(1) in subsection (a)(1)(A) by striking ''intra—agency'' and inserting ''intraagency'';

(2) in subsection (b)(5)(A) by striking ''5302(a)(1)(A)'' and inserting ''5302(a)(1)'';

(3) in subsection (d)(1) by inserting ''to administer this section and'' after ''5338(b)(2)(J)'';

(4) by adding at the end of subsection (d) the following:

''(4) TRANSFERS TO LAND MANAGEMENT AGENCIES.—The Secretary may transfer amounts available under paragraph (1) to the appropriate Federal land management agency to pay necessary costs of the agency for such activities described in paragraph (1) in connection with activities being carried out under this section.'';

(5) in subsection (k)(3) by striking ''subsection (d)(1)'' and inserting ''subsection (e)(1)'';

(6) by redesignating subsections (a) through (m) as subsections (b) through (n), respectively; and

(7) by inserting before subsection (b) (as so redesignated) the following:

''(a) PROGRAM NAME.—The program authorized by this section shall be known as the Paul S. Sarbanes Transit in Parks Program.''.

(j) SECTION 5323.—Section 5323(n) of such title is amended by striking ''section 5336(e)(2)'' and inserting ''section 5336(d)(2)''.

(k) SECTION 5325.—Section 5325(b) of such title is amended—

(1) in paragraph (1) by inserting before the period at the end ''adopted before August 10, 2005'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(l) SECTION 5336.—

(1) APPORTIONMENTS OF FORMULA GRANTS.—Section 5336 of such title is amended—

(A) in subsection (a) by striking ''Of the amount'' and all that follows before paragraph (1) and inserting ''Of the amount apportioned under subsection (i)(2) to carry out section 5307—'';

(B) in subsection (d)(1) by striking ''subsections (a) and (h)(2) of section 5338'' and inserting ''subsections (a)(1)(C)(vi) and (b)(2)(B) of section 5338''; and

(C) by redesignating subsection (c), as added by section 3034(c) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1628), as subsection (k).

(2) TECHNICAL AMENDMENTS.—Section 3034(d)(2) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1629), is amended by striking ''paragraph (2)'' and inserting ''subsection (a)(2)''.

(m) SECTION 5337.—Section 5337(a) of title 49, United States Code, is amended by striking ''for each of fiscal years 1998 through 2003'' and inserting ''for each of fiscal years 2005 through 2009''.

(n) SECTION 5338.—Section 5338(d)(1)(B) of such title is amended by striking ''section 5315(a)(16)'' and inserting ''section 5315(b)(2)(P)''.

(o) SAFETEA–LU.—

(1) SECTION 3011.—Section 3011(f) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1589) is amended by adding to the end the following:

''(5) Central Florida Commuter Rail Transit Project.''.

(2) SECTION 3037.—Section 3037(c) of such Act (119 Stat. 1636) is amended—

(A) in paragraph (3) by striking ''Phase II''; and

(B) by striking paragraph (10).

(3) SECTION 3040.—Section 3040(4) of such Act (119 Stat. 1639) is amended by striking ''$7,871,895,000'' and inserting ''$7,872,893,000''.

(4) SECTION 3043.—

(A) PORTLAND, OREGON.—Section 3043(b)(27) of such Act (119 Stat. 1642) is amended by inserting ''/Milwaukie'' after ''Mall''.

(B) LOS ANGELES.—

(i) PHASE 1.—Section 3043(b)(13) of such Act (119 Stat. 1642) is amended to read as follows:

''(13) Los Angeles—Exposition LRT (Phase 1).''.

(ii) PHASE 2.—Section 3043(c) of such Act (119 Stat. 1645) is amended by inserting after paragraph (104) the following:

''(104A) Los Angeles—Exposition LRT (Phase 2).''.

(C) SAN DIEGO.—Section 3043(c)(105) of such Act (119 Stat. 1645) is amended by striking ''LOSSAN Del Mar-San Diego—Rail Corridor Improvements'' and inserting ''LOSSAN Rail Corridor Improvements''.

(D) SAN DIEGO.—Section 3043(c)(217) of such Act (119 Stat. 1648) is amended by striking ''San Diego'' and inserting ''San Diego Transit''.

(E) SACRAMENTO.—Section 3043(c)(204) of such Act (119 Stat. 647) is amended by striking ''Downtown''.

(F) BOSTON.—Section 3043(d)(6) of such Act (119 Stat. 1649) is amended to read as follows:

''(6) Boston-Silver Line Phase III, $20,000,000.''.

(G) PROJECT CONSTRUCTION GRANTS.—Section 3043(e) of such Act (119 Stat. 1651) is amended by adding at the end the following:

''(4) PROJECT CONSTRUCTION GRANTS.—Projects recommended by the Secretary for a project construction grant agreement under section 5309(e) of title 49, United States Code, or for funding under section 5309(m)(2)(A)(i) of such title during fiscal year 2008 and fiscal year 2009 are authorized for preliminary engineering, final design, and construction for fiscal years 2007 through 2009 upon the completion of the notification process for each such project under section 5309(g)(5).''.

(H) LOS ANGELES AND SAN GABRIEL VALLEY.—Section 3043 of such Act (119 Stat. 1640) is amended by adding at the end the following:

''(k) LOS ANGELES EXTENSION.—In evaluating the local share of the project authorized by subsection (c)(104A) in the new starts rating process, the Secretary shall give consideration to project elements of the project authorized by subsection (b)(13) advanced with 100 percent non-Federal funds.

''(l) SAN GABRIEL VALLEY—GOLD LINE FOOTHILL EXTENSION PHASE II.—In evaluating the local share of the San Gabriel Valley—Gold Line Foothill Extension Phase II project authorized by subsection (b)(33) in the new starts rating process, the Secretary shall give consideration to project elements of the San Gabriel Valley—Gold Line Foothill Extension Phase I project advanced with 100 percent non-Federal funds.''.

(5) SECTION 3044.—

(A) PROJECTS.—The table contained in section 3044(a) of such Act (119 Stat. 1652) is amended—

(i) in item 25—

(I) by striking ''$217,360'' and inserting ''$167,360''; and

(II) by striking ''$225,720'' and inserting ''$175,720'';

(ii) in item number 36 by striking the project description and inserting ''Los Angeles County Metropolitan Transportation Authority (LACMTA) for bus and bus-related facilities in the LACMTA's service area'';

(iii) in item number 71 by inserting ''Metropolitan Bus Authority'' after ''Puerto Rico'';

(iv) in item number 84 by striking the project description and inserting ''Improvements to the existing Sacramento Intermodal Facility (Sacramento Valley Station)'';

(v) in item number 94 by striking the project description and inserting ''Pacific Transit, WA Vehicle Replacement'';

(vi) in item number 120 by striking ''Dayton Airport Intermodal Rail Feasibility Study'' and inserting ''Greater Dayton Regional Transit Authority buses and bus facilities'';

(vii) in item number 152 by inserting ''Metropolitan Bus Authority'' after ''Puerto Rico'';

(viii) in item number 416 by striking ''Improve marine intermodal'' and inserting ''Improve marine dry-dock and'';

(ix) in item number 457—

(I) by striking ''$65,000'' and inserting ''$0''; and

(II) by striking ''$67,500'' and inserting ''$0''; and

(x) in item number 458—

(I) by striking ''$65,000'' and inserting ''$130,000'';

(II) by striking ''$67,500'' and inserting ''$135,000''; and

(xi) in item number 57 by striking the project description and inserting ''Wilmington, NC, maintenance and operations facilities and administration and transfer facilities'';

(xii) in item number 460 by striking the matters in the project description, FY08 column, and FY09 column and inserting ''460. Mid-Region Council of Governments, New Mexico, public transportation buses, bus-related equipment and facilities, and intermodal terminals in Albuquerque and Santa Fe'', ''$500,000'', and ''$500,000'', respectively.

(xiii) in item number 138 by striking ''Design'' and inserting ''Determine scope, engineering, design,'';

(xiv) in item number 23 by striking ''Construct'' and inserting ''Design, engineering, right-of-way acquisition, and construction'';

(xv) in item number 439 by inserting before ''Central'' the following: ''Design, engineering, right-of-way acquisition, and construction'';

(xvi) in item number 453 by inserting before ''Central'' the following: ''Design, engineering, right-of-way acquisition, and construction'';

(xvii) in item number 371 by striking the project description and inserting ''Regional Transportation Commission of Southern Nevada, Sunset Bus Maintenance Facility'';

(xviii) in item number 487 by striking ''Central Arkansas Transit Authority Facility Upgrades'' and inserting ''Central Arkansas Transit Authority Bus Acquisition'';

(xix) in item number 491 by striking the project description and inserting ''Pace, IL, Cermak Road, Bus Rapid Transit, and related bus projects, and alternatives analysis'';

(xx) in item number 512 by striking ''Corning, NY, Phase II Corning Preserve Transportation Enhancement Project'' and inserting ''Transportation Center Enhancements, Corning, NY'';

(xxi) in item number 534 by striking ''Community Buses'' and inserting ''Bus and Bus Facilities'';

(xxii) in item number 570 by striking ''Maine Department of Transportation-Acadia Intermodal Facility'' and inserting ''MaineDOT Acadia Intermodal Passenger and Maintenance Facility'';

(xxiii) in item number 80 by striking the project description and amounts and inserting ''Flagler County, Florida–buses and bus facility'', ''$57,684'', ''$60,192'', ''$65,208'', and ''$67,716'' respectively;

(xxiv) in item number 135 by striking the project description and inserting ''Pace Suburban Bus, IL–Purchase Vehicles'';

(xxv) in item number 276 by striking the project description and amounts and inserting ''Long Beach Transit, Long Beach, California, for the purchase of transit vehicles and enhancement of para-transit and senior transportation services'', ''$128,180'', ''$133,760'', ''$144,906'', and ''$150,480'', respectively; and

(xxvi) by adding at the end—

(I)(aa) in the project description column ''666. New York City, NY, rehabilitation of subway stations to include passenger access improvements including escalators or installation of infrastructure for security and surveillance purposes''; and

(bb) in the FY08 column and the FY09 column ''$50,000'';

(II)(aa) in the project description column ''667. St. Johns County Council on Aging buses and bus facilities, Florida''; and

(bb) in the FY06, FY07, FY08, and FY09 columns ''$57,684'', ''$60,192'', ''$65,208'', and ''$67,716'', respectively;

(III)(aa) in the project description column ''668. The City of Compton, California, for the replacement of buses and paratransit vehicles''; and

(bb) in the FY06, FY07, FY08, and FY09 columns ''$128,180'', ''$133,760'', ''$144,906'', and ''$150,480'', respectively; and

(IV)(aa) in the project description column ''669. City of Los Angeles, California, for the purchase of transit vehicles in Watts and enhancement of paratransit and senior transportation services''; and

(bb) in the FY06, FY07, FY08, and FY09 columns ''$128,200'', ''$133,760'', ''$144,908'', and ''$150,480'', respectively.

(B) SPECIAL RULE.—Section 3044(c) of such Act (119 Stat. 1705) is amended—

(i) by inserting '', or other entity,'' after ''State or local governmental authority''; and

(ii) by striking ''projects numbered 258 and 347'' and inserting ''projects numbered 258, 347, and 411''; and

(iii) by striking the period at the end and inserting: '', and funds made available for fiscal year 2006 for the bus and bus-related facilities projects numbered 176 and 652 under subsection (a) shall remain available until September 30, 2009.''.

(6) SECTION 3046.—Section 3046(a)(7) of such Act (119 Stat. 1708) is amended—

(A) by striking ''hydrogen fuel cell vehicles'' and inserting ''hydrogen fueled vehicles'';

(B) by striking ''hydrogen fuel cell employee shuttle vans'' and inserting ''hydrogen fueled employee shuttle vans''; and

(C) by striking ''in Allentown, Pennsylvania'' and inserting ''to the DaVinci Center in Allentown, Pennsylvania''.

(7) SECTION 3050.—Section 3050(b) of such Act (119 Stat. 1713) is amended by inserting ''by negotiating the extension of the existing agreement between mile post 191.13 and mile post 185.1 to mile post 165.9 in Rhode Island'' before the period at the end.

(p) TRANSIT TUNNELS.—In carrying out section 5309(d)(3)(D) of title 49, United States Code, the Secretary of Transportation shall specifically analyze, evaluate, and consider—

(1) the congestion relief, improved mobility, and other benefits of transit tunnels in those projects which include a transit tunnel; and

(2) the associated ancillary and mitigation costs necessary to relieve congestion, improve mobility, and decrease air and noise pollution in those projects which do not include a transit tunnel, but where a transit tunnel was one of the alternatives analyzed.

(q) KNOXVILLE, TENNESSEE, PROPERTY ACQUISITION.—The acquisition of property for the city of Knoxville, Tennessee, for the Knoxville, Tennessee, Central Station project shall be deemed to qualify as an acquisition of land for protective purposes pursuant to section 622.101 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act. The Secretary of Transportation may allow the costs of such acquisition to be credited toward the non-Federal share for the project.

(r) CALIFORNIA TRANSIT SERVICES.—The Secretary of Transportation shall use not more than $3,000,000 of the funds made available for use at the discretion of the Secretary for fiscal year 2007 for Federal Transit Administration Discretionary Programs, Bus and Bus Facilities to reimburse the California State department of transportation for actual and necessary costs of maintenance and operation, less the amount of fares earned, for additional public transportation services that were provided by the department of transportation as a temporary substitute for highway traffic service following the freeway collapse at the interchange connecting Interstate Routes 80, 580, and 880 near the San Francisco-Oakland Bay Bridge, on April 29, 2007, until the reopening of that facility on June 29, 2007. The Federal share of the cost of activities reimbursed under this subsection shall be 100 percent.

TITLE III—OTHER SURFACE TRANSPORTATION PROVISIONS

SEC. 301. TECHNICAL AMENDMENTS RELATING TO MOTOR CARRIER SAFETY.

(a) CONFORMING AMENDMENT RELATING TO HIGH-PRIORITY ACTIVITIES.—Section 31104(f) of title 49, United States Code, is amended by striking the designation and heading for paragraph (1) and by striking paragraph (2).

(b) NEW ENTRANT AUDITS.—

(1) CORRECTIONS OF REFERENCES.—Section 4107(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1720) is amended—

(A) by striking ''Section 31104'' and inserting ''Section 31144''; and

(B) in paragraph (1) by inserting ''(c)'' after ''the second subsection''.

(2) CONFORMING AMENDMENT.—Section 7112 of such Act (119 Stat. 1899) is amended by striking subsection (c).

(c) PROHIBITED TRANSPORTATION.—Section 4114(c)(1) of the such Act (119 Stat. 1726) is amended by striking ''the second subsection (c)'' and inserting ''(f)''.

(d) EFFECTIVE DATE RELATING TO MEDICAL EXAMINERS.—Section 4116(f) of such Act (119 Stat. 1728) is amended by striking ''amendment made by subsection (a)'' and inserting ''amendments made by subsections (a) and (b)''.

(e) ROADABILITY TECHNICAL CORRECTION.—Section 31151(a)(3)(E)(ii) of title 49, United States Code, is amended by striking ''Act'' and inserting ''section''.

(f) CORRECTION OF SUBSECTION REFERENCE.—Section 4121 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1734) is amended by striking ''31139(f)(5)'' and inserting ''31139(g)(5)''.

(g) CDL LEARNER'S PERMIT PROGRAM TECHNICAL CORRECTION.—Section 4122(2)(A) of such Act (119 Stat. 1734) is amended by striking ''license'' and inserting ''licenses''.

(h) CDL INFORMATION SYSTEM FUNDING REFERENCE.—Section 31309(f) of title 49, United States Code, is amended by striking ''31318'' and inserting ''31313''.

(i) CLARIFICATION OF REFERENCE.—Section 229(a)(1) of the Federal Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note; 119 Stat. 1743) is amended by inserting ''of title 49, United States Code,'' after ''31502''.

(j) REDESIGNATION OF SECTION.—The second section 39 of chapter 2 of title 18, United States Code, relating to commercial motor vehicles required to stop for inspections, and the item relating to such section in the analysis for such chapter, are redesignated as section 40.

(k) OFFICE OF INTERMODALISM.—Section 5503 of title 49, United States Code, is amended—

(1) in subsection (f)(2) by striking ''Surface Transportation Safety Improvement Act of 2005'', and inserting ''Motor Carrier Safety Reauthorization Act of 2005''; and

(2) by redesignating the first subsection (h), relating to authorization of appropriations, as

subsection (i) and moving it after the second subsection (h).

(l) USE OF FEES FOR UNIFIED CARRIER REGISTRATION SYSTEM.—Section 13908 of title 49, United States Code, is amended by redesignating subsection (e) as subsection (f) and inserting after subsection (d) the following:

''(e) USE OF FEES FOR UNIFIED CARRIER REGISTRATION SYSTEM.—Fees collected under this section may be credited to the Department of Transportation appropriations account for purposes for which such fees are collected and shall be available for expenditure for such purposes until expended.''.

(m) COMMERCIAL MOTOR VEHICLE DEFINITION.—Section 14504a(a)(1)(B) of title 49, United States Code, is amended by striking ''a motor carrier required to make any filing or pay any fee to a State with respect to the motor carrier's authority or insurance related to operation within such State, the motor carrier'' and inserting ''determining the size of a motor carrier or motor private carrier's fleet in calculating the fee to be paid by a motor carrier or motor private carrier pursuant to subsection (f)(1), the motor carrier or motor private carrier''.

(n) CLARIFICATION OF UNREASONABLE BURDEN.—Section 14504a(c)(2) of title 49, United States Code, is amended by striking ''interstate'' the last place it appears and inserting ''intrastate''.

(o) CONTENTS OF AGREEMENT TYPO.—Section 14504a(f)(1)(A)(ii) of title 49, United States Code, is amended by striking ''or'' the last place it appears.

(p) OTHER UNIFIED CARRIER REGISTRATION SYSTEM TECHNICAL CORRECTIONS.—Section 14504a of title 49, United States Code, is amended—

(1) in subsection (c)(1)(B) by striking ''the a'' and inserting ''a'';

(2) in subsection (f)(1)(A)(i) by striking ''in connection with the filing of proof of financial responsibility''; and

(3) in subsection (f)(1)(A)(ii) by striking ''in connection with such a filing'' and inserting ''under the UCR agreement''.

(q) IDENTIFICATION OF VEHICLES.—Section 14506(b)(2) of title 49, United States Code, is amended by inserting before the semicolon at the end the following: ''or under an applicable State law if, on October 1, 2006, the State has a form of highway use taxation not subject to collection through the International Fuel Tax Agreement''.

(r) DRIVEAWAY SADDLEMOUNT VEHICLE.—

(1) DEFINITION.—Section 31111(a)(4) of title 49, United States Code, is amended—

(A) in the paragraph heading by striking ''DRIVE-AWAY SADDLEMOUNT WITH FULLMOUNT'' and inserting ''DRIVEAWAY SADDLEMOUNT'';

(B) by striking ''drive-away saddlemount with fullmount'' and inserting ''driveaway saddlemount''; and

(C) by inserting ''Such combination may include one fullmount.'' after the period at the end.

(2) IN GENERAL.—Section 31111(b)(1)(D) of such title is amended by striking ''a driveaway saddlemount with fullmount'' and inserting ''all driveaway saddlemount''.

SEC. 302. TECHNICAL AMENDMENTS RELATING TO HAZARDOUS MATERIALS TRANSPORTATION.

(a) DEFINITION OF HAZMAT EMPLOYEES.—Section 7102(2) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1892) is amended—

(1) by striking ''(3)(A)'' and inserting ''(3)'';

(2) in subparagraph (A) by striking ''clause (i)'' and inserting ''clause (i) of subparagraph (A)''; and

(3) in subparagraph (B) by striking ''clause (ii)'' and inserting ''subparagraph (A)(ii)''.

(b) TECHNICAL CORRECTION.—Section 5103a(g)(1)(B)(ii) of title 49, United States Code, is amended by striking ''Act'' and inserting ''subsection''.

(c) PREEMPTION CORRECTION.—Section 5125 of title 49, United States Code, is amended—

(1) in subsection (d)(1) by striking ''5119(e)'' and inserting ''5119(f)'';

(2) in each of subsections (e) and (g) by striking ''5119(b)'' and inserting ''5119(f)''; and

(3) in subsection (g) by striking ''(b), (c)(1), or (d)'' and inserting ''(a), (b)(1), or (c)''.

(d) RELATIONSHIP TO OTHER LAWS.—Section 7124(3) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1908) is amended by inserting ''the first place it appears'' before ''and inserting''.

(e) REPORT.—Section 5121(h) of title 49, United States Code, is amended—

(1) in paragraph (2) by striking ''exemptions'' and inserting ''special permits''; and

(2) in paragraph (3) by striking ''exemption'' and inserting ''special permit''.

(f) SECTION HEADING.—Section 5128 of title 49, United States Code, is amended by striking the section designation and heading and inserting the following:

''§ 5128. Authorization of appropriations''.

(g) CHAPTER ANALYSIS.—The analysis for chapter 57 of title 49, United States Code, is amended in the item relating to section 5701 by striking ''Transportation'' and inserting ''transportation''.

(h) NORMAN Y. MINETA RESEARCH AND SPECIAL PROGRAMS IMPROVEMENT ACT.—Section 5(b) of the Norman Y. Mineta Research and Special Programs Improvement Act (49 U.S.C. 108 note; 118 Stat. 2427) is amended by inserting ''(including delegations by the Secretary of Transportation)'' after ''All orders''.

(i) SHIPPING PAPERS.—Section 5110(d)(1) of title 49, United States Code, is amended—

(1) in the subsection heading by striking ''SHIPPERS'' and inserting ''OFFERORS''; and

(2) by striking ''shipper's'' and inserting ''offeror's''.

(j) NTSB RECOMMENDATIONS.—Section 19(1) of the Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006 (49 U.S.C. 60102 note; 120 Stat. 3498) is amended by striking ''165'' and inserting ''1165''.

SEC. 303. HIGHWAY SAFETY.

(a) STATE MINIMUM APPORTIONMENTS FOR HIGHWAY SAFETY PROGRAMS.—Effective October 1, 2007, section 402(c) of the title 23, United States Code, is amended by striking ''The annual apportionment to each State shall not be less than one-half of 1 per centum'' and inserting ''The annual apportionment to each State shall not be less than three-quarters of 1 percent''.

(b) CONSOLIDATION OF GRANT APPLICATIONS.—Section 402(m) of title 23, United States Code, is amended in the first sentence—

(1) by striking ''through'' and inserting ''for which''; and

(2) by inserting ''is appropriate'' before the period at the end.

(c) TECHNICAL CORRECTIONS.—

(1) Section 2002(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1521) is amended—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) and (4) as (2) and (3), respectively.

(2) Section 2007(b)(1) of such Act (119 Stat. 1529) is amended—

(A) by inserting ''and'' after the semicolon at the end of subparagraph (A);

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

(C) by striking subparagraph (C).

(3) Effective August 10, 2005, section 410(c)(7)(B) of title 23, United States Code, is amended by striking ''clause (i)'' and inserting ''clauses (i) and (ii)''.

(4) Section 411 of title 23, United States Code, is amended by redesignating the second subsection (c), relating to administration expenses, and subsection (d) as subsections (d) and (e), respectively.

SEC. 304. CORRECTION OF STUDY REQUIREMENT REGARDING ON-SCENE MOTOR VEHICLE COLLISION CAUSATION.

Section 2003(c)(1) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1522) is amended in the second sentence by striking ''shall'' and inserting ''may''.

SEC. 305. MOTOR CARRIER TRANSPORTATION REGISTRATION.

(a) GENERAL REQUIREMENTS.—Section 31138 of title 49, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) GENERAL REQUIREMENT.—

''(1) TRANSPORTATION OF PASSENGERS FOR COMPENSATION.—The Secretary of Transportation shall prescribe regulations to require minimum levels of financial responsibility sufficient to satisfy liability amounts established by the Secretary covering public liability and property damage for the transportation of passengers for compensation by motor vehicle in the United States between a place in a State and—

''(A) a place in another State;

''(B) another place in the same State through a place outside of that State; or

''(C) a place outside the United States.

''(2) TRANSPORTATION OF PASSENGERS NOT FOR COMPENSATION.—The Secretary may prescribe regulations to require minimum levels of financial responsibility sufficient to satisfy liability amounts established by the Secretary covering public liability and property damage for the transportation of passengers for commercial purposes, but not for compensation, by motor vehicle in the United States between a place in a State and—

''(A) a place in another State;

''(B) another place in the same State through a place outside of that State; or

''(C) a place outside the United States.''; and

(2) by striking ''commercial'' each place it appears in subsection (c)(4).

(b) TRANSPORTATION OF PROPERTY.—Section 31139 of such title is amended—

(1) by striking ''commercial motor vehicle'' in subsection (b)(1) and inserting ''motor carrier or motor private carrier (as such terms are defined in section 13102 of this title)''; and

(2) by striking ''commercial'' in subsection (c).

(c) DEFINITIONS RELATING TO MOTOR CARRIERS.—Paragraphs (6)(B), (7)(B), (14), and (15) of section 13102 of such title are each amended by striking ''commercial motor vehicle (as defined in section 31132)'' and inserting ''motor vehicle''.

(d) FREIGHT FORWARDERS.—Section 13903(a) of such title is amended to read as follows:

''(a) IN GENERAL.—The Secretary shall register a person to provide service subject to jurisdiction under subchapter III of chapter 135 as a freight forwarder if the Secretary finds that the person is fit, willing, and able to provide the service and to comply with this part and applicable regulations of the Secretary and the Board.''.

(e) BROKERS.—Section 13904(a) of such title is amended to read as follows:

''(a) IN GENERAL.—The Secretary shall register, subject to section 13906(b), a person to be a broker for transportation of property subject to jurisdiction under subchapter I of chapter 135, if the Secretary finds that the person is fit, willing, and able to be a broker for transportation and to comply with this part and applicable regulations of the Secretary.''.

SEC. 306. APPLICABILITY OF FAIR LABOR STANDARDS ACT REQUIREMENTS AND LIMITATION ON LIABILITY.

(a) APPLICABILITY FOLLOWING THIS ACT.—Beginning on the date of enactment of this Act, section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) shall apply to a covered employee notwithstanding section 13(b)(1) of that Act (29 U.S.C. 213(b)(1)).

(b) LIABILITY LIMITATION FOLLOWING SAFETEA–LU.—

(1) LIMITATION ON LIABILITY.—An employer shall not be liable for a violation of section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) with respect to a covered employee if—

(A) the violation occurred in the 1-year period beginning on August 10, 2005; and

(B) as of the date of the violation, the employer did not have actual knowledge that the employer was subject to the requirements of such section with respect to the covered employee.

(2) ACTIONS TO RECOVER AMOUNTS PREVIOUSLY PAID.—Nothing in paragraph (1) shall be construed to establish a cause of action for an employer to recover amounts paid before the date of enactment of this Act in settlement of, in compromise of, or pursuant to a judgment rendered regarding a claim or potential claim based on an alleged or proven violation of section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) occurring in the 1-year period referred to in paragraph (1)(A) with respect to a covered employee.

(c) COVERED EMPLOYEE DEFINED.—In this section, the term ''covered employee'' means an individual—

(1) who is employed by a motor carrier or motor private carrier (as such terms are defined by section 13102 of title 49, United States Code, as amended by section 305);

(2) whose work, in whole or in part, is defined—

(A) as that of a driver, driver's helper, loader, or mechanic; and

(B) as affecting the safety of operation of motor vehicles weighing 10,000 pounds or less in transportation on public highways in interstate or foreign commerce, except vehicles—

(i) designed or used to transport more than 8 passengers (including the driver) for compensation;

(ii) designed or used to transport more than 15 passengers (including the driver) and not used to transport passengers for compensation; or

(iii) used in transporting material found by the Secretary of Transportation to be hazardous under section 5103 of title 49, United States Code, and transported in a quantity requiring placarding under regulations prescribed by the Secretary under section 5103 of title 49, United States Code; and

(3) who performs duties on motor vehicles weighing 10,000 pounds or less.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. CONVEYANCE OF GSA FLEET MANAGEMENT CENTER TO ALASKA RAILROAD CORPORATION.

(a) IN GENERAL.—Subject to the requirements of this section, the Administrator of General Services shall convey, not later than 2 years after the date of enactment of this Act, by quitclaim deed, to the Alaska Railroad Corporation, an entity of the State of Alaska (in this section referred to as the ''Corporation''), all right, title, and interest of the United States in and to the parcel of real property described in subsection (b), known as the GSA Fleet Management Center.

(b) GSA FLEET MANAGEMENT CENTER.—The parcel to be conveyed under subsection (a) is the parcel located at the intersection of 2nd Avenue and Christensen Avenue in Anchorage, Alaska, consisting of approximately 78,000 square feet of land and the improvements thereon.

(c) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the parcel to be conveyed under subsection (a), the Administrator shall require the Corporation to—

(A) convey replacement property in accordance with paragraph (2); or

(B) pay the purchase price for the parcel in accordance with paragraph (3).

(2) REPLACEMENT PROPERTY.—If the Administrator requires the Corporation to provide consideration under paragraph (1)(A), the Corporation shall—

(A) convey, and pay the cost of conveying, to the United States, acting by and through the Administrator, fee simple title to real property, including a building, that the Administrator determines to be suitable as a replacement facility for the parcel to be conveyed under subsection (a); and

(B) provide such other consideration as the Administrator and the Corporation may agree, including payment of the costs of relocating the occupants vacating the parcel to be conveyed under subsection (a).

(3) PURCHASE PRICE.—If the Administrator requires the Corporation to provide consideration under paragraph (1)(B), the Corporation shall pay to the Administrator the fair market value of the parcel to be conveyed under subsection (a) based on its highest and best use as determined by an independent appraisal commissioned by the Administrator and paid for by the Corporation.

(d) APPRAISAL.—In the case of an appraisal under subsection (c)(3)—

(1) the appraisal shall be performed by an appraiser mutually acceptable to the Administrator and the Corporation; and

(2) the assumptions, scope of work, and other terms and conditions related to the appraisal assignment shall be mutually acceptable to the Administrator and the Corporation.

(e) PROCEEDS.—

(1) DEPOSIT.—Any proceeds received under subsection (c) shall be paid into the Federal Buildings Fund established under section 592 of title 40, United States Code.

(2) EXPENDITURE.—Funds paid into the Federal Buildings Fund under paragraph (1) shall be available to the Administrator, in amounts specified in appropriations Acts, for expenditure for any lawful purpose consistent with existing authorities granted to the Administrator; except that the Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate 30 days advance written notice of any expenditure of the proceeds.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such additional terms and conditions to the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

(g) DESCRIPTION OF PROPERTY AND SURVEY.—The exact acreage and legal description of the parcels to be conveyed under subsections (a) and (c)(2) shall be determined by surveys satisfactory to the Administrator and the Corporation.

SEC. 402. CONVEYANCE OF RETAINED INTEREST IN ST. JOSEPH MEMORIAL HALL.

(a) IN GENERAL.—Subject to the terms and conditions of subsection (c), the Administrator of General Services shall convey to the city of St. Joseph, Michigan, by quitclaim deed, any interest retained by the United States in St. Joseph Memorial Hall.

(b) ST. JOSEPH MEMORIAL HALL DEFINED.—In this section, the term ''St. Joseph Memorial Hall'' means the property subject to a conveyance from the Secretary of Commerce to the city of St. Joseph, Michigan, by quitclaim deed dated May 9, 1936, recorded in Liber 310, at page 404, in the Register of Deeds for Berrien County, Michigan.

(c) TERMS AND CONDITIONS.—The conveyance under subsection (a) shall be subject to the following terms and conditions:

(1) CONSIDERATION.—As consideration for the conveyance under subsection (a), the city of St. Joseph, Michigan, shall pay $10,000 to the United States.

(2) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such additional terms and conditions for the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

TITLE V—OTHER PROVISIONS

SEC. 501. DE SOTO COUNTY, MISSISSIPPI.

Section 219(f)(30) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat. 334; 114 Stat. 2763A–220; 119 Stat. 282; 119 Stat. 2257) is amended by striking ''$55,000,000'' and inserting ''$75,000,000''.

SEC. 502. DEPARTMENT OF JUSTICE REVIEW.

Consistent with applicable standards and procedures, the Department of Justice shall review allegations of impropriety regarding item 462 in section 1934(c) of Public Law 109–59 to ascertain if a violation of Federal criminal law has occurred.

Mrs. BOXER. Madam President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Madam President, this is a good day for the Senate. It took us a while to get here. I will thank staff in a moment—floor staff as well, and Senator REID's staff, Senator INHOFE's staff, and my own staff.

Before that, I have two unanimous consent requests to make.

The PRESIDING OFFICER. The Senator will state the requests.

UNANIMOUS CONSENT REQUEST—H.R. 2828

Mrs. BOXER. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 403, H.R. 2828, the Foreign Service Victims of Terrorism Act, which will provide compensation to relatives of U.S. citizens killed as a result of the bombing of United States Embassies in East Africa on August 7, 1998; that the bill be read the third time, and passed; and that the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. DEMINT. I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS CONSENT REQUEST—H.R. 1595

Mrs. BOXER. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 1595, the Guam World War II Loyalty Recognition Act; that the bill be read the third time, and passed; and that the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. DEMINT. I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. BOXER. Madam President, we just heard objection, but we didn't get objection, finally, to the technical corrections bill. We are happy about that. You and I serve together on the Environment and Public Works Committee. We know our work is important because we know that no country can be great if it doesn't have an infrastructure that is up to par. The occupant of the chair knows more than most what it means when a bridge collapses. We know what that means. So what we are doing here is a matter of life and death, quite often.

This technical corrections bill will make it possible to continue work on over 500 projects that were stymied for various reasons. It is going to put a billion dollars into our economy, and it will provide tens of thousands of jobs. Senator INHOFE and I are very grateful that—even though this was not an easy week and this bill took so many twists and turns and we had to work our way through many issues—we have arrived at the point where it passed.

Let me say how much I enjoyed working with my staff and the staff of Senator INHOFE. I am going to read the names of those who deserve to be recognized and thanked. From my staff are Bettina Porier, Kathy Dedrick, Tyler Rushforth, Jeff Rosato, Erik Olsen, Paul Ordal, and the rest of my staff. We do work as a team.

I thank Senator INHOFE's staff, and I am sure there are more to be thanked, but the ones I worked with closely are, of course, Andy Wheeler, chief over there, Ruth Van Mark, James O'Keeffe, and Alex Herrgott. We are so grateful to you for being close to us, staying close to us, letting us know when there were problems. We appreciate that.

I say to the majority leader, Senator REID, how much I appreciated his interest in this bill. He really helped us. Bob Herbert, of his staff, Ron Wynch, and Mike Castellano—we had technical issues and legal issues and they were there.

If I am leaving anyone out, please know it is not my intention. So many others helped us.

Mr. CARPER. Will the Senator yield for a moment?

Mrs. BOXER. Yes.

Mr. CARPER. The Senator is leaving herself out and Senator INHOFE. On behalf of all of us who have been anxious for this day—to see this technical corrections bill put together and have the result we have had, I thank the Senator for dealing with the competing forces and getting the job done. Someone said it was ugly, but it is beautiful in the end. It is going to be good for the folks in all of our States. We worked together in a bipartisan way, and I am grateful for that.

Mrs. BOXER. I thank the Senator. Senator CARPER, from Delaware, is one of the senior members on the committee, whom we love working with. He is part of our team. We have a great committee. It is why I like to be a legislator.

I want to say, in closing, to floor staff, all of you here, thank you for your patience. You have to answer questions. The pages have to be available to us. You all let us know what is going on and whether we are doing it right or wrong. Of course, in particular, I thank Lula, Tim, and Dave. Without the three of you, we could not have gotten this done.

Yes, sometimes when you get to this point, it is a little like making sausage—that is what they say about how a bill becomes a law; it is not a pretty thing. But we got it done. The most important thing is all of the people who helped us from the outside groups—I thank them—such as the construction industry, the construction workers, the transit district operators, the sand and gravel people. You know who you are. You made the point that we should not bog this bill down, that we should get it going.

I am delighted we had a victory here with the Water Resources Development Act. We are pleased. Up and coming, we are going to have a markup in a couple of weeks, and then we will get to global warming. I don't know how that will end, but I know it is going to be very exciting. We hope everybody will participate in that debate.

Is the Senator from Virginia going to speak?

I will yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

(The remarks of Mr. WARNER are printed in today's RECORD under ''Morning Business''.)

Mr. WARNER. Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TESTER). Without objection, it is so ordered.

REPUBLICAN FILIBUSTERS

Mr. DURBIN. Mr. President, today the Senate had a historic moment. We passed a bill that has been long awaited across America—one that was read about and heard about. It finally passed this afternoon. It was a bill called the technical corrections bill.

It was a bill that changed and corrected the punctuation and references in a highway bill we enacted several years ago. It was not that historic. In fact, it is fairly routine. You see, after you pass a bill that affects the whole United States and billions of dollars, sometimes, on reflection, you find some of the facts were wrong, some of the words were wrong; and you have to clean it up. And so a technical corrections bill is very common around here. It happens to correct mistakes, to make sure things are done well and done accurately. It is the kind of bill that historically would pass without any debate whatsoever. Many times it would pass by a voice vote late at night when no one is here because there is so little controversy attached to it.

So despite what I said at the outset, it is not that historic. But what made this process historic, and we are researching this, but we believe for the first time in the history of the Senate, the Republicans initiated not one but two filibusters on our effort to pass this technical corrections bill.

We brought this bill to the floor a week ago today, asked that it pass, and then faced a filibuster from the Republicans. That filibuster was broken on Monday, with a 93-to-1 vote, and then a second filibuster had to be initiated by the Republicans before we could finally pass the bill today.

For those following this from the outside, I am afraid I might have lost some of them. But what it boiled down to was that the Republican minority was determined that we would burn 1 week of Senate activity on a bill that should have taken 5 minutes. They were determined that we would have a succession of rollcall votes on a bill which by and large had no controversy. There was one little issue that could have been resolved quickly, perhaps in an hour, in a good-faith debate with a vote. They stretched it out for a week.

Why are we in this stall? Why do the Republicans want to slow us down? It is part of a strategy. Republican filibusters this Congress, as of today, went up to 66; 66 Republican filibusters this Congress and still counting. Is that a lot? Historically, the Senate has never had more than 57 filibusters in any 2-year period. We have had 66 in a matter of a year and 3 or 4 months. So they are about to break all records with filibusters in an attempt to slow down the Senate. They can't even come to a bipartisan agreement on a technical corrections bill. The Republicans insist on these filibuster rollcalls on a technical corrections bill. Why?

First, they want to slow the Senate down as much as possible so we don't act on issues that really count. They don't want us to take up an energy bill to talk about energy tax credits so that we can expand renewable sources of energy. They don't want us to take up a bill to deal with children's health insurance, a bill vetoed twice by President Bush, which would provide health care protection for many children not poor enough to qualify for Medicaid, not fortunate enough to have parents with health insurance. They don't want us to take up important legislation dealing with the state of our economy, legislation to extend unemployment benefits to the millions of Americans who are out of work. Those numbers are reaching modern records. We know many of these families are struggling to find a job. We want to extend benefits so these people can feed their families while they are looking for work. Republicans don't want us to take up that legislation. So they keep throwing filibusters in our path, slowing down the Senate, making sure the Senate never gets to the issues that are critically important. Whether it is funding our schools or paying for health care, taking care of unemployed workers, providing money for medical research, trying to bring down the high cost of gasoline, the high cost of health care and college, they continue to throw filibusters in our path.

GOP is shorthand for the Republican Party. It technically used to stand for Grand Old Party. The Republicans in the Senate have created a new GOP.

They want the Senate to be a ''Graveyard of Progress.'' They don't want us to take up this legislation. They don't want us to take up these issues. They don't want to see any change. They don't want to see any progress. That is why their message at this point is so empty. All they can do is say no, no to the issues that really count with American families.

Eventually the American people will speak, in November, in an election. They will decide whether this Republican approach of filibusters and stopping progress and stopping change is what they want to see or whether they want to bring to the Senate new people who can start moving this country forward. Eventually the American people have the last word. I am sorry we have virtually wasted a week and the time of this great institution with more Republican filibusters. But it is their strategy; it is their plan. It is the way they address the serious issues facing America.

WORLD FOOD CRISIS

Mr. DURBIN. Mr. President, I fear we are on the brink of a major humanitarian crisis around the world. Food prices are rising beyond the reach of people in countries as disparate and far apart as Haiti, Egypt, and Thailand. Food prices and their increase have led to demonstrations, sometimes even violent demonstrations in many parts of the world, creating real threats to the stability of those countries. As many as 33 countries face a growing risk of hunger and social unrest that is caused when people are hungry and frightened about their future. Quite simply, I am concerned that we are steps away from a world food crisis, a crisis that could have a dramatic impact on some of the world's poorest nations.

The other week, World Bank President Robert Zoellick warned:

> For countries where food comprises about half to three-quarters of consumption, there is no margin for survival.

In the United States, the poorest 20 percent, the poorest one-fifth of our population, spends about 16 percent of their income on food. It is a lot compared to many of us. But in the poorest nations, those families spend more than half of what they earn to feed themselves. In Nigeria, families spend an average of 73 percent of the money they earn on food; in Vietnam, 65 percent. Even as food prices soar, humanitarian aid has been forced to scale back. In Cambodia, the World Food Program, which is largely sustained and supported by the United States, has suspended a feeding program for 500,000 schoolchildren because of food shortages. Rising food prices mean hunger, and with hunger and no real hope of ending it come panic, desperation, and, ultimately civil unrest.

At any given time, chronic hunger threatens the welfare of an estimated 850 million people in the world.

We talk a lot about the forces of extremists and terrorists and fundamentalists, how destabilizing they are with their acts of violence in countries where they kill innocent people. But I have to say, if this world food crisis continues unabated, the instability of terrorism may pale in comparison.

In Thailand, local farmers are reporting theft of their rice crops, as supplies from other countries are going down and prices are going up dramatically. Protests have turned violent in many places. In Yemen, food prices have doubled in recent months. Protests and riots there left at least 12 people dead. Protests in Cameroon earlier this year killed more than two dozen people and led to desperate attempts by the Government to raise wages and reduce customs duties on food products. Rioters in Burkina Faso looted stores and burned Government buildings. The Prime Minister of Haiti was forced to resign following days of deadly violence over rising food prices. Last weekend, a U.N. peacekeeper transporting food for his unit was dragged from his vehicle and shot execution style in the Haitian capital by protesters.

The risk of unrest is even more troubling in areas such as Darfur, where the World Food Program is feeding up to 3 million people a day. This is a humanitarian time bomb which threatens to explode at any moment.

I have seen food aid programs operate overseas, and they can make a big difference. I saw one program when I traveled to a slum in Nairobi, Kenya. It is a slum of lean-to homes where more than 600,000 people live. It is called Kibera. If you saw the movie ''The Constant Gardener,'' much of it was filmed in the slum of Kibera in Nairobi, Kenya. Some people think up to 1 million people live there from time to time, some 600,000. Nobody even knows.

When you visit there, there are people as far as the eye can see—kids playing in the streets, in the filth, in railway yards, everywhere.

But when I visited there, there was a scene that was almost hard to believe. It was near the holiday season. The local schools were on vacation, but they asked the students to come back to greet this Senator who was coming from America. About 40 or 50 children put on their uniforms, left their vacation time at home, to come back to school. It wasn't to see me; believe me. It was because they promised them that if they would come back to school that day, they would feed them. The feeding program in that little school is part of what is known as the McGovern-Dole school feeding program, named after two former great Senators who served from South Dakota and Kansas.

I saw the way that food program worked. There was a noon lunch which consisted of a pot of boiling cereal. It looked a lot like oatmeal or some form of porridge. They ladled it into plastic cups. The kids stood in line like they were at Baskin Robbins in Springfield, IL, hoping to get a double-dip ice cream cone. They were so excited to get something to eat. It was the only meal they were going to have that day. They were willing to put up with this politician, wear their uniforms, come in from vacation, on the chance they could fill that cup. They stood there and waited, just to get one meal.

The World Food Program has issued an extraordinary emergency appeal because food programs like that one in Kenya may not last. There is a shortfall of some $500 million in food programs across the world. Considering the high cost of food and fuel prices to transport it, the shortfall is no surprise. But it requires immediate action. The U.S. contribution to the World Food Program is important because it doesn't just feed hungry kids. It tells the world who we are.

Right now there are people who are not our friends, who are in fact our enemies, who are advertising against the United States. On television sets and other places around the world, there is an image of America that is not even close to the truth. They suggest that we are warmongers and selfish people. We are not.

We have to prove to the world again that our values count, and we will stand behind them. This global food crisis is the kind of challenge that gives us our opportunity.

It also is important to quell the growing security concerns attached with a global food crisis. Senators JOHN KERRY and JOE BIDEN joined me today in sending a letter to President Bush urging him to support additional funding for food aid in the fiscal year 2008 supplemental appropriations bill. The President is going to come to us shortly and ask for $108 billion to continue the war in Iraq and in Afghanistan. He will tell us this is an emergency. The world food crisis is also an emergency. It is one we should deal with. If we are really focused on stability and peace in Iraq, we should not ignore the fact that the shortages of food and hunger around the world can lead to instability in many other places.

As a first step, the Department of Agriculture has committed to providing $200 million in emergency food assistance through the Bill Emerson humanitarian trust. Bill Emerson, former Republican Congressman from the Boothill area of Missouri, was a fine fellow. I got to know him when I served in the House. He really cared about children and feeding people. So $200 million in his name is certainly money well spent.

Moving forward, though, we have to understand that is not enough. We are going to need to add more to make sure this crisis doesn't occur.

We can share our bountiful harvest. We can help the poorest people in the world. We can demonstrate in that way the finest elements of the American spirit.

We recently had a hearing, in fact yesterday, before the Senate Appropriations Committee, where Jim Nussle, who is chairman of the Office of Management and Budget, spoke. Jim comes from the State of Iowa. He is a former Congressman, former chairman of the House Budget Committee.

I asked him about this. I asked him if the administration would consider, as part of their supplemental appropriations bill, including more money for this global food crisis. I am afraid Mr. Nussle was adamant in saying they would not. They would not consider adding any money to the $108 billion for the war in Iraq and Afghanistan. He said that is all the President has asked for.

I hope Mr. Nussle will reconsider. I certainly hope the President will reconsider. What is at issue is not a political fight. What is at issue is a fight for food so some of the poorest people on Earth can survive. The United States will have a chance to demonstrate to the world our values and what we stand for. I hope we can do that by adding to this supplemental funding bill enough money to provide assistance to people around the world who face deprivation and starvation because of the current global food crisis.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

LANCE CORPORAL THOMAS P. ECHOLS

Mr. MCCONNELL. Mr. President, I rise today because a brave man from Kentucky has fallen in the far-away country of Iraq. LCpl Thomas P. Echols was tragically killed on December 4, 2006, during combat operations in the city of Ramadi. The Shepherdsville, KY, native was 20 years old.

Lance Corporal Echols was serving his second deployment in Iraq. For his valor as a U.S. Marine, he received several medals, awards, and decorations, including the National Defense Service Medal, the Navy and Marine Corps Commendation Medal, and the Purple Heart.

Raised in Shepherdsville, in Bullitt County, Tom was actually born in Mount Clemens, MI, and as a result Tom brought with him to Kentucky a fast and true love for his University of Michigan Wolverines. His grandfather, Don Wight, still recalls how his grandson once saved up money for weeks to buy tickets to a University of Michigan football game.

''I'm an MSU grad, he's a dyed-in-the-wool University of Michigan fan. Anything he could find that was U of M memorabilia, he had it,'' says Don. ''He was just a good, fun-loving young man.'' Despite the longstanding rivalry between the University of Michigan and Michigan State, Tom and his grandfather went to that Wolverines football game together.

While Tom's eyes looked north to his beloved Wolverines, his feet were firmly planted in Kentucky. He attended Cedar Grove Elementary School, Bernheim Middle School, and Bullitt Central High School, all in Shepherdsville. He graduated from Riverview High School in Shepherdsville in 2004.

Growing up, Tom belonged to his school's football and track teams. He played video games and paintball. And in high school he participated in Junior ROTC and the drill team, perhaps preparing himself for the military life he hoped would lie ahead.

Tom chose to pursue service in uniform by the time high school graduation rolled around. His father, Kurt Echols, remembers his son thinking of a career in the Armed Forces as early as middle school. Perhaps Tom drew inspiration from his father, a veteran himself.

Tom ''was a good kid, loved sports, a big Michigan fan,'' Kurt says of his son, and remembers him as someone who always enjoyed a good joke.

In the fall of 2004, Tom enlisted in the U.S. Marine Corps. He was a member of the 1st Battalion, 6th Marine Regiment, 2nd Marine Division from Camp Lejeune, NC, and during his deployment to Iraq, his regiment fell under the command of the First Marine Expeditionary Force, Forward.

Tom's longtime friend Tim Zamboroski was sorry to see the childhood buddy he had grown up with whisked away to the other side of the world. As kids, Tom and Tim used to play baseball together in the backyard. As men, they would trade e-mails back and forth from America to Iraq.

''I think he was pretty happy with serving the country,'' Tim says. ''I'm going to miss him.'' When he heard Tom had been killed, Tim says he felt as if he had lost a brother.

Lance Corporal Echols drove humvees during his first tour in Iraq, and by his second tour had become an infantryman.

While serving in the Marine Corps, he also became a husband, after asking Allyson Echols, whom he met in high school, to marry him.

Tom and Allyson married during the week of Thanksgiving in 2005. Allyson now raises the couple's young daughter, Julia, who sadly never got to meet her father.

Tom was buried at the Zachary Taylor National Cemetery in Louisville, KY, with full military honors. A large crowd of people came to pay their final respects. Sheriffs from both Bullitt County and neighboring Jefferson County were there, and Tom's father Kurt remembers with pride that members of a local fire department erected a large American flag in honor of his son.

Our prayers are with the family of Lance Corporal Echols today as God comforts them for their tragic loss. We are thinking of his wife Allyson; his daughter Julia; his parents Kurt and Rose; his sister Rebecca; his brother Alexander; his grandparents Jerry and Sharon Echols and Donald and Mary Wight; and many other beloved family members and friends.

This U.S. Senate expresses its deepest gratitude for LCpl Thomas P. Echols's life of service. And we express our deepest gratitude for the Echols family, for nurturing this man, patriot, and marine who answered the call in his country's time of need.

WEEK OF THE YOUNG CHILD

Mr. REID. Mr. President, I wish to recognize the Week of the Young Child, taking place this week, April 13 through 19.

Sponsored by the National Association for the Education of Young Children, the Week of the Young Child is held annually to honor young children and those who make a difference in their lives. This year's theme is ''Bring Communities Together for Children—Children Bring Communities Together''. This week presents an opportunity for us all to focus on the needs of the 20 million young children around the country. It shines a light on the importance of issues like affordable childcare for working families, access to quality early childhood educational programs, and the availability of adequate health care.

As a father and a grandfather, I am troubled by the fact that so many young children in this country live with the effects of poverty and inadequate health and child care every day. It is estimated that 24 percent of American children under the age of 6 live in poverty and 24 percent of those children are without health insurance. In addition, although nearly 50 percent of working families rely on outside childcare, fees for these programs are skyrocketing, leaving them out of reach for too many. The Week of the Young Child highlights the role of the Federal, State, and local governments, as well as private organizations and the general public, in alleviating these problems and working toward a stronger, healthier community.

The Week of the Young Child also gives us an opportunity to recognize and celebrate the programs and organizations that provide vital services to young children and their families. For example, the Head Start Program provides comprehensive early education and health services to almost 1 million low-income preschool children to help them prepare for and succeed in school.

Additionally, the Child Care and Development Block Grant, CCDBG, provides funding to States for childcare services for low-income families and activities intended to improve the overall quality and supply of childcare. For families transitioning to financial

independence, CCDBG-funded services play an especially significant role.

Investing in America's young children is one of the best steps we can take to ensure the future success of our Nation. I am pleased to recognize the Week of the Young Child, and I extend my thanks to those in Nevada—and around the country—who provide for our young children on a daily basis.

Mr. KENNEDY. Mr. President, today I strongly support Senator SALAZAR's resolution designating this week, the third week in April, as the ''Week of the Young Child.'' I hope the resolution represents a new commitment by all of us in Congress to strengthen the services young children need to become full and productive members of our society in the years ahead.

Last year's reauthorization of the Head Start Act was a significant step in the right direction to assure access to quality early childhood education. The act expanded coverage to families just above the poverty line and provided additional flexibility to assist more poor families as they make the transition to work and struggle to keep up with the rising cost of living in today's new economy. We also renewed our commitment to underserved populations, such as Native Americans and migrant and seasonal farm worker families, and worked to ensure that every teacher in every Head Start classroom is highly qualified.

In addition, the reauthorization established an Early Childhood Education Advisory Council to assess the needs children in of early childhood programs and develop a comprehensive plan for improving the quality of services provided. That effort will improve professional development, upgrade standards, enhance connections among programs, and improve data collection. States ready to take on the challenge of implementing these needed improvements qualify for inventive grants to get that work underway. Together these reforms strengthen our commitment to provide both quality childcare, and quality early learning opportunities for the Nation's youth. But there is still much more to be done.

The research is clear—high quality early education makes a profound difference in the lives of children, especially at-risk children. In fact, many experts believe that 85 percent of a child's intellect is established before a child reaches the age of five. Unless we begin to educate at-risk children before they reach kindergarten, we may lose them forever. Students who start school behind tend to stay behind, and early childhood education makes all the difference. Those who have access to high quality early childhood education are 30 percent more likely to graduate from high school, twice as likely to go on to college, and are 40 percent less likely to need expensive special education programs or be held back a grade.

But the positive benefits extend beyond the classroom. Early childhood education helps to break the devastating cycle of crime and poverty. Nobel Laureate James Heckman's study of at-risk boys who receive quality early education shows that less than 10 percent of the boys who participated would be convicted of a crime and less than 2 percent would end up on welfare—rates significantly lower than those who did not receive such education.

Quality early education programs are supportive of young children in ways that enable them to become productive members of society. By cultivating educated, law abiding members of society we help to guarantee our national competitiveness, the stability of our economy and the fabric of our communities for the years ahead. Early childhood education creates better students, better workers and better citizens.

We must invest in such education for sake of our students and our national well being. We know the best way to ensure that our students receive quality early education is by giving them a highly qualified teacher. Yet, early childhood educators continue to be overworked and undervalued in our society. Prekindergarten teachers get paid on average less than half what an elementary school teacher gets paid. The Bureau of Labor statistics estimates that the average salary of a preschool teacher is $21,730—closer to the salaries of school bus drivers, at $22,890, than any other group of educators, all with median salaries over $44,000.

Inadequate wages make it nearly impossible to recruit and retain qualified early childhood educators. The number of childcare providers with bachelor's degrees declines year after year, and neither their wages nor the high rates of turnover are acceptable. We must make it a national priority to guarantee that early childhood educators are paid and supported in a manner that reflects their valuable contributions to our Nation's future.

We have come a long way in assuring that our Nation's young children have access to the supports and services they need, but our mission is far from complete. This is no time for complaining. We must continue to expand our support for our nation's youngest children, for they truly are America's future. Let's use this ''Week of the Young Child'' to emphasize that vital point for communities across our great country.

THE 265TH ANNIVERSARY OF THOMAS JEFFERSON

Mr. WARNER. Mr. President, I ask unanimous consent to have printed in today's RECORD a detailed speech. I was privileged to go to the White House on Monday, when the President celebrated, with many others, the 265th anniversary of Thomas Jefferson. Those remarks are so prized, particularly in my State, but all across America, that I wish to put the content of those speeches in today's RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
OFFICE OF THE PRESS SECRETARY,
April 14, 2008.

REMARKS BY THE PRESIDENT AND FIRST LADY IN HONOR OF THOMAS JEFFERSON'S 265TH BIRTHDAY

THE PRESIDENT: Thank you all. Thanks for coming. Please be seated. Welcome to the White House. Laura and I are so honored you are here. I welcome members of my Cabinet, members of the United States Senate, folks who work in the White House, the Governor of Virginia and Anne Holton. Thank you all for coming. We're really happy you're here.

We're here tonight to commemorate the 265th birthday of Thomas Jefferson, here in a room where he once walked and in a home where he once lived. In this house, President Jefferson spread the word that liberty was the right of every individual. In this house, Jefferson sent Lewis and Clark off on the mission that helped make America a continental nation. And in this house, Jefferson was known to receive guests in his bathrobe and slippers. (Laughter.) Laura said no. (Laughter.) I don't have a bathrobe. (Laughter.)

With a single sentence, Thomas Jefferson changed the history of the world. After countless centuries when the powerful and the privileged governed as they pleased, Jefferson proclaimed as a self-evident truth that liberty was a right given to all people by an Almighty.

Here in America, that truth was not fully realized in Jefferson's own lifetime. As he observed the condition of slaves in America, Jefferson said, ''I tremble for my country when I reflect that God is just'' and ''that his justice cannot sleep forever.'' Less than 40 years after his death, justice was awakened in America and a new era of freedom dawned.

Today, on the banks of the Tidal Basin, a statue of Thomas Jefferson stands in a rotunda that is a memorial to both the man and the ideas that built this nation. There, on any day of the week, you will find men and women of all creeds, colors, races and religions. You will find scholars, schoolchildren and visitors from every part of our country. And you will find each of them looking upward in quiet reflection on the liturgy of freedom—the words of Thomas Jefferson inscribed on the memorial's walls.

The power of Jefferson's words do not stop at water's edge. They beckon the friends of liberty on even the most distant shores. They're a source of inspiration for people in young democracies like Afghanistan and Lebanon and Iraq. And they are a source of hope for people in nations like Belarus and Burma, Cuba, Venezuela, Iran, Syria, North Korea and Zimbabwe, where the struggle for freedom continues.

Thomas Jefferson left us on July 4, 1826—fifty years to the day after our Declaration of Independence was adopted. In one of the great harmonies of history, his friend and rival John Adams died on the very same day. Adams' last words were, ''Thomas Jefferson survives.'' And he still does today. And he will live on forever, because the desire to live in freedom is the eternal hope of mankind.

And now it's my pleasure to welcome Wilfred McClay to the stage. (Applause.)

* * * * *

MRS. BUSH: Thank you very much, Mr. McClay and Mr. Wilson. Thank you so—for your reflections on Thomas Jefferson's life and his contributions to our nation, and thanks to each of you for joining us today so we can learn more about the legacy of one of America's most influential founding fathers.

Thomas Jefferson believed that education is the cornerstone of a free society, so it's therefore little surprise that he viewed the founding of the University of Virginia as one of his top achievements, as we know from both of your talks. He called the building of this school the last service he could render his country, saying, ''Could I see it open? I would not ask an hour more of life.''

But in fact Thomas Jefferson lived a little over a year after the University of Virginia opened its doors. During this time he was involved in the University activities, and he invited students, including a young Edgar Allan Poe, to dine with him each Sunday at nearby Monticello.

Today, Jefferson still shapes the lives of the students at the school he founded. The architecture of his academical village encourages free study in a collaborative environment, and UVA's philosophy of student self-governance epitomizes our third President's democratic ideals.

The 18 men I now introduce are heirs to this tradition. The Virginia Gentlemen are UVA's oldest a cappella vocal ensemble. They perform for distinguished audiences across the country and around the world. Tonight is their first performance at the White House, and we're happy to have them.

Here to perform a few musical selections, including the University of Virginia's school song, please welcome the Virginia Gentlemen. (Applause.)

RICHARD GUY WILSON,
COMMONWEALTH PROFESSOR,
ARCHITECTURAL HISTORY,
University of Virginia.

MR. PRESIDENT, MRS. BUSH, AND LADIES AND GENTLEMEN: Thank you—an honor to speak on Thomas Jefferson and his architectural accomplishments. Thomas Jefferson knew this house very well,—he was the first full time occupant—John Adams resided here for barely 4 months. The house remained unfinished, many rooms—such as this one, were large bare brick caverns, there was no grand staircase, and the floors were rough. Visitors recalled that Jefferson kept several tables of tools . . . one apparently in this room . . . described as ''a long table'' that contained hammers, chisels, and other implements, and the visitors remember him taking the tools to fix locks, pound in nails in window moldings as well as work in the garden.

Jefferson had offered his own designs for the Executive Mansion or President's house as it was known back in 1791–92, along with plans for the U.S. Capitol; this he projected as a great domed structure. But Washington, apparently, rejected his schemes and competitions were held. Jefferson served as secretary of state in the 1st Washington administration and that office—Secretary of State—was a bit different than today, since it included internal administration as well as foreign affairs. Jefferson also offered his scheme for laying out Washington, D.C., (remember this is a ''new city'' and created in the 1790s) and Jefferson's advice . . . not to mention his loan of maps . . . is fundamental to the plan along with the great mall developed by Major Pierre Charles L'Enfant.

To return here to this building—the White House—(officially so named in 1901), Jefferson while president designed a number of additions including wings, the gardens, and then he commissioned his close friend Benjamin Henry Latrobe—who he also appointed in 1803 as the Architect of the Capitol—to design both the north and south porticos; Latrobe's porticos are the most distinguishing external element of the building. It took many years to get the porticos built . . . things were not that different then as now on getting government projects underway, and finished.

I have outlined Thomas Jefferson's involvement in this building to make a point,—the buildings he lived in, their style, appearance, the furnishings—rugs, drapes, chairs—and gardens were critical to him. As he once said: ''Architecture is my delight, and putting up and pulling down one of my favorite amusements.'' Jefferson was obsessed, wherever he lived, whether in Charlottesville, Williamsburg, or Poplar Forest, all in Virginia, or in Philadelphia during the 1770s, New York, 1790s, or Paris, 1784–89. When he was the American Ambassador to the Court of Louis XVI, he remodeled his quarters even though he didn't own them. Monticello was in a constant state of construction, and if any of you have lived through a house remodeling, you know how conducive that is to family harmony. Right? Jefferson lived in a construction zone his entire life.

What were Jefferson's architectural achievements? He wrote to his close friend James Madison (later an occupant of this building):

''But how is a taste in the beautiful art to be formed in our countrymen, unless we avail ourselves of every occasion when public buildings are to be erected, of presenting to them models for their study and imitation? . . . . You see I am an enthusiast on the subject of the arts. But it is an enthusiasm of which I am not ashamed, as its object is to improve the taste of my countrymen, to increase their reputation, to reconcile them to the rest of the world, and procure them its praise.'' TJ to James Madison, September 20, 1785.

This letter of 1785 was on the occasion of his design of the Virginia State Capitol in Richmond. I would argue the Virginia Capitol—or state house—is his most important building, a large Roman temple that stands on Shockoe Hill in Richmond—originally overlooking the James River. The Virginia Capitol is one of the first major public building constructed after the Revolution, and its classical ancestry helped to determine the look of American governmental architecture for the next several centuries. Instead of red brick and skimpy classical details Jefferson gave us a governmental image.

Thomas Jefferson is sometimes labeled a ''gentleman'' or an ''amateur'' architect but this is a misnomer. Yes, he was self-trained, but there were no architectural schools (they were not invented in this country until the 1860s), rather he learned from books and he had the largest architectural library in the young republic, and he did the drawings, he figured the specifications . . . How many bricks? How much timber? How much glass to order, and he superintended the construction. Jefferson designed houses, his own and those for friends, utilitarian buildings such as shops, farm structures, court houses, a jail (we think) and he frequently offered his wisdom to his colleagues (he was ''Mr. Suggestion Box''). But . . . and this makes him an amateur . . . he was never paid, he did it all gratis.

Although the Virginia State Capitol is his most important building—because of its legacy. . .his greatest I would argue—is the ''academical village,'' of the University of Virginia. It is totally his creation—yes . . . he did ask for suggestions and advice—as any wise person does—but it was or is his concept of what is the appropriate setting for education. Jefferson felt that one learned as much from your environment as from the professor gabbing away in a class room. The University is great lawn enclosed on 3 sides and open at the end. Pavilions for the professors and dormitory rooms for the students on the two long sides are tied together by colonnades of classical columns of various orders and sizes. Dominating the composition at one end is the Rotunda, a great domed building that housed the library. Based upon the Pantheon in Rome, considered one of the great and most perfect monuments of antiquity, Jefferson has taken an ancient symbol, the dome of the cosmos to the Romans, the dome of the heavens to Christianity, unity for our Capitol, and transformed it once again, it becomes the dome of enlightenment, of reason, it is the library, the mind of the university. In his hands the library became the central element—symbol of the modern university.

Jefferson saw his accomplishments in a very particular way, and he both designed his obelisk shaped tombstone at Monticello and ordered it would contain a very particular statement . . . (He was ''Mr. Control'' to the end). It contains nothing, nothing . . . about public offices he had occupied. What it does say is: ''Here was buried Thomas Jefferson Author of the Declaration of American Independence of the Statute of Virginia for Religious Freedom and Father of the University of Virginia.'' Two writings which are fundamental to our American freedoms and the institution by which they would be carried out.

JEFFERSON BIRTHDAY CELEBRATION REMARKS

(By Wilfred M. McClay, Apr. 14, 2008)

Thank you, Mr. President, for your warm welcome, and for the great honor of taking part in this celebration of Thomas Jefferson's life.

It is always hard to know where to begin with Thomas Jefferson. His early biographer James Parton described Jefferson in 1775—one year before he wrote the Declaration of Independence—as ''a gentleman of thirty-two, who could calculate an eclipse, survey an estate, tie an artery, plan an edifice, try a cause, break a horse, dance a minuet, and play the violin.'' And at that point in his life, he was just getting warmed up.

So how can we take his measure? Should we start by recounting his political accomplishments over four decades of public service, ranging from his entry into the Virginia House of Burgesses in 1769 to his retirement from public life in 1809, after two terms as the third President of the United States?

Or do we stress instead his influence in the world of ideas, through his powerful writings in support of American independence—the greatest of these being, of course, the Declaration of Independence itself, with its stirring invocation of the God-given rights of every individual human being—words that changed the course of human history, and continue to do so today?

Or Jefferson's keen and unflagging interest in natural science, as evidenced by his service as president of the American Philosophical Society from 1797 to 1815, years that overlap his entire tenure as President of the United States?

Or his love of architecture, as embodied in the graceful neoclassical home Monticello that he designed and built for himself near his Virginia birthplace on what was then the western edge of settlement?

Not to mention his overwhelming passion for gadgetry, which invariably impresses visitors to Monticello, who nearly always remember the revolving bookstand, the dumbwaiter, the copying machine, the automatic double doors, the Great Clock, the triple-sash window, and countless other gizmos that the ever-inventive Jefferson himself either designed or adapted.

And what about his founding of the University of Virginia in nearby Charlottesville, whose serenely beautiful central grounds he also designed? Or his great contributions to the cause of religious and intellectual liberty, which for him were essential to the dignity of the individual person, and central to the work of a great university?

You all probably know that Jefferson, that inveterate designer, even designed his own tombstone, and specified the only things it was to say about his life: that he wrote the Declaration and Virginia's Statute of Religious Freedom, and that he was Father of the University of Virginia. Of how many other men can it be said that their having served two full terms as President of the United States—which I think we all agree is no shabby achievement!—was in the second or third tier of their accomplishments?

Some will object that all this praise fails to do justice to the flaws in our subject. And that is true enough. Should we then begin, as is overwhelmingly the fashion today, by emphasizing Jefferson's complexity, his contradictions, his shortcomings? That might not seem very charitable, or in keeping with the spirit of the occasion. But it would have the Jeffersonian virtue of honesty. And there are negative aspects of Jefferson's life and career that simply cannot be denied.

No one can deny that although Jefferson opposed slavery in theory, he consistently failed to oppose it in practice, including notably in the conduct of his own life at Monticello.

No one can deny that Jefferson's racial views, particularly as expressed in his book Notes on the State of Virginia, are appalling by today's standards.

No one can deny that Jefferson often practiced a very harsh brand of politics. His famously conciliatory words ''We are all Republicans, we are all Federalists'' in his First Inaugural Address were quickly belied by his ferocious partisanship, which was relentlessly aimed at stigmatizing the Federalist party and driving it out of existence.

Nor can one deny that his greatest act as President, the Louisiana Purchase, and his worst, the Embargo Act, both represented a complete repudiation of his most basic principles about the dangers of big government and strong executive authority.

These are not small flaws, nor are they the only ones. We are not wrong to insist upon their being remembered, even on this day. Still, the compulsion to criticize Jefferson has gone too far. Jefferson is, I believe, one of the principal victims of our era's small-minded rage against the very idea that imperfect men can still be heroes—and that we badly need such heroes. We have been living through an era that feels compelled to cut the storied past down to the size of the tabloid present. Perhaps the time has come for that to change.

For when all is said and done, Thomas Jefferson deserves to be remembered and revered as a great intellect and great patriot, whose worldwide influence, from Beijing to Lhasa to Kiev to Prague, has been incalculable, and whose belief in the dignity and unrealized potential to be found in the minds and hearts of ordinary people is at the core of what is greatest in the American democratic experiment. It is in this sense that James Parton was absolutely correct in making the following proclamation: ''If Jefferson is wrong, America is wrong. If America is right, Jefferson was right.''

Of course, we want to know more than Jefferson's words; we want to feel that we know the man himself. But that is exceptionally hard with Jefferson. He eludes our grasp. He may well have been the shyest man ever to occupy the office of President, awkward and taciturn except in small and convivial settings, such as small dinner parties, where he could feel at his ease, and shed some of his reticence.

He loathed public speaking, giving only two major speeches while President, and none on the campaign trail. He often felt that the work of politics ran against his nature, and complained that the Presidency was an office of ''splendid misery,'' which ''brings nothing but increasing drudgery & daily loss of friends.''

Add to that the fact that he had more than a little bit of the recluse in him. Twice he withdrew entirely from public life, first in the 1780s, after a disappointing term as governor of Virginia, then the second time at the conclusion of his presidency, when he left Washington disgusted and exhausted, anxious to be rid of the place. As he wrote a friend, ''Never did a prisoner, released from his chains, feel such relief as I shall on shaking off the shackles of power.'' Never was he happier than when ensconced in his Monticello retreat, his ''portico facing the wilderness'' that he loved and found renewal in.

At bottom, I think Jefferson is best understood as a man of letters. Literally. Jefferson wrote almost 20,000 letters in his lifetime, and it is in these letters that he seems to have felt freest and most fully himself. Although he complained to John Adams that he suffered ''under the persecution of letters,'' the opposite seems to have been the case. This was a man who lived much of his life inside his own head, and it is in these letters that he comes most fully alive for us. He seems to have needed the buffer of letters interposed between himself and the world; but with that buffer in place, the otherwise awkward and taciturn Jefferson became more open, wonderfully expressive and responsive to his correspondents.

It was in his letters to Maria Cosway that we glimpse his passionate nature, and the struggles between head and heart that preoccupied much of his inner life. It is in his letters to his nephew Peter Carr that we see his thoughts as a preceptor and wise guide to the world's ways. And it was in his magnificent correspondence with his old rival John Adams, a dialogue that spanned fifty years until their deaths in 1826, that Jefferson most fully explored the deeper meaning of the American experiment. He was constantly using his correspondence to organize and sharpen his thinking, and it is there that we see him most fully and vividly.

In any event, it is for his ideas, above all else, that we honor Jefferson; and for the cause of human freedom and human dignity that he so eloquently championed. His failings may weigh against the man, but not against the cause for which he labored so mightily. That should be a lesson to us today. Like Jefferson, we are carriers of meanings far larger than we know, meanings whose full realization cannot be achieved in our lifetime, or even be fully understood by us, but which we are nevertheless charged to carry forward as faithfully as we can.

But unlike Jefferson, we have the benefit of being able to stand on his shoulders, with his words to direct and inspire us. ''We knew'' about Jefferson's faults, said the civil rights leader, Representative John Lewis. ''But we didn't put the emphasis there. We put the emphasis on what he wrote in the Declaration. . . . His words were so powerful. His words became the blueprint, the guideline for us to follow. From those words you have the fountain.''

It is the same fountain that today, 265 years after Jefferson's birth, still nourishes our lives, and shows no sign of running dry. Today is a good day to drink from it anew.

125TH ANNIVERSARY OF THE NATIONAL CRITTENTON FOUNDATION

Mr. KENNEDY. Mr. President, today marks the 125th anniversary of The National Crittenton Foundation, the nationwide organization that supports empowerment, self-sufficiency, and an end to cycles of destructive behavior and relationships by at-risk girls and young women. The organization began as the National Florence Crittenton Mission, founded in 1883 by 19th century philanthropist Charles Crittenton of New York City a year after his daughter Florence died at the age of 5. His goal was to assist girls and young women in trouble, and in the years that followed, Florence Crittenton Homes became famous in communities across the United States and in foreign countries as well.

One of the leading members of the Foundation today is the Crittenton Women's Union in Boston, which began as a Florence Crittenton Home in the city in 1896. It was launched by a pioneering group of women activists who wanted it to be a ''big sister'' to ''unfortunate New England girls'' young unmarried mothers in need of shelter and moral guidance.

In the years that followed these two organizations joined forces and combined with other organizations to create the Crittenton Women's Union, which today empowers low-income women in our city by providing safe housing, caring support services, education, and workforce development programs.

In addition to using its on-the-ground experience to shape public policy and achieve social change, Crittenton Women's Union is also Massachusetts' largest provider of transitional housing for homeless mothers and their children and the founder of New England's first transitional home for victims of domestic violence. The organization continues its innovative approach to today's compelling social problems through its focus on workforce development and post-secondary school training to enable women to become economically self-sufficient.

Its services are further strengthened by its unique partnership with the National Crittenton Foundation, which gathers valuable insights from its nationwide network of frontline agencies and provides a forum to share best practices and shape national policies to benefit all young women and girls at risk.

Today, 125 years after Charles Crittenton began his historic work as a an agent for positive change for young women and girls, Crittenton Women's Union and the National Crittenton foundation remain true to his vision. I welcome this opportunity to commend the Foundation and its extraordinary members on this special anniversary for their continuing vision and commitment to their goals in Massachusetts and throughout the Nation.

TRIBUTE TO YVONNE BRATHWAITE BURKE

Mrs. FEINSTEIN. Mr. President, today I honor Yvonne Brathwaite Burke, who is retiring at the end of 2008, after a distinguished and illustrious career spanning 50 years as a

public servant in the State of California.

I wish to extend to Mrs. Burke, who served as a Representative of California's 37th Congressional District from 1973 to 1979, my sincere congratulations for the decades of dedicated service that she has given to her Nation, her State, and her county.

She is currently serving as chair of the Los Angeles County Board of Supervisors and is in the final year of her fourth term on the board.

For the past 15 years, she has represented the Second Supervisorial District.

Supervisor Burke will be remembered as a devoted public servant who amassed numerous accomplishments and countless awards—in addition to inspiring women and minorities to pursue careers in public service.

As a product of the Los Angeles Unified School District, Mrs. Burke developed an interest in public speaking and participated in several citywide competitions during her high school years.

Her involvement in these events and many extracurricular activities helped her to obtain scholarships to the UC Berkeley and later at UCLA.

In 1956, Mrs. Burke received a law degree from the University of Southern California School of Law.

It was difficult for women, particularly African Americans, to practice law, because many private law firms showed little interest in hiring women as attorneys.

So Mrs. Burke opened her own law office in Los Angeles.

She specialized in immigration and civil rights and fought segregation in real estate law.

Mrs. Burke was active in the civil rights movement with memberships in various local and national organizations.

She subsequently landed a staff attorney position on the McCone Commission, which investigated the causes of the 1965 Watts riots in Los Angeles.

She became a spokesperson for the underrepresented and, through a grassroots campaign, won her first political office in 1966 as a California State assemblywoman.

It was a position she held for the next 6 years.

In 1972, Mrs. Burke became the first African American woman—west of the Mississippi River—to be elected to the U.S. House of Representatives.

She was selected to serve as vice chair of the 1972 Democratic National Convention in Miami and later on the House Select Committee on Assassinations.

She also was the first Congresswoman to give birth while in office.

Mrs. Burke did not seek re-election to Congress in 1978 but instead ran for attorney general of California.

She won the Democratic nomination, but subsequently was defeated in the general election.

In 1979, Mrs. Burke was appointed by the Governor of California to fill a vacancy in the Fourth Supervisorial District in Los Angeles County and served in that capacity until the end of 1980.

She also was appointed by the Governor to serve on the Board of Regents of the University of California in 1982.

Two years later, Mrs. Burke was selected to serve as vice chair of the 1984 U.S. Olympics Organizing Committee.

In 1992, she became the first African American elected to the Los Angeles County Board of Supervisors.

She played a significant role in the 2000 Democratic National Convention, hosting an event for hundreds of African American elected officials nationwide.

Supervisor Burke represents nearly 2.5 million residents in the Second District of the Nation's largest county.

Her efforts primarily have focused on improving the lives of children, encouraging economic development, and improving transportation throughout Los Angeles, as well as promoting public social services, health care for the uninsured, and affirmative action for women and the economically disadvantaged.

In addition, she has taken the lead in establishing a county archives system.

These are just some of Yvonne Brathwaite Burke's significant accomplishments.

On behalf of the U.S. Senate and the State of California, I extend my heartfelt gratitude for her immeasurable contributions throughout her renowned career.

With sincere best wishes, I congratulate Supervisor Burke upon her retirement from elective office.

And I am pleased to join her many coworkers; her family: her husband William, her daughter Autumn and stepdaughter Christine; friends; and associates in wishing her health, happiness, and continued good fortune in her future endeavors.

CONGRATULATING EASTER SEALS

Mr. BIDEN. Mr. President, I wish today to commend a standout chapter of a renowned organization, one that has been responsible for bringing light to the lives of countless Americans throughout its existence. Easter Seals Delaware and Maryland's Eastern Shore is celebrating its 60th year of providing critical help to those in need.

In 1948, the organization was started to meet the needs of children with disabilities, and it has grown exponentially since then. This chapter served 18,000 Delawareans last year through eight locations, and they now have an annual operating budget of $15 million.

The services provided by the staff and volunteers at Easter Seals are well known: speech and hearing therapy, assistive technology, and job training are just a few of the ways they help children and adults with disabilities lead independent lives in their communities.

As we embark on spring this year, it is appropriate to recall the symbol of Easter Seals: the lily. The lily makes us all think of rebirth and new life, which is exactly what Easter Seals provides to those they help. It is why the lily has appeared on every Easter ''Seal'' produced since the 1950s.

I would be remiss if I thanked Easter Seals Delaware and Maryland's Eastern Shore without recognizing its driving force for the last half century. Sandra Tuttle, who has been associated with the organization for nearly 50 years—including as its president and CEO since 1978—is stepping aside from her formal role. Her leadership has been the engine of this remarkable organization; her devotion, professionalism, and guidance are known to all associated with Easter Seals.

I wish her the best of luck in all her future endeavors and thank her from the bottom of my heart for what she has helped this organization become. The lives she has touched are without number. She truly is an angel walking among us.

I know I am not the first to thank Easter Seals in this Chamber, and I doubt I will be the last. This incredible organization, started by a few people trying to make a difference for disabled children, has blossomed into the model for all such groups in America. I thank my local chapter for its work, congratulate it on this momentous occasion, and hope that its influence will continue to grow for years to come.

CONGRATULATING THE STATE OF ISRAEL

Mrs. BOXER. Mr. President, it is a privilege to be able to offer my most sincere congratulations to the State of Israel as it celebrates its 60th anniversary of independence. I am so proud that Israel has not only survived, but has become one of the most prosperous and successful democracies anywhere in the world.

The Israeli National Anthem, Hatikvah, means, ''The Hope.'' That is really what the modern State of Israel has been about over these 60 years. Founded after the horrors of the Holocaust, the Jewish people created a place where their faith and history could be secured and passed from generation to generation. In this place, never again would dictators or fanatics be able to systematically persecute, terrorize, and murder entire communities or an entire people.

Hope sustained the Jewish people through 3,000 years of persecution that culminated in the evils of the Holocaust. And for the last 60 years, that same sense of hope for the future has allowed the people of Israel to persevere in the face of continual assaults on its very existence, whether they are in the form of war, terrorism, or assassination.

As Israel celebrates this milestone, I am proud to say that the United States has been by its side, offering support and assistance, and watching it grow

into an unparalleled partner in promoting the ideals of democracy, personal freedom, and human rights.

The United States has also tirelessly supported Israel as it continues to seek lasting peaceful coexistence with its neighbors to bring a permanent end to years of suffering and senseless violence. And we will continue to be there to support them in that effort.

When Yitzhak Rabin went before the Knesset in October 1995 to discuss the ratification of the Israeli-Palestinian interim agreement, he said the following:

''Here, in the land of Israel, we returned and built a nation. Here, in the land of Israel, we established a state. The land of the prophets, which bequeathed to the world the values of morality, law and justice, was, after two thousand years, restored to its lawful owners—the members of the Jewish people. On its land, we have built an exceptional national home and state.''

Israel is indeed an exceptional nation state, and this milestone is a great testament to the hope, faith, and perseverance of the Jewish people. I offer my congratulations to Israel on the 60th anniversary of its founding.

ADDITIONAL STATEMENTS

TRIBUTE TO HARVEY WHITE WOMAN

● Mr. JOHNSON. Mr. President. I wish to recognize a distinguished member of the Oglala Sioux Tribe, Harvey White Woman. Harvey passed away on Monday, March 31, 2008 following a brave battle against a rare form of cancer. Though he was only 44, he carried the wisdom and insight of many elders and worked in a positive way to educate native and nonnative people on treaty and water rights. He was often asked to give presentations to adults and schoolchildren alike about the Fort Laramie Treaty of 1868 as a way to educate the public, not only about the history of this region of our country but also about the promises that were made to native people.

In his work as an assistant to the Oglala Sioux Tribe's Fifth Member's office, Harvey's voice could be heard reminding us as Members of Congress of our duties to uphold those treaty obligations. He also served on the board of the Lakota Fund in Kyle and most recently as the first director of the Wawokiye Business Institute. The Wawokiye Institute gives specialized assistance to entrepreneurs who are working toward realizing their goal of business success. Through his work and presentations on traditional entrepreneurship, many people around the world gained a better understanding of the business instincts of native people throughout history.

Harvey also led the newly formed Oglala Lakota Cancer Survivors, Inc., on Pine Ridge, which is an effort to bring together those survivors and their families to talk about cancer and the unique circumstances that native people face.

Harvey was taken from us too soon. I would like to extend my deepest condolences to his family and his friends in this time of great loss and encourage them to go forward with Harvey's efforts.●

THE LOUISIANA HONOR AIR

● Mr. VITTER. Mr. President, today I wish to acknowledge and honor a very special group, the Louisiana HonorAir. Louisiana HonorAir is a not-for-profit group that flies as many as 200 World War II veterans a year up to Washington, DC, free of charge. On April 26, 2008 a group of 99 veterans will reach Washington as part of this very special program.

I want to take a moment to thank all the brave veterans visiting our Capitol city this trip:

Richard S. Allain; Wilton J. Aucoin, Sr.; Henry E. Babineaux; Nolan P. Barras; James R. Bazet, Sr.; Raymond R. Beadle, Sr.; George Beaugh, Sr.; John S. Becnel, Jr.; Charles F. Berard; Dailey J. Berard; Cecile M. Beyt; Raymond L. Bienvenu; Dewey D. Billodeau; Nelson C. Boudreaux; Jules C. Bourgeois; Alby J. Bourque; Roy J. Boutte, Sr.; Adam T. Boyd; Gerald C. Braud; Minos J. Breaux.

Charles E. Broussard; Dennis J. Broussard; Taylor J. Broussard, Jr.; Earl H. Brown, Sr.; Leroy M. Burgess; Dracos D. Burke; Leroy J. Coulter; Perry J. Decuir; Alvy A. DeHart; Rogers DeHart, Sr.; Charles L. DeLahoussaye; Gustave A. Duhon; John N. Fernandez; William S. Flores; Guy J. Folse; Theresa D. Formeller; James T. Fulgham; Claby J. Gary; Raymond H. George; Joseph C. Glorioso.

Carlo J. Governale; Bert A. Guiberteau; Lloyd J. Guillory; James S. Hebert; Joseph V. Hebert; Julius M. Hebert; Oddie J. Hebert; Lawrence Lacy; Richard LaFleur; James W. Lancios; Alfred S. Landry; Walter J. Latiolais, Sr.; Harold P. LeBlanc; Malcolm F. LeCompte; Joseph H. LeGrand; Robert R. LeJeune; RosaMae Lopez; Ray A. Louviere; Charles T. Mahoney; Frank O. Maness, Jr.

Salvadore Marchese, Jr.; Edith L. Mazurek; Mahlen M. Meaux; Chelly P. Mendoza; Woodrow P. Mendoza; Leroy E. Miller; Leon J. Minvielle, Jr.; Louis P. Monte'; George P. Munson; Henry A. Myers, Sr.; Clifford D. Neal; James H. Newcomb, Sr.; Stewart L. Newman; Jewell D. Palmer; Gerald F. Patout; Jules G. Patout; Rene L. Patout; Jasper P. Pennington; George W. Perry; Irwin M. Pierron.

Thomas M. Randazzo; Griffin P. Reaux; Clyde R. Redmond; Donald A.J. Sanders; Joseph A. Sarradet, Jr.; Clifton O. Schexnayder; Francis P. Schwing; George E. Schwing; Jerry E. Shea, Sr.; George C. Simar; Emile J. Tauzin; Paul A. Traywick; Daniel L. Verret, Sr.; Laines W. Vincent; RoseMary R. Walker; Johnnie A. Webb; Oliver A. Williams, Jr.; Robert L. Williams; Howard E. Winston.

While visiting Washington, DC, these veterans will tour Arlington National Cemetery, the Iwo Jima Memorial, the Vietnam Memorial, the Korean Memorial, and the World War II Memorial. This program provides many veterans with their only opportunity to see the great memorials dedicated to their service.

Thus, today, I ask my colleagues to join me in honoring these great Americans and thanking them for their devotion and service to our Nation.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT RELATIVE TO THE ADMINISTRATION'S INTENT TO ADD THE SOLOMON ISLANDS TO THE LIST OF LEAST-DEVELOPED BENEFICIARY DEVELOPING COUNTRIES UNDER THE GENERALIZED SYSTEM OF PREFERENCES PROGRAM—PM 44

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

To the Congress of the United States:

In accordance with section 502(f)(1)(B) of the Trade Act of 1974, as amended (the ''Act''), I am providing notification of my intent to add the Solomon Islands to the list of least-developed beneficiary developing countries under the Generalized System of Preferences (GSP) program. In Executive Order 12302 of April 1, 1981, the Solomon Islands was designated as a beneficiary developing country for purposes of the GSP program. After considering the criteria set forth in sections 501 and 502 of the Act, I have determined that it is appropriate to extend least-developed beneficiary developing country benefits to the Solomon Islands.

GEORGE W. BUSH.

THE WHITE HOUSE, *April 17, 2008.*

MESSAGES FROM THE HOUSE

At 1:04 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 bill, in which it requests the concurrence of the Senate:

H.R. 2537. An act to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes.

ENROLLED BILL SIGNED

At 2:16 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks,

announced that the Speaker has signed the following enrolled bill:

H.R. 5813. An act to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond April 18, 2008.

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

ENROLLED BILL SIGNED

At 3:05 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 793. An act to provide for the expansion and improvement of traumatic brain injury programs.

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2537. An act to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes; to the Committee on Environment and Public Works.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, April 17, 2008, she had presented to the President of the United States the following enrolled bill:

S. 793. An act to provide for the expansion and improvement of traumatic brain injury programs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5849. A communication from the Chairman, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Council's Annual Report for fiscal year 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–5850. A communication from the Deputy Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Form S–11 to Permit Historical Incorporation by Reference'' (RIN3235–AK02) received on April 15, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–5851. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New York'' (FRL No. 8554–8) received on April 11, 2008; to the Committee on Environment and Public Works.

EC–5852. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Lead; Renovation, Repair, and Painting Program'' ((RIN2070–AC83)(FRL No. 8355–7)) received on April 11, 2008; to the Committee on Environment and Public Works.

EC–5853. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Coordinated Issue: Section 118—Characterization of Bioenergy Program Payments'' (Docket No. LMSB–04–0308–019) received on April 15, 2008; to the Committee on Finance.

EC–5854. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the International Atomic Energy Agency's programs in Burma, Cuba, Iran, North Korea, and Syria; to the Committee on Foreign Relations.

EC–5855. A communication from the Acting Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2008–44—2008–54); to the Committee on Foreign Relations.

EC–5856. A communication from the Director, Strategic Human Resources Policy Division, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Suitability'' (RIN3206–AL08) received on April 15, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5857. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, a report entitled, ''2007 Annual Report and Sourcebook of Federal Sentencing Statistics''; to the Committee on the Judiciary.

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. INHOFE:

S. 2876. A bill to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. REID (for Mrs. CLINTON):

S. 2877. A bill to improve and enhance research and programs on cancer survivorship, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself, Mr. ALEXANDER, Mr. BUNNING, Mr. DEMINT, Mrs. DOLE, Mr. GRAHAM, Mr. HATCH, Mr. MARTINEZ, Mr. ROBERTS, and Mr. SESSIONS):

S. 2878. A bill to amend the Labor-Management Reporting and Disclosure Act of 1959 to provide for specified civil penalties for violations of that Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SALAZAR:

S. 2879. A bill to provide for orderly and balanced development of energy resources within the Roan Plateau Planning Area of Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GREGG:

S. 2880. A bill to provide that funds made available for reconstruction assistance for Iraq may be made available only to the extent that the Government of Iraq matches such assistance on a dollar-for-dollar basis, and for other purposes; to the Committee on Foreign Relations.

By Mr. DURBIN:

S. 2881. A bill to establish national standards for discharges from cruise vessels into the waters of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE (for herself, Ms. COLLINS, and Mr. ISAKSON):

S. 2882. A bill to amend title 10, United States Code, to provide for the presentation of a flag of the United States to the children of members of the Armed Forces who die in service; to the Committee on Armed Services.

By Mr. ROCKEFELLER (for himself and Mr. BYRD):

S. 2883. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. COLLINS (for herself and Mr. HATCH):

S. 2884. A bill to amend the Internal Revenue Code of 1986 to provide incentives to improve America's research competitiveness, and for other purposes; to the Committee on Finance.

By Ms. SNOWE (for herself, Mr. KERRY, Mr. SMITH, and Mr. BROWN):

S. 2885. A bill to amend the Internal Revenue Code of 1986 to expand the availability of industrial development bonds to facilities manufacturing intangible property; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. SALAZAR, Mr. SCHUMER, Ms. STABENOW, Mr. SMITH, Mr. CRAPO, Mr. ROCKEFELLER, Mr. KYL, and Ms. SNOWE):

S. 2886. A bill to amend the Internal Revenue Code of 1986 to amend certain expiring provisions; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. KERRY, and Mr. LIEBERMAN):

S. 2887. A bill to direct the Secretary of Homeland Security to conduct a survey to determine the level of compliance with national consensus standards and any barriers to achieving compliance with such standards, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KOHL (for himself, Ms. COLLINS, and Mrs. LINCOLN):

S. 2888. A bill to protect the property and security of homeowners who are subject to foreclosure proceedings, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. AKAKA (by request):

S. 2889. A bill to amend title 38, United States Code, to improve veterans' health care benefits, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCCAIN (for himself, Mr. KYL, Mr. BURR, Mr. GRAHAM, Mr. MARTINEZ, Mr. WARNER, Mr. CHAMBLISS, Mr. LIEBERMAN, and Mr. SUNUNU):

S. 2890. A bill to amend the Internal Revenue Code of 1986 to provide for a highway fuel tax holiday; to the Committee on Finance.

By Mr. KENNEDY (for himself, Mrs. CLINTON, Mr. OBAMA, Mr. BROWN, Mr. FEINGOLD, and Mr. SCHUMER):

S. 2891. A bill to amend the National Labor Relations Act to apply the protections of the Act to teaching and research assistants; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWNBACK (for himself, Mr. CASEY, Mr. MCCAIN, Mr. COLEMAN, Mr. BURR, Ms. COLLINS, Mr. DOMENICI, Mrs. DOLE, Mrs. HUTCHISON, Mr. CRAIG, Ms. MURKOWSKI, Mr. THUNE, Mr. CHAMBLISS, Mr. ENZI, Ms. MIKULSKI, Mr. HATCH, Mr. ROBERTS, and Mr. ALLARD):

S. Res. 519. A resolution welcoming Pope Benedict XVI to the United States and recognizing the unique insights his moral and spiritual reflections bring to the world stage; considered and agreed to.

By Mrs. FEINSTEIN (for herself, Ms. COLLINS, Ms. CANTWELL, Mr. LIEBERMAN, Mrs. CLINTON, Mr. KERRY, Mr. BROWN, Ms. SNOWE, Mr. LEVIN, Mrs. BOXER, and Mr. FEINGOLD):

S. Res. 520. A resolution designating May 16, 2008, as ''Endangered Species Day''; to the Committee on the Judiciary.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 521. A resolution authorizing the taking of a photograph in the Chamber of the United States Senate; considered and agreed to.

By Mr. REID (for himself, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAIG, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TESTER, Mr. THUNE, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 522. A resolution recognizing the 60th anniversary of the founding of the modern State of Israel and reaffirming the bonds of close friendship and cooperation between the United States and Israel; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 22

At the request of Mr. WEBB, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Michigan (Mr. LEVIN) 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. 400

At the request of Mr. SUNUNU, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 400, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes.

S. 648

At the request of Mr. CHAMBLISS, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 648, a bill to amend title 10, United States Code, to reduce the eligibility age for receipt of non-regular military service retired pay for members of the Ready Reserve in active federal status or on active duty for significant periods.

S. 661

At the request of Mrs. CLINTON, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 661, a bill to establish kinship navigator programs, to establish guardianship assistance payments for children, and for other purposes.

S. 901

At the request of Mr. KENNEDY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 901, a bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act.

S. 911

At the request of Mr. REED, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Colorado (Mr. ALLARD) were added as cosponsors of S. 911, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 963

At the request of Mr. MENENDEZ, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 963, a bill to authorize the Secretary of Education to make grants to educational organizations to carry out educational programs about the Holocaust.

S. 999

At the request of Mr. COCHRAN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 999, a bill to amend the Public Health Service Act to improve stroke prevention, diagnosis, treatment, and rehabilitation.

S. 1051

At the request of Mr. DODD, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1051, a bill to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia at Constitution Gardens previously approved to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution.

S. 1445

At the request of Mr. KENNEDY, the names of the Senator from Hawaii (Mr. INOUYE) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 1445, a bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to establish, promote, and support a comprehensive prevention, research, and medical management referral program for hepatitis C virus infection.

S. 1556

At the request of Mr. SMITH, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1556, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage to designated plan beneficiaries of employees, and for other purposes.

S. 1605

At the request of Mr. CONRAD, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1605, a bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes.

S. 1693

At the request of Mr. KENNEDY, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1693, a bill to enhance the adoption of a nationwide interoperable health information technology system and to improve the quality and reduce the costs of health care in the United States.

S. 1779

At the request of Mr. TESTER, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 1779, a bill to establish a program for tribal colleges and universities within the Department of Health and Human Services and to amend the Native American Programs Act of 1974 to authorize the provision of grants and cooperative agreements to tribal colleges and universities, and for other purposes.

S. 1780

At the request of Mr. ROCKEFELLER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1780, a bill to require

the FCC, in enforcing its regulations concerning the broadcast of indecent programming, to maintain a policy that a single word or image may be considered indecent.

S. 1951

At the request of Mr. BAUCUS, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1951, a bill to amend title XIX of the Social Security Act to ensure that individuals eligible for medical assistance under the Medicaid program continue to have access to prescription drugs, and for other purposes.

S. 2035

At the request of Mr. SPECTER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2035, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 2059

At the request of Mrs. FEINSTEIN, her name was added as a cosponsor of S. 2059, a bill to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

At the request of Mr. BYRD, his name was added as a cosponsor of S. 2059, supra.

S. 2279

At the request of Mr. BIDEN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2279, a bill to combat international violence against women and girls.

S. 2465

At the request of Mr. KENNEDY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2465, a bill to amend title XIX of the Social Security Act to include all public clinics for the distribution of pediatric vaccines under the Medicaid program.

S. 2569

At the request of Mrs. BOXER, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 2569, a bill to amend the Public Health Service Act to authorize the Director of the National Cancer Institute to make grants for the discovery and validation of biomarkers for use in risk stratification for, and the early detection and screening of, ovarian cancer.

S. 2687

At the request of Mr. ROCKEFELLER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2687, a bill to amend title XVIII of the Social Security Act to enhance beneficiary protections under parts C and D of the Medicare program.

S. 2689

At the request of Mr. SMITH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2689, a bill to amend section 411h of title 37, United States Code, to provide travel and transportation allowances for family members of members of the uniformed services with serious inpatient psychiatric conditions.

S. 2736

At the request of Mr. KOHL, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2736, a bill to amend section 202 of the Housing Act of 1959 to improve the program under such section for supportive housing for the elderly, and for other purposes.

S. 2744

At the request of Mr. VOINOVICH, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2744, a bill to amend the Workforce Investment Act of 1998 to increase the Nation's competitiveness and enhance the workforce investment systems by authorizing the implementation of Workforce Innovation in Regional Economic Development plans, the integration of appropriate programs and resources as part of such plans, and the provision of supplementary grant assistance and additional related activities, and for other purposes.

S. 2755

At the request of Mrs. MURRAY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2755, a bill to provide funding for summer youth jobs.

S. 2770

At the request of Mrs. FEINSTEIN, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 2770, a bill to amend the Federal Meat Inspection Act to strengthen the food safety inspection system by imposing stricter penalties for the slaughter of nonambulatory livestock.

S. 2774

At the request of Mr. LEAHY, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 2774, a bill to provide for the appointment of additional Federal circuit and district judges, and for other purposes.

S. 2817

At the request of Mr. SALAZAR, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2817, a bill to establish the National Park Centennial Fund, and for other purposes.

S. 2819

At the request of Mr. ROCKEFELLER, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 2819, a bill to preserve access to Medicaid and the State Children's Health Insurance Program during an economic downturn, and for other purposes.

S. RES. 506

At the request of Mr. NELSON of Nebraska, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. Res. 506, a resolution expressing the sense of the Senate that funding provided by the United States to the Government of Iraq in the future for reconstruction and training for security forces be provided as a loan to the Government of Iraq.

S. RES. 515

At the request of Mr. WHITEHOUSE, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Massachusetts (Mr. KERRY), the Senator from Vermont (Mr. SANDERS) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. Res. 515, a resolution commemorating the life and work of Dith Pran.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for Mrs. CLINTON):

S. 2877. A bill to improve and enhance research and programs on cancer survivorship, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. CLINTON. Mr. President, I rise to introduce the Pediatric, Adolescent, and Young Adult Cancer Survivorship and Quality of Life Act, legislation introduced on the House side by Representatives SOLIS and BONO.

The National Cancer Institute estimates that there are more than 10 million cancer survivors in the United States. Advances in medical research have resulted in earlier diagnoses, more effective treatments, and improvements in medical outcomes for Americans with cancer.

These advances in cancer care are especially evident when examining our gains for pediatric cancers. The 5-year survival rate for children with cancer has improved markedly over the past decades, from 56 percent for those diagnosed in the mid-1970s to 79 percent for those diagnosed between 1995 and 2000. There are now more than 270,000 childhood cancer survivors in the U.S., and that number is expected to increase as we gain a better understanding of pediatric cancers and ways to treat them.

But in the years that we have made these gains in addressing cancer in children, we have also learned that many of these survivors experience what are known as ''late effects'' resulting from either the cancer or its treatment. These late effects include things like additional cancers, osteoporosis, heart problems and reduced lung capacity. As many as a quarter of childhood cancer survivors experience late effects that are serious or life-threatening. We must be doing more to ensure that the quality of life of children who have survived cancer is as high as possible, and that life-saving treatments result in as few long-term side effects as possible.

It is also important to note that health care disparities also impact pediatric cancer care and survivorship. African-Americans, Hispanics, and Asian/Pacific Islander children have

higher rates of certain cancers than their white counterparts. In addition, due to disparities in access to care, these individuals may fail to receive adequate treatments for late effects of cancers. We need to improve our efforts to ensure that racial and ethnic disparities are eliminated from cancer care.

In a 2005 report, titled ''From Cancer Patient to Cancer Survivor: Lost in Transition'', the Institute of Medicine, IOM, recommended several measures we can take as a nation to improve the quality of life for children and young adults who are impacted by cancer. The legislation that I am introducing today will allow us to implement some of those recommendations, including expansion of cancer control and surveillance programs, increasing research in survivorship, and developing model systems of care and monitoring for cancer survivors. It will also create grants to establish childhood cancer survivorship clinics, and help childhood cancer organizations expand and improve their work in providing care and treatment.

I look forward to working with my colleagues in the Senate to ensure that we address the needs of cancer survivors throughout the lifespan, and help to improve the quality of life for the many children and families that struggle with a cancer diagnosis.

By Mr. SALAZAR:

S. 2879. A bill to provide for orderly and balanced development of energy resources within the Roan Plateau Planning Area of Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. SALAZAR. Mr. President, I rise today to introduce legislation to ensure responsible development of the energy resources under Colorado's Roan Plateau in a manner that minimizes the adverse impacts on its unique ecological resources while maximizing the financial returns to the State of Colorado and to our country. This legislation was developed jointly with my colleagues Representative JOHN SALAZAR and Representative MARK UDALL, who plan to introduce the legislation today in the House.

The Roan Plateau, an area of pristine wilderness in northwestern Colorado, rises 3,500 feet out of the Colorado River Valley. It boasts native cutthroat trout streams and has some of the best winter elk and mule deer habitat left in the heavily developed Piceance Basin. The Roan has long been a favorite destination for hunters and anglers. The mule deer, elk, black bear, and native trout that find habitat on top and at the base of the Roan Plateau are an economic engine all their own, drawing tourism and recreation dollars to towns like Glenwood Springs, Rifle, Silt, and Parachute.

Recently the Department of Interior's Bureau of Land Management, which oversees the public lands on the Roan and the minerals beneath them, announced that it is opening these lands for energy development. Under the BLM plan, 67,000 acres of public lands on and around the Roan Plateau will be open for natural gas drilling as soon as this year. We in Colorado are blessed to be home to significant energy resources, and tapping these resources is important to sustain our Nation's energy needs and invigorate the Colorado State economy. But in its current form, the BLM plan lacks adequate protections for the Roan's land, water, and wildlife—the very things that support the outfitters, guides, hotels and restaurants in the area. And by proposing to lease all of the undeveloped public lands at once, the BLM plan would sell Colorado short.

Drilling is already happening on roughly half of the plateau that is either owned or leased by the natural gas industry. Without question, western Colorado is experiencing a boom in energy development. During the decade of the 1990s, the average number of completed gas wells per year in Garfield County—the home of the Roan—was 80. The number of completed wells has climbed rapidly since 2000, setting a new high each year. In 2006, 840 new wells were completed in Garfield County. This rapid expansion of activity has created new jobs in the region, but has also stoked new conflicts between the energy values and environmental, ecological, and recreation values of these lands. The impacts of this development are being felt by landowners and outdoor enthusiasts alike. Sportsmen have watched as public hunting areas, habitat, and important watersheds have been irreparably degraded as a result of widespread development.

With this level of development occurring we must ensure that the most pristine areas of the plateau that remain are protected, that oil and gas development in the region occurs with minimal disturbance, and that Colorado receives the best possible financial return on any oil and gas leases.

Our legislation has three main functions that work to address these issues. First, it requires phased leasing on top of the plateau to maximize state revenues and better protect wildlife habitat and the environment. Second, it ensures protection of critical cutthroat trout watersheds and other wildlife habitat on top and around the base of the Roan Plateau. Lastly, it contains a conforming amendment to the Transfer Act to ensure that Colorado receives its fair share of leasing revenues rather than directing this money, as the Transfer Act specifies, to the Anvil Points cleanup fund, which is in surplus.

The phased leasing provision requires BLM to lease less sensitive areas outside of cutthroat trout watersheds first, rather than leasing all available development areas at once. In selecting areas for leasing, BLM must take into consideration various factors designed to maximize leasing revenues and to minimize the environmental and ecological impacts of development. Phased leasing will generate higher per-lease bids from industry—and more money for the Treasury and Colorado—than the current BLM plan to lease the entire designated development areas at once.

The special protection provisions of the bill expand BLM's designated ''Areas of Critical Environmental Concern,'' ACECs, to include the headwaters of Northwater Creek and the East Fork of Parachute Creek above the confluence with First Anvil Creek—both of which are critical native cutthroat trout watersheds. The bill also permits gas development activities on top of the plateau outside ACECs that are within development corridors along existing ridge-top roads on slopes not exceeding 20 percent. These measures will protect critical elk and mule deer habitat around the base of the plateau, while allowing development and recovery of the available natural gas under the Roan.

In 1907, President Teddy Roosevelt told a crowd that, ''In utilizing and conserving the natural resources of the Nation the one characteristic more essential than any other is foresight. The conservation of our natural resources and their proper use constitute the fundamental problem which underlies almost every other problem of our national life.'' President Roosevelt's wisdom—over a century later—is as valuable as ever to a Nation committed to protecting its land and water, but that is in dire need of affordable, domestic sources of energy.

The Roan is a special place. Protecting our State's last few remaining wild spaces, maximizing oil and gas leasing revenues from these areas and supporting the communities that surround them need not be at odds. This bill will replace BLM's plan with a better, more balanced approach that will protect the most critical areas on the top of the Roan and provide the most benefit to the State of Colorado.

By Mr. DURBIN:

S. 2881. A bill to establish national standards for discharges from cruise vessels into the waters of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. DURBIN. Mr. President, if I said there was an industry that generates millions of gallons of wastewater every day and that can dump that waste with virtually no oversight, you might think that I was recalling the days before the Clean Water Act. The truth is, though, that such an industry exists today. I am talking about cruise ships.

That is why I am introducing the Clean Cruise Ship Act of 2008. This bill will require cruise ships to upgrade their wastewater treatment systems to meet the standards of today's best available technology, which has been shown to significantly reduce the amount of pollutants discharged from ships. This technology is already being

used successfully on cruise ships in Alaska, thanks to that State's forward-thinking regulations.

The problem is real. The number of cruise ship passengers has been growing nearly twice as fast as any other mode of travel. In the U.S. alone the numbers are approaching ten million passengers a year. Some of these ships can carry 3,000 passengers. That is the size of a small city. As cities do, these ships produce massive amounts of waste—over 200,000 gallons of sewage each week; a million gallons of graywater from galleys, laundry, and showers; and over 35,000 gallons of oily bilge water that collects in ship bottoms.

Wastewater from cities, of course, is highly regulated. America wouldn't tolerate anything less. A city cannot simply dump waste into our waterways. We've seen, of course, what happens when municipal wastewater treatment systems are poorly operated or break down. People fall ill, beaches are closed, and ecosystems are harmed.

So what's the story for waste from cruise ships? Let us start with ''black water'' sewage—human body wastes and other toilet waste. Within three miles of shore, vessels can discharge this waste provided that a ''marine sanitation device'' is installed. The Environmental Protection Agency released a draft report in December, however, that concluded that these systems simply don't work. These sewage treatment devices leave discharges that consistently exceed national effluent standards for fecal coliform and other pathogens and pollutants. In fact, fecal coliform levels in effluent are typically 20 to 200 times greater than in untreated domestic wastewater.

Beyond three miles from shore there are no restrictions on sewage discharge. Cruise ships are free to dump their sewage and foul U.S. waters with impunity.

The situation for graywater may be even more serious. Except in Alaska, cruise ship graywater requires no treatment whatsoever before being discharged, and there are no restrictions on where that dumping can be done. Yet graywater from sinks, tubs, and kitchens contains large amounts of pathogens and pollutants—amounts that would never be tolerated from a land-based business. Fecal coliform concentrations, for example, are ten to a thousand times greater than those in untreated domestic wastewater. These pollutants sicken our marine ecosystems, wash up onto our beaches, and contaminate food and shellfish that end up on our dinner plates.

The Clean Cruise Ship Act seeks to solve this oversight in the current regulations, just as Alaska State law has done. No discharges whatsoever would be allowed within 12 miles of shore. Beyond twelve miles, discharges of sewage, graywater, and bilge water would be allowed, provided that they meet national effluent limits consistent with the best available technology. That technology works and is commercially available now. The recent Environmental Protection Agency study found that these ''advanced wastewater treatment'' systems effectively remove pathogens, suspended solids, metals, and oil and grease.

Under this legislation, the release of raw, untreated sewage would be banned everywhere. No dumping would be allowed of sewage sludge and incinerator ash in U.S. waters. All cruise ships calling on U.S. ports would have to dispose of hazardous waste in accordance to the Resource Conservation and Recovery Act. The bill would establish inspection and enforcement mechanisms to ensure compliance.

There is one thing at this point I'd like to make clear. Many of us here have been working hard to stop aquatic invasive species that slip into our lakes and coastal waters in discharged ballast water. Alien species that have escaped into U.S. waters are causing massive harm. We have to do everything in our power to prevent new invasive species from getting loose.

With this in mind, many of us have been closely watching court cases surrounding the Environmental Protection Agency's responsibility for regulating ballast water under the Clean Water Act. That litigation may have implications for cruise ship wastewater pollution.

I have no intention of interfering with this court case. Likewise, I want to emphasize that this bill in no way undermines the provisions of the Clean Water Act that deal with discharges of pollution into the nation's waters. I have always supported the Clean Water Act. It will continue to be an important tool that, in conjunction with the Clean Cruise Ship Act, can significantly reduce wastewater pollution from cruise ships.

The protection of U.S. waters is vital to our Nation's health and economy. There are 4.5 million square miles of ocean in the U.S. territorial seas—23 percent larger than our Nation's landmass. That's more than any other country has. Cruise ship wastewater threatens the very environments that family vacationers want to visit. Current regulations and voluntary guidelines for the cruise ship industry just aren't good enough. No other industry is allowed to pollute our waters at will. The cruise ship industry is growing at nearly 5 percent each year, which means that the problem is growing, as well.

Uncontrolled dumping of cruise ship pollution must stop. We can achieve that goal with the Clean Cruise Ship Act. I recognize, though, that there may be other valid approaches. I encourage my colleagues to work with me to pass legislation this year that will put a stop to the dumping of hazardous pollutants along our coasts. Together we can clean up this major source of pollution that is harming our waters.

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. 2881

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 ''Clean Cruise Ship Act of 2008''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Definitions.
Sec. 4. Prohibitions on the discharge of sewage, graywater, bilge water, sewage sludge, incinerator ash, and hazardous waste.
Sec. 5. Effluent limits for discharges of sewage, graywater, and bilge water.
Sec. 6. Alaskan cruise vessels.
Sec. 7. Inspection and sampling.
Sec. 8. Employee protection.
Sec. 9. Judicial review.
Sec. 10. Enforcement.
Sec. 11. Citizen suits.
Sec. 12. Sense of Congress on ballast water.
Sec. 13. Sense of Congress on air pollution.
Sec. 14. Funding.
Sec. 15. Effect on other law.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) Cruise vessels carry millions of people through North American waters each year, showcase some of the most beautiful ocean areas in the United States, and provide opportunities for passengers to relax and enjoy the oceans and marine ecosystems.

(2) A single cruise vessel generates a tremendous amount of waste each week, including an estimated 140,000 to 210,000 gallons of blackwater (sewage) and 1,000,000 gallons of graywater (including wastewater from dishwashers, showers, laundry, baths, and washbasins). Onboard amenities such as photoprocessing, dry-cleaning, and hairdressing also generate hazardous waste streams.

(3) In its final report, ''An Ocean Blueprint for the 21st Century'', released in 2004, the United States Commission on Ocean Policy found that these waste streams and the cumulative impacts caused when cruise vessels repeatedly visit the same environmentally sensitive areas, ''if not properly disposed of and treated, can be a significant source of pathogens and nutrients with the potential to threaten human health and damage shellfish beds, coral reefs, and other aquatic life,'' thus threatening the very environments cruise vessel passengers seek to explore.

(4) The cruise industry has grown by more than 6 percent annually since 2003 and is projected to continue growing. Cruise vessel capacity is also expanding dramatically; today cruise vessels can transport 5,000 passengers and crew members, but the next generation of cruise vessels is expected to carry 7,000 passengers and crew members. As the total number of passengers increases and the number of passengers per ship increases, the volume of waste entering these ocean ecosystems and the impact of that waste on ocean ecosystems will also increase.

(5) In a 2005 report requested by the International Council of Cruise Lines, the Ocean Conservation and Tourism Alliance (OCTA) Science Panel recommended that ''[a]ll blackwater should be treated'', that discharging treated blackwater should be ''avoided in ports, close to bathing beaches or water bodies with restricted circulation,

flushing or inflow'', and that blackwater should not be discharged within 4 nautical miles of shellfish beds, coral reefs, or other sensitive habitats.

(6) The OCTA Science Panel further recommended that graywater be treated in the same manner as blackwater and that sewage sludge be off-loaded to approved land-based facilities.

(7) The United States lacks a comprehensive wastewater management policy for large passenger vessels, and a new statutory regime for managing wastewater discharges from large passenger vessels that applies throughout the United States is needed to protect coastal and ocean areas from pollution generated by cruise vessels, to reduce and better regulate discharges from cruise vessels, and to improve monitoring, reporting, and enforcement of standards regarding discharges.

(b) PURPOSE.—The purpose of this Act is to protect the health and beauty of the marine and coastal ecosystems that cruise passengers enjoy, by—

(1) prohibiting the discharge of any untreated sewage, graywater, or bilge water from a cruise vessel calling on a port of the United States into the waters of the United States;

(2) prohibiting the discharge of any sewage sludge, incinerator ash, or hazardous waste from a cruise vessel calling on a port of the United States into the waters of the United States;

(3) establishing new national effluent limits for the discharge of treated sewage, treated graywater, and treated bilge water from cruise vessels not less than 12 miles from shore in any case in which the discharge is not within an area in which discharges are prohibited; and

(4) ensuring that cruise vessels calling on ports of the United States comply with all applicable environmental laws.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) BILGE WATER.—The term ''bilge water'' means waste water that includes lubrication oils, transmission oils, oil sludge or slops, fuel or oil sludge, used oil, used fuel or fuel filters, or oily waste.

(3) CITIZEN.—The term ''citizen'' means a person that has an interest that is or may be adversely affected by any provision of this Act.

(4) COMMANDANT.—The term ''Commandant'' means the Commandant of the Coast Guard.

(5) CRUISE VESSEL.—The term ''cruise vessel''—

(A) means a passenger vessel (as defined in section 2101(22) of title 46, United States Code), that—

(i) is authorized to carry at least 250 passengers; and

(ii) has onboard sleeping facilities for each passenger; and

(B) does not include—

(i) a vessel of the United States operated by the Federal Government; or

(ii) a vessel owned and operated by the government of a State.

(6) DISCHARGE.—The term ''discharge''—

(A) means a release, however caused, of bilge water, graywater, hazardous waste, incinerator ash, sewage, or sewage sludge from a cruise vessel; and

(B) includes any escape, disposal, spilling, leaking, pumping, emitting, or emptying of a substance described in subparagraph (A).

(7) EXCLUSIVE ECONOMIC ZONE.—The term ''exclusive economic zone'' has the meaning given that term in section 107 of title 46, United States Code.

(8) GRAYWATER.—The term ''graywater'' means galley, dishwasher, bath, spa, pool, and laundry waste water.

(9) GREAT LAKE.—The term ''Great Lake'' means—

(A) Lake Erie;

(B) Lake Huron (including Lake Saint Clair);

(C) Lake Michigan;

(D) Lake Ontario; or

(E) Lake Superior.

(10) HAZARDOUS WASTE.—The term ''hazardous waste'' has the meaning given that term in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903).

(11) INCINERATOR ASH.—The term ''incinerator ash'' means ash generated during the incineration of solid waste or sewage sludge.

(12) NO DISCHARGE ZONES.—The term ''no discharge zones'' means important ecological areas including marine sanctuaries, marine protected areas, marine reserves, marine national monuments, national parks, and national wildlife refuges.

(13) PASSENGER.—The term ''passenger'' means a paying passenger.

(14) PERSON.—The term ''person'' means—

(A) an individual;

(B) a corporation;

(C) a partnership;

(D) a limited liability company;

(E) an association;

(F) a State;

(G) a municipality;

(H) a commission or political subdivision of a State; or

(I) an Indian tribe.

(15) SEWAGE.—The term ''sewage'' means—

(A) human body wastes; and

(B) the wastes from toilets and other receptacles intended to receive or retain human body wastes.

(16) SEWAGE SLUDGE.—The term ''sewage sludge''—

(A) means any solid, semi-solid, or liquid residue removed during the treatment of onboard sewage;

(B) includes—

(i) solids removed during primary, secondary, or advanced waste water treatment;

(ii) scum;

(iii) septage;

(iv) portable toilet pumpings;

(v) type III marine sanitation device pumpings (as defined in part 159 of title 33, Code of Federal Regulations); and

(vi) sewage sludge products; and

(C) does not include—

(i) grit or screenings; or

(ii) ash generated during the incineration of sewage sludge.

(17) TERRITORIAL SEA.—The term ''territorial sea''—

(A) means the belt of the sea extending 12 nautical miles from the baseline of the United States determined in accordance with international law, as set forth in Presidential Proclamation number 5928, dated December 27, 1988; and

(B) includes the waters lying seaward of the line of ordinary low water and extending to the baseline of the United States, as determined under subparagraph (A).

(18) WATERS OF THE UNITED STATES.—The term ''waters of the United States'' means the waters of the territorial sea, the exclusive economic zone, and the Great Lakes.

SEC. 4. PROHIBITIONS ON THE DISCHARGE OF SEWAGE, GRAYWATER, BILGE WATER, SEWAGE SLUDGE, INCINERATOR ASH, AND HAZARDOUS WASTE.

(a) PROHIBITIONS ON DISCHARGE OF SEWAGE, GRAYWATER, AND BILGE WATER.—Except as provided in subsection (c) or section 6, no cruise vessel calling on a port of the United States may discharge sewage, graywater, or bilge water into the waters of the United States, unless—

(1) the effluent of treated sewage, treated graywater, or treated bilge water meets all applicable effluent limits established under this Act and is in accordance with all other applicable laws;

(2) the cruise vessel is underway and proceeding at a speed of not less than 6 knots;

(3) the cruise vessel is not less than 12 nautical miles from shore;

(4) the cruise vessel is not discharging in no discharge zones; and

(5) the cruise vessel complies with all applicable management standards established under this Act.

(b) PROHIBITION ON DISCHARGE OF SEWAGE SLUDGE, INCINERATOR ASH, AND HAZARDOUS WASTE.—No sewage sludge, incinerator ash, or hazardous waste may be discharged into the waters of the United States. Such sewage sludge, incinerator ash, and hazardous waste shall be off-loaded at an appropriate land-based facility.

(c) SAFETY EXCEPTION.—

(1) SCOPE OF EXCEPTION.—The provisions of subsections (a) and (b) shall not apply in any case in which—

(A) a discharge is made solely for the purpose of securing the safety of the cruise vessel or saving a human life at sea; and

(B) all reasonable precautions have been taken to prevent or minimize the discharge.

(2) NOTIFICATION OF COMMANDANT.—

(A) IN GENERAL.—If the owner, operator, master, or other individual in charge of a cruise vessel authorizes a discharge described in paragraph (1), such individual shall notify the Commandant of the decision to authorize the discharge as soon as practicable, but not later than 24 hours, after authorizing the discharge.

(B) REPORT.—Not later than 7 days after the date on which an individual described in subparagraph (A) notifies the Commandant of a decision to authorize a discharge under paragraph (1), the individual shall submit to the Commandant a report that includes—

(i) the quantity and composition of each discharge authorized under paragraph (1);

(ii) the reason for authorizing each such discharge;

(iii) the location of the vessel during the course of each such discharge; and

(iv) such other supporting information and data as are requested by the Commandant.

(C) DISCLOSURE OF REPORTS.—Upon receiving a report under subparagraph (B), the Commandant shall—

(i) transmit a copy of the report to the Administrator; and

(ii) make the report available to the public.

SEC. 5. EFFLUENT LIMITS FOR DISCHARGES OF SEWAGE, GRAYWATER, AND BILGE WATER.

(a) EFFLUENT LIMITS.—

(1) IN GENERAL.—Not later than 12 months after the date of the enactment of this Act, the Administrator shall promulgate effluent limits for sewage, graywater, and bilge water discharges from cruise vessels calling on ports of the United States.

(2) REQUIREMENTS.—The effluent limits shall, at a minimum—

(A) be consistent with the capability of the best available technology to treat effluent;

(B) require compliance with all relevant State and Federal water quality standards; and

(C) take into account the best available scientific information on the environmental effects of sewage, graywater, and bilge water discharges, including levels of nutrients, total and dissolved metals, pathogen indicators, oils and grease, classical pollutants, and volatile and semivolatile organics.

(b) MINIMUM LIMITS.—The effluent limits promulgated under subsection (a) shall require, at a minimum, that treated sewage,

treated graywater, and treated bilge water effluent discharges from cruise vessels, measured at the point of discharge, shall, not later than the date described in subsection (d), meet the following standards:

(1) IN GENERAL.—The discharge shall satisfy the minimum level of effluent quality specified in section 133.102 of title 40, Code of Federal Regulations (or a successor regulation).

(2) FECAL COLIFORM.—With respect to the samples from the discharge during any 30-day period—

(A) the geometric mean of the samples shall not exceed 20 fecal coliform per 100 milliliters; and

(B) not more than 10 percent of the samples shall exceed 40 fecal coliform per 100 milliliters.

(3) RESIDUAL CHLORINE.—Concentrations of total residual chlorine in samples shall not exceed 10 milligrams per liter.

(c) REVIEW AND REVISION OF EFFLUENT LIMITS.—The Administrator shall—

(1) review the effluent limits promulgated under subsection (a) at least once every 5 years; and

(2) revise the effluent limits as necessary to incorporate technology available at the time of the review in accordance with subsection (a)(2).

(d) COMPLIANCE DATE.—

(1) IN GENERAL.—The date described in this subsection is—

(A) with respect to new vessels put into water after the date of the enactment of this Act, 2 years after such date of enactment; and

(B) with respect to vessels in use as of such date of enactment, 5 years after such date of enactment.

(2) NEW VESSEL DEFINED.—In this subsection, the term ''new vessel'' means a vessel the keel of which is laid, or that is at a similar stage of construction, on or after the date of the enactment of this Act.

SEC. 6. ALASKAN CRUISE VESSELS.

(a) IN GENERAL.—An Alaskan cruise vessel shall not be subject to the provisions of this Act (including regulations promulgated under this Act) until the date that is 10 years after the date of the enactment of this Act.

(b) DEFINITION OF ALASKAN CRUISE VESSEL.—In this section, the term ''Alaskan cruise vessel'' means a cruise vessel—

(1) while the vessel is operating in waters of the State of Alaska, as defined in section 159.305 of title 33, Code of Federal Regulations; and

(2) that complies with all relevant laws and regulations of the State of Alaska while in transit from a port of call outside of the State of Alaska to the waters of the State of Alaska.

SEC. 7. INSPECTION AND SAMPLING.

(a) DEVELOPMENT AND IMPLEMENTATION OF INSPECTION PROGRAM.—

(1) IN GENERAL.—The Administrator shall promulgate regulations to implement a sampling and testing program, and the Commandant shall promulgate regulations to implement an inspection program, sufficient to verify that cruise vessels calling on ports of the United States are in compliance with—

(A) this Act (including regulations promulgated under this Act);

(B) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (including regulations promulgated under that Act);

(C) other applicable Federal laws and regulations; and

(D) all applicable requirements of international agreements.

(2) INSPECTIONS.—The program shall require that—

(A) regular announced and unannounced inspections be conducted of any relevant aspect of cruise vessel operations, equipment, or discharges, including sampling and testing of cruise vessel discharges; and

(B) each cruise vessel that calls on a port of the United States be subject to an unannounced inspection at least once per year.

(b) REGULATIONS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Administrator, shall promulgate regulations that, at a minimum—

(A) require the owner, operator, master, or other individual in charge of a cruise vessel to maintain and submit annually a logbook detailing the times, types, volumes, flow rates, origins, and specific locations of, and explanations for, any discharges from the cruise vessel;

(B) provide for routine announced and unannounced inspections of—

(i) cruise vessel environmental compliance records and procedures; and

(ii) the functionality and proper operation of installed equipment for abatement and control of any cruise vessel discharge, including equipment intended to treat sewage, graywater, or bilge water;

(C) require the sampling and testing of cruise vessel discharges that require the owner, operator, master, or other individual in charge of a cruise vessel—

(i) to conduct that sampling or testing at the point of discharge; and

(ii) to produce any records of the sampling or testing;

(D) require any owner, operator, master, or other individual in charge of a cruise vessel who has knowledge of a discharge from the cruise vessel in violation of this Act (including regulations promulgated under this Act) to report immediately the discharge to the Commandant, who shall provide notification of the discharge to the Administrator; and

(E) require the owner, operator, master, or other individual in charge of a cruise vessel to provide to the Commandant and Administrator a blueprint of each cruise vessel that includes the location of every discharge pipe and valve.

(2) DISCLOSURE OF LOGBOOKS.—Upon receiving a logbook described in paragraph (1)(A), the Commandant shall—

(A) transmit a copy of the logbook to the Administrator; and

(B) make the logbook available to the public.

(c) EVIDENCE OF COMPLIANCE.—

(1) VESSEL OF THE UNITED STATES.—

(A) IN GENERAL.—A cruise vessel registered in the United States to which this Act applies shall have a certificate of inspection issued by the Commandant.

(B) ISSUANCE OF CERTIFICATE.—The Commandant may issue a certificate described in subparagraph (A) only after the cruise vessel has been examined and found to be in compliance with this Act, including prohibitions on discharges and requirements for effluent limits, as determined by the Commandant.

(C) VALIDITY OF CERTIFICATE.—A certificate issued under this paragraph—

(i) shall be valid for a period of not more than 5 years, beginning on the date of issuance of the certificate;

(ii) may be renewed as specified by the Commandant; and

(iii) shall be suspended or revoked if the Commandant determines that the cruise vessel for which the certificate was issued is not in compliance with the conditions under which the certificate was issued.

(D) SPECIAL CERTIFICATES.—The Commandant may issue special certificates to certain vessels that exhibit compliance with this Act and other best practices, as determined by the Commandant, after public notice and comment.

(2) FOREIGN VESSEL.—

(A) IN GENERAL.—A cruise vessel registered in a country other than the United States to which this Act applies may operate in the waters of the United States, or visit a port or place under the jurisdiction of the United States, only if the cruise vessel has been issued a certificate of compliance by the Commandant.

(B) ISSUANCE OF CERTIFICATE.—The Commandant may issue a certificate described in subparagraph (A) to a cruise vessel only after the cruise vessel has been examined and found to be in compliance with this Act, including prohibitions on discharges and requirements for effluent limits, as determined by the Commandant.

(C) ACCEPTANCE OF FOREIGN DOCUMENTATION.—The Commandant may consider a certificate, endorsement, or document issued by the government of a foreign country under a treaty, convention, or other international agreement to which the United States is a party, in issuing a certificate of compliance under this paragraph. Such a certificate, endorsement, or document shall not serve as a proxy for certification of compliance with this Act.

(D) VALIDITY OF CERTIFICATE.—A certificate issued under this section—

(i) shall be valid for a period of not more than 24 months, beginning on the date of issuance of the certificate;

(ii) may be renewed as specified by the Commandant; and

(iii) shall be suspended or revoked if the Commandant determines that the cruise vessel for which the certificate was issued is not in compliance with the conditions under which the certificate was issued.

(d) CRUISE OBSERVER PROGRAM.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall establish and carry out a program for the placement of 1 or more trained independent observers on each cruise vessel.

(2) PURPOSES.—The purposes of the cruise observer program established under paragraph (1) are to monitor and inspect cruise vessel operations, equipment, and discharges to ensure compliance with—

(A) this Act (including regulations promulgated under this Act); and

(B) all other relevant Federal laws, regulations, and international agreements.

(3) RESPONSIBILITIES.—An observer described in paragraph (1) shall—

(A) observe and inspect—

(i) onboard environmental treatment systems;

(ii) use of shore-based treatment and storage facilities;

(iii) discharges and discharge practices; and

(iv) blueprints, logbooks, and other relevant information, including fuel consumption and atmospheric emissions;

(B) have the authority to interview and otherwise query any crew member with knowledge of vessel operations;

(C) have access to all data and information made available to government officials under this section;

(D) immediately report any known or suspected violation of this Act or any other applicable Federal law or international agreement to—

(i) the Coast Guard; and

(ii) the Environmental Protection Agency; and

(E) maintain a logbook to be submitted to the Commandant and the Administrator annually and to be made available to the public.

(4) ADAPTIVE MANAGEMENT.—The program established and carried out by the Commandant under paragraph (1) shall also include—

(A) a method for collecting and reviewing data related to the efficiency and operation of the program; and

(B) periodic revisions to the program based on the data collected under subparagraph (A).

(5) REPORT.—Not later than 3 years after the establishment of the program described in paragraph (1), the Commandant shall submit to Congress a report describing—

(A) the results of the program;

(B) recommendations for optimal observer coverage; and

(C) other recommendations for improvement of the program.

(e) ONBOARD MONITORING SYSTEM PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Administrator and the Commandant, shall establish, and for each of fiscal years 2008 through 2013, shall carry out, with industry partners as necessary, a pilot program to develop and promote commercialization of technologies to provide real-time data to Federal agencies regarding—

(A) discharges of sewage, graywater, and bilge water from cruise vessels; and

(B) functioning of cruise vessel components relating to fuel consumption and control of air and water pollution.

(2) TECHNOLOGY REQUIREMENTS.—Technologies developed under the program described in paragraph (1)—

(A) shall have the ability to record—

(i) the location and time of discharges from cruise vessels;

(ii) the source, content, and volume of the discharges; and

(iii) the state of components relating to pollution control at the time of the discharges, including whether the components are operating correctly; and

(B) shall be tested on not less than 10 percent of all cruise vessels operating in the territorial sea of the United States, including large and small vessels.

(3) PARTICIPATION OF INDUSTRY.—

(A) COMPETITIVE SELECTION PROCESS.—Industry partners willing to participate in the program may do so through a competitive selection process conducted by the Administrator of the National Oceanic and Atmospheric Administration.

(B) CONTRIBUTION.—A selected industry partner shall contribute not less than 20 percent of the cost of the project in which the industry partner participates.

(4) ADAPTIVE MANAGEMENT.—The program established and carried out by the Administrator of the National Oceanic and Atmospheric Administration pursuant to paragraph (1) shall also include—

(A) a method for collecting and reviewing data related to the efficiency and operation of the program; and

(B) periodic revisions to the program based on the data collected under subparagraph (A).

(5) REPORT.—Not later than 3 years after the date of the enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration shall submit to Congress a report describing—

(A) the results of the program;

(B) recommendations for continuing the program; and

(C) other recommendations for improving the program.

SEC. 8. EMPLOYEE PROTECTION.

(a) PROHIBITION OF DISCRIMINATION AGAINST PERSONS FILING, INSTITUTING, OR TESTIFYING IN PROCEEDINGS UNDER THIS ACT.—No person shall terminate the employment of, or in any other way discriminate against (or cause the termination of employment of or discrimination against), any employee or any authorized representative of employees by reason of the fact that the employee or representative—

(1) has filed, instituted, or caused to be filed or instituted any proceeding under this Act; or

(2) has testified or is about to testify in any proceeding resulting from the administration or enforcement of the provisions of this Act.

(b) APPLICATION FOR REVIEW; INVESTIGATION; HEARINGS; REVIEW.—

(1) IN GENERAL.—An employee or a representative of an employee who believes that the termination of the employment of the employee has occurred, or that the employee has been discriminated against, as a result of the actions of any person in violation of subsection (a) may, not later than 30 days after the date on which the alleged violation occurred, apply to the Secretary of Labor for a review of the alleged termination of employment or discrimination.

(2) APPLICATION.—A copy of an application for review filed under paragraph (1) shall be sent to the respondent.

(3) INVESTIGATION.—

(A) IN GENERAL.—On receipt of an application for review under paragraph (1), the Secretary of Labor shall carry out an investigation of the alleged violation.

(B) REQUIREMENTS.—In carrying out this subsection, the Secretary of Labor shall—

(i) provide an opportunity for a public hearing at the request of any party to the review to enable the parties to present information relating to the alleged violation;

(ii) ensure that, at least 5 days before the date of the hearing, each party to the hearing is provided written notice of the time and place of the hearing; and

(iii) ensure that the hearing is on the record and subject to section 554 of title 5, United States Code.

(C) FINDINGS OF SECRETARY.—On completion of an investigation under this paragraph, the Secretary of Labor shall—

(i) make findings of fact;

(ii) if the Secretary of Labor determines that a violation did occur, issue a decision, incorporating an order and the findings, requiring the person that committed the violation to take such action as is necessary to abate the violation, including the rehiring or reinstatement, with compensation, of an employee to the former position of the employee; and

(iii) if the Secretary of Labor determines that there was no violation, issue an order denying the application.

(D) ORDER.—An order issued by the Secretary of Labor under subparagraph (C) shall be subject to judicial review in the same manner as orders and decisions of the Administrator are subject to judicial review under this Act.

(c) COSTS AND EXPENSES.—In any case in which an order is issued under this section to abate a violation, at the request of the applicant, a sum equal to the aggregate amount of all costs and expenses (including attorneys' fees), as determined by the Secretary of Labor, to have been reasonably incurred by the applicant for, or in connection with, the institution and prosecution of the proceedings, shall be assessed against the person committing the violation.

(d) DELIBERATE VIOLATIONS BY EMPLOYEES ACTING WITHOUT DIRECTION FROM EMPLOYER OR AGENT.—This section shall not apply to any employee who, without direction from the employer of the employee (or agent of the employer), deliberately violates any provision of this Act.

SEC. 9. JUDICIAL REVIEW.

(a) REVIEW OF ACTIONS BY ADMINISTRATOR OR COMMANDANT; SELECTION OF COURT; FEES.—

(1) REVIEW OF ACTIONS.—

(A) IN GENERAL.—Any interested person may petition for a review, in the United States court of appeals for the circuit in which the person resides or transacts business directly affected by the action of which review is requested—

(i) of an action of the Administrator in promulgating any effluent limit under section 5; or

(ii) of an action of the Commandant or the Administrator in carrying out an inspection, sampling, or testing under section 7.

(B) DEADLINE FOR REVIEW.—A petition for review under subparagraph (A) shall be made—

(i) not later than 120 days after the date of promulgation of the limit or standard with respect to which the review is sought; or

(ii) if the petition for review is based solely on grounds that arose after the date described in clause (i), as soon as practicable after that date.

(2) CIVIL AND CRIMINAL ENFORCEMENT PROCEEDINGS.—An action of the Commandant or Administrator with respect to which review could have been obtained under paragraph (1) shall not be subject to judicial review in any civil or criminal proceeding for enforcement of such action.

(3) AWARD OF FEES.—In any judicial proceeding under this subsection, a court may award costs of litigation (including reasonable attorneys' and expert witness fees) to any prevailing or substantially prevailing party in any case in which the court determines such an award to be appropriate.

(b) ADDITIONAL EVIDENCE.—

(1) IN GENERAL.—In any judicial proceeding instituted under subsection (a) in which review is sought of a determination under this Act required to be made on the record after notice and opportunity for hearing, if any party applies to the court for leave to introduce additional evidence and demonstrates to the satisfaction of the court that the additional evidence is material and that there were reasonable grounds for the failure to introduce the evidence in the proceeding before the Commandant or Administrator, the court may order the additional evidence (and evidence in rebuttal of the additional evidence) to be taken before the Commandant or Administrator, in such manner and on such terms and conditions as the court determines to be appropriate.

(2) MODIFICATION OF FINDINGS.—On admission of additional evidence under paragraph (1), the Commandant or Administrator—

(A) may modify findings of fact of the Commandant or Administrator, as the case may be, relating to a judicial proceeding, or make new findings of fact, by reason of the additional evidence; and

(B) shall file with the return of the additional evidence any modified or new findings, and any related recommendations, for the modification or setting aside of any original determinations of the Commandant or Administrator.

SEC. 10. ENFORCEMENT.

(a) IN GENERAL.—Any person that violates a provision of section 4 or any regulation promulgated under this Act may be assessed—

(1) a class I or class II civil penalty described in subsection (b); or

(2) a civil penalty in a civil action under subsection (c).

(b) AMOUNT OF ADMINISTRATIVE PENALTY.—

(1) CLASS I.—The amount of a class I civil penalty under subsection (a)(1) may not exceed—

(A) $10,000 per violation; or

(B) $25,000 in the aggregate, in the case of multiple violations.

(2) CLASS II.—The amount of a class II civil penalty under subsection (a)(1) may not exceed—

(A) $10,000 per day for each day during which the violation continues; or

(B) $125,000 in the aggregate, in the case of multiple violations.

(3) SEPARATE VIOLATIONS.—Each day on which a violation continues shall constitute a separate violation.

(4) DETERMINATION OF AMOUNT.—In determining the amount of a civil penalty under subsection (a)(1), the Commandant or the court, as appropriate, shall consider—

(A) the seriousness of the violation;

(B) any economic benefit resulting from the violation;

(C) any history of violations;

(D) any good faith efforts to comply with the applicable requirements;

(E) the economic impact of the penalty on the violator; and

(F) such other matters as justice may require.

(5) PROCEDURE FOR CLASS I CIVIL PENALTY.—

(A) IN GENERAL.—Before assessing a civil penalty under this subsection, the Commandant shall provide to the person to be assessed the penalty—

(i) written notice of the proposal of the Commandant to assess the penalty; and

(ii) the opportunity to request, not later than 30 days after the date on which the notice is received by the person, a hearing on the proposed penalty.

(B) HEARING.—A hearing described in subparagraph (A)(ii)—

(i) shall not be subject to section 554 or 556 of title 5, United States Code; but

(ii) shall provide a reasonable opportunity to be heard and to present evidence.

(6) PROCEDURE FOR CLASS II CIVIL PENALTY.—

(A) IN GENERAL.—Except as otherwise provided in this subsection, a class II civil penalty shall be assessed and collected in the same manner, and subject to the same provisions, as in the case of civil penalties assessed and collected after notice and an opportunity for a hearing on the record in accordance with section 554 of title 5, United States Code.

(B) RULES.—The Commandant may promulgate rules for discovery procedures for hearings under this subsection.

(7) RIGHTS OF INTERESTED PERSONS.—

(A) PUBLIC NOTICE.—Before issuing an order assessing a class II civil penalty under this subsection, the Commandant shall provide public notice of, and reasonable opportunity to comment on, the proposed issuance of each order.

(B) PRESENTATION OF EVIDENCE.—

(i) IN GENERAL.—Any person that comments on a proposed assessment of a class II civil penalty under this subsection shall be given notice of—

(I) any hearing held under this subsection relating to such assessment; and

(II) any order assessing the penalty.

(ii) HEARING.—In any hearing described in clause (i)(I), a person described in clause (i) shall have a reasonable opportunity to be heard and to present evidence.

(C) RIGHTS OF INTERESTED PERSONS TO A HEARING.—

(i) IN GENERAL.—If no hearing is held under subparagraph (B) before the date of issuance of an order assessing a class II civil penalty under this subsection, any person that commented on the proposed assessment may, not later than 30 days after the date of issuance of the order, petition the Commandant—

(I) to set aside the order; and

(II) to provide a hearing on the penalty.

(ii) NEW EVIDENCE.—If any evidence presented by a petitioner in support of the petition under clause (i) is material and was not considered in the issuance of the order, as determined by the Commandant, the Commandant shall immediately—

(I) set aside the order; and

(II) provide a hearing in accordance with subparagraph (B)(ii).

(iii) DENIAL OF HEARING.—If the Commandant denies a hearing under this subparagraph, the Commandant shall provide to the petitioner, and publish in the Federal Register, notice of and the reasons for the denial.

(8) FINALITY OF ORDER.—

(A) IN GENERAL.—An order assessing a class II civil penalty under this subsection shall become final on the date that is 30 days after the date of issuance of the order unless, before that date—

(i) a petition for judicial review is filed under paragraph (10); or

(ii) a hearing is requested under paragraph (7)(C).

(B) DENIAL OF HEARING.—If a hearing is requested under paragraph (7)(C) and subsequently denied, an order assessing a class II civil penalty under this subsection shall become final on the date that is 30 days after the date of the denial.

(9) EFFECT OF ACTION ON COMPLIANCE.—No action by the Commandant under this subsection shall affect the obligation of any person to comply with any provision of this Act.

(10) JUDICIAL REVIEW.—

(A) IN GENERAL.—Any person against which a civil penalty is assessed under this subsection, or that commented on the proposed assessment of such a penalty in accordance with paragraph (7), may obtain review of the assessment in a court described in subparagraph (B) by—

(i) filing a notice of appeal with the court within the 30-day period beginning on the date on which the civil penalty order is issued; and

(ii) simultaneously sending a copy of the notice by certified mail to the Commandant and the Attorney General.

(B) COURTS OF JURISDICTION.—Review of an assessment under subparagraph (A) may be obtained by a person—

(i) in the case of assessment of a class I civil penalty, in—

(I) the United States District Court for the District of Columbia; or

(II) the district court of the United States for the district in which the violation occurred; or

(ii) in the case of assessment of a class II civil penalty, in—

(I) the United States Court of Appeals for the District of Columbia Circuit; or

(II) the United States court of appeals for any other circuit in which the person resides or transacts business.

(C) COPY OF RECORD.—On receipt of notice under subparagraph (A)(ii), the Commandant shall promptly file with the appropriate court a certified copy of the record on which the order assessing a civil penalty that is the subject of the review was issued.

(D) SUBSTANTIAL EVIDENCE.—A court with jurisdiction over a review under this paragraph—

(i) shall not set aside or remand an order described in subparagraph (C) unless—

(I) there is not substantial evidence in the record, taken as a whole, to support the finding of a violation; or

(II) the assessment by the Commandant of the civil penalty constitutes an abuse of discretion; and

(ii) shall not impose additional civil penalties for the same violation unless the assessment by the Commandant of the civil penalty constitutes an abuse of discretion.

(11) COLLECTION.—

(A) IN GENERAL.—If any person fails to pay an assessment of a civil penalty after the assessment has become final, or after a court in a proceeding under paragraph (10) has entered a final judgment in favor of the Commandant, the Commandant shall request the Attorney General to bring a civil action in an appropriate district court to recover—

(i) the amount assessed; and

(ii) interest that has accrued on the amount assessed, as calculated at currently prevailing rates beginning on the date of the final order or the date of the final judgment, as the case may be.

(B) NONREVIEWABILITY.—In an action to recover an assessed civil penalty under subparagraph (A), the validity, amount, and appropriateness of the civil penalty shall not be subject to judicial review.

(C) FAILURE TO PAY PENALTY.—Any person that fails to pay, on a timely basis, the amount of an assessment of a civil penalty under subparagraph (A) shall be required to pay, in addition to the amount of the civil penalty and accrued interest—

(i) attorneys' fees and other costs for collection proceedings; and

(ii) for each quarter during which the failure to pay persists, a quarterly nonpayment penalty in an amount equal to 20 percent of the aggregate amount of the assessed civil penalties and nonpayment penalties of the person that are unpaid as of the beginning of the quarter.

(12) SUBPOENAS.—

(A) IN GENERAL.—The Commandant may issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, or documents in connection with hearings under this subsection.

(B) REFUSAL TO OBEY.—In case of contumacy or refusal to obey a subpoena issued under this paragraph and served on any person—

(i) the district court of the United States for any district in which the person is found, resides, or transacts business, on application by the United States and after notice to the person, shall have jurisdiction to issue an order requiring the person to appear and give testimony before the Commandant or to appear and produce documents before the Commandant; and

(ii) any failure to obey such an order of the court may be punished by the court as a contempt of the court.

(c) CIVIL ACTION.—The Commandant may commence, in the district court of the United States for the district in which the defendant is located, resides, or transacts business, a civil action to impose a civil penalty under this subsection in an amount not to exceed $25,000 for each day of violation.

(d) CRIMINAL PENALTIES.—

(1) NEGLIGENT VIOLATIONS.—A person that negligently violates section 4 or any regulation promulgated under this Act commits a Class A misdemeanor under title 18, United States Code.

(2) KNOWING VIOLATIONS.—Any person that knowingly violates section 4 or any regulation promulgated under this Act commits a Class D felony under title 18, United States Code.

(3) FALSE STATEMENTS.—Any person that knowingly makes any false statement, representation, or certification in any record, report, or other document filed or required to be maintained under this Act or any regulation promulgated under this Act, or that falsifies, tampers with, or knowingly renders inaccurate any testing or monitoring device or method required to be maintained under

this Act or any regulation promulgated under this Act, commits a Class D felony under title 18, United States Code.

(e) REWARDS.—

(1) PAYMENTS TO INDIVIDUALS.—

(A) IN GENERAL.—The Commandant or the court, as the case may be, may order payment, from a civil penalty or criminal fine collected under this section, of an amount not to exceed ½ of the civil penalty or fine, to any individual who furnishes information that leads to the payment of the civil penalty or criminal fine.

(B) MULTIPLE INDIVIDUALS.—If 2 or more individuals provide information described in subparagraph (A), the amount available for payment as a reward shall be divided equitably among the individuals.

(C) INELIGIBLE INDIVIDUALS.—No officer or employee of the United States, a State, or an Indian tribe who furnishes information or renders service in the performance of the official duties of the officer or employee shall be eligible for a reward payment under this subsection.

(2) PAYMENTS TO STATES OR INDIAN TRIBES.—The Commandant or the court, as the case may be, may order payment, from a civil penalty or criminal fine collected under this section, to a State or Indian tribe providing information or investigative assistance that leads to payment of the penalty or fine, of an amount that reflects the level of information or investigative assistance provided.

(3) PAYMENTS DIVIDED AMONG STATES, INDIAN TRIBES, AND INDIVIDUALS.—In a case in which a State or Indian tribe and an individual under paragraph (1) are eligible to receive a reward payment under this subsection, the Commandant or the court shall divide the amount available for the reward equitably among those recipients.

(f) LIABILITY IN REM.—A cruise vessel operated in violation of this Act or any regulation promulgated under this Act—

(1) shall be liable in rem for any civil penalty or criminal fine imposed under this section; and

(2) may be subject to a proceeding instituted in the district court of the United States for any district in which the cruise vessel may be found.

(g) COMPLIANCE ORDERS.—

(1) IN GENERAL.—If the Commandant determines that any person is in violation of section 4 or any regulation promulgated under this Act, the Commandant shall—

(A) issue an order requiring the person to comply with such section or requirement; or

(B) bring a civil action in accordance with subsection (c).

(2) COPIES OF ORDER; SERVICE.—

(A) CORPORATE ORDERS.—In any case in which an order under this subsection is issued to a corporation, a copy of the order shall be served on any appropriate corporate officer.

(B) METHOD OF SERVICE; SPECIFICATIONS.—An order issued under this subsection shall—

(i) be by personal service;

(ii) state with reasonable specificity the nature of the violation for which the order was issued; and

(iii) specify a deadline for compliance that is not later than—

(I) 30 days after the date of issuance of the order, in the case of a violation of an interim compliance schedule or operation and maintenance requirement; or

(II) such date as the Commandant, taking into account the seriousness of the violation and any good faith efforts to comply with applicable requirements, determines to be reasonable, in the case of a violation of a final deadline.

(h) CIVIL ACTIONS.—

(1) IN GENERAL.—The Commandant may commence a civil action for appropriate relief, including a permanent or temporary injunction, for any violation for which the Commandant is authorized to issue a compliance order under this subsection.

(2) COURT OF JURISDICTION.—

(A) IN GENERAL.—A civil action under this subsection may be brought in the district court of the United States for the district in which the defendant is located, resides, or is doing business.

(B) JURISDICTION.—A court described in subparagraph (A) shall have jurisdiction to grant injunctive relief to address a violation and require compliance by the defendant.

SEC. 11. CITIZEN SUITS.

(a) AUTHORIZATION.—Except as provided in subsection (c), any citizen may commence a civil action on the citizen's own behalf—

(1) against any person (including the United States and any other governmental instrumentality or agency to the extent permitted by the eleventh amendment to the Constitution of the United States) that is alleged to be in violation of—

(A) the conditions imposed by section 4;

(B) an effluent limit or performance standard under this Act; or

(C) an order issued by the Administrator or Commandant with respect to such a condition, an effluent limit, or a performance standard; or

(2) against the Administrator or Commandant, in a case in which there is alleged a failure by the Administrator or Commandant to perform any nondiscretionary act or duty under this Act.

(b) JURISDICTION.—The district courts of the United States shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties—

(1) to enforce a condition, effluent limit, performance standard, or order described in subsection (a)(1);

(2) to order the Administrator or Commandant to perform a nondiscretionary act or duty described in subsection (a)(2); and

(3) to apply any appropriate civil penalties under section 10(b).

(c) NOTICE.—No action may be commenced under this section—

(1) before the date that is 60 days after the date on which the plaintiff gives notice of the alleged violation—

(A) to the Administrator or Commandant; and

(B) to any alleged violator of the condition, effluent limit, performance standard, or order described in subsection (a)(1); or

(2) if the Administrator or Commandant has commenced and is diligently prosecuting a civil or criminal action on the same matter in a court of the United States (but in any such action, a citizen may intervene as a matter of right).

(d) VENUE.—

(1) IN GENERAL.—Any civil action under this section shall be brought in—

(A) the United States District Court for the District of Columbia; or

(B) any other district court of the United States for any judicial district in which a cruise vessel or the owner or operator of a cruise vessel is located.

(2) INTERVENTION.—In a civil action under this section, the Administrator or the Commandant, if not a party, may intervene as a matter of right.

(3) PROCEDURES.—

(A) SERVICE.—In any case in which a civil action is brought under this section in a court of the United States, the plaintiff shall serve a copy of the complaint on—

(i) the Attorney General;

(ii) the Administrator; and

(iii) the Commandant.

(B) CONSENT JUDGMENTS.—No consent judgment shall be entered in a civil action under this section to which the United States is not a party before the date that is 45 days after the date of receipt of a copy of the proposed consent judgment by—

(i) the Attorney General;

(ii) the Administrator; and

(iii) the Commandant.

(e) LITIGATION COSTS.—

(1) IN GENERAL.—A court of jurisdiction, in issuing any final order in any civil action brought in accordance with this section, may award costs of litigation (including reasonable attorneys' and expert witness fees) to any prevailing or substantially prevailing party, in any case in which the court determines that such an award is appropriate.

(2) SECURITY.—In any civil action under this section, the court of jurisdiction may, if a temporary restraining order or preliminary injunction is sought, require the filing of a bond or equivalent security in accordance with the Federal Rules of Civil Procedure.

(f) STATUTORY OR COMMON LAW RIGHTS NOT RESTRICTED.—Nothing in this section restricts the rights of any person (or class of persons) under any statute or common law to seek enforcement or other relief (including relief against the Administrator or Commandant).

(g) CIVIL ACTION BY STATE GOVERNORS.—A Governor of a State may commence a civil action under subsection (a), without regard to the limitation under subsection (c), against the Administrator or Commandant in any case in which there is alleged a failure of the Administrator or Commandant to enforce an effluent limit or performance standard under this Act, the violation of which is causing—

(1) an adverse effect on the public health or welfare in the State; or

(2) a violation of any water quality requirement in the State.

SEC. 12. SENSE OF CONGRESS ON BALLAST WATER.

It is the sense of Congress that action should be taken to enact legislation requiring strong, mandatory standards for ballast water to reduce the threat of aquatic invasive species.

SEC. 13. SENSE OF CONGRESS ON AIR POLLUTION.

It is the sense of Congress that action should be taken to enact legislation requiring strong, mandatory standards for air quality with respect to incineration and engine activities of cruise vessels to reduce the level of harmful chemical and particulate air pollutants.

SEC. 14. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commandant and the Administrator such sums as are necessary to carry out this Act for each of fiscal years 2009 through 2013.

(b) CRUISE VESSEL POLLUTION CONTROL FUND.—

(1) ESTABLISHMENT.—There is established in the general fund of the Treasury a separate account to be known as the ''Cruise Vessel Pollution Control Fund'' (referred to in this section as the ''Fund'').

(2) AMOUNTS.—The Fund shall consist of such amounts as are deposited in the Fund under subsection (c)(5).

(3) USE OF AMOUNTS IN FUND.—The Administrator and the Commandant may use amounts in the Fund, without further appropriation, to carry out this Act.

(c) FEES ON CRUISE VESSELS.—

(1) IN GENERAL.—The Commandant shall establish and collect from each cruise vessel a reasonable and appropriate fee for each paying passenger on a cruise vessel voyage, for use in carrying out this Act.

(2) ADJUSTMENT OF FEE.—

(A) IN GENERAL.—The Commandant shall biennially adjust the amount of the fee established under paragraph (1) to reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor during each 2-year period.

(B) ROUNDING.—The Commandant may round the adjustment in subparagraph (A) to the nearest 1/10 of a dollar.

(3) FACTORS IN ESTABLISHING FEES.—

(A) IN GENERAL.—In establishing fees under paragraph (1), the Commandant may establish lower levels of fees and the maximum amount of fees for certain classes of cruise vessels based on—

(i) size;

(ii) economic share; and

(iii) such other factors as are determined to be appropriate by the Commandant and Administrator.

(B) FEE SCHEDULES.—Any fee schedule established under paragraph (1), including the level of fees and the maximum amount of fees, shall take into account—

(i) cruise vessel routes;

(ii) the frequency of stops at ports of call by cruise vessels; and

(iii) other relevant considerations.

(4) COLLECTION OF FEES.—A fee established under paragraph (1) shall be collected by the Commandant from the owner or operator of each cruise vessel to which this Act applies.

(5) DEPOSITS TO FUND.—Notwithstanding any other provision of law, all fees collected under this subsection, and all penalties and payments collected for violations of this Act, shall be deposited into the Fund.

SEC. 15. EFFECT ON OTHER LAW.

(a) UNITED STATES.—Nothing in this Act restricts, affects, or amends any other law or the authority of any department, instrumentality, or agency of the United States.

(b) STATES AND INTERSTATE AGENCIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), nothing in this Act precludes or denies the right of any State (including a political subdivision of a State) or interstate agency to adopt or enforce—

(A) any standard or limit relating to the discharge of pollutants by cruise vessels; or

(B) any requirement relating to the control or abatement of pollution.

(2) EXCEPTION.—If an effluent limit, performance standard, water quality standard, or any other prohibition or limitation is in effect under Federal law, a State (including a political subdivision of a State) or interstate agency may not adopt or enforce any effluent limit, performance standard, water quality standard, or any other prohibition that—

(A) is less stringent than the effluent limit, performance standard, water quality standard, or other prohibition or limitation under this Act; or

(B) impairs or in any manner affects any right or jurisdiction of the State with respect to the waters of the State.

By Ms. SNOWE (for herself, Ms. COLLINS, and Mr. ISAKSON):

S. 2882. A bill to amend title 10, United States Code, to provide for the presentation of a flag of the United States to the children of members of the Armed Forces who die in service; to the Committee on Armed Services.

Ms. SNOWE. Mr. President, I rise today with my colleagues Senator COLLINS and Senator ISAKSON to introduce legislation that would provide the secretaries of the military departments the authority to pay the necessary expenses that would accompany the presentation of a flag to each child of a servicemember killed in the service of the Nation.

The presentation of a remembrance flag to the family of a deceased servicemember is a time-honored tradition for each of the services which commemorates and memorializes the service of our men and women in uniform who have made the ultimate sacrifice to protect the liberties and freedoms we cherish. The remembrance flag is a profound symbol of the enduring appreciation of a grateful Nation.

Regrettably, however, there is an oversight in current law affecting which family members of a deceased servicemember may receive a flag. At present, the statute authorizes the secretaries of the services to present only two remembrance flags—one to the parents of the deceased servicemember and one to the person authorized to direct disposition of the servicemember. In many instances, the person authorized to direct disposition is also a primary next of kin of the servicemember. However, in cases where the primary next of kin are the children of the deceased servicemember, which can occur in extended family situations, authorities do not exist for the secretaries of the services to provide a remembrance flag to the children of deceased servicemembers.

The legislation that my colleagues and I are introducing today will remedy this oversight. We believe that the children of deceased servicemembers should also be able to receive a remembrance flag in honor of the sacrifice made by their parent. Clearly, this is the right thing to do. I sincerely hope that my colleagues will join Senator COLLINS, Senator ISAKSON, and me in supporting this important legislation.

By Mr. ROCKEFELLER (for himself and Mr. BYRD):

S. 2883. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day; to the Committee on Banking, Housing, and Urban Affairs.

Mr. ROCKEFELLER. Mr. President, I rise today to pay tribute to the women of our Nation who have the cherished title of mother and grandmother. Whether through natural means, adoption or foster care, their patience and unending well-spring of love and affection make an incredible difference in the lives of children.

No treasure, no riches can ever compare with a profoundly reassuring hug, the kind words that soothe broken spirits, or that reminder, rooted in affection, that we're not living up to our full potential. They inspire, believe and ultimately profess enormous pride in us—no matter our successes or failures.

That is why it is not surprising that a young woman from Grafton, West Virginia, took to the streets of her hometown to honor her recently departed mother's love and life by passing out white carnations to all those who passed by. Anna Jarvis' one simple act of personal commemoration in May 1908, grew year after year. Eventually, Grafton's efforts would be recognized by the entire State of West Virginia in 1910. This was the first time a state recognized Mother's Day, and many more would soon follow.

In 1914, President Woodrow Wilson declared the first national Mother's Day, and from that day until now, mothers have been honored with flowers, breakfast in bed, and of course, those endearing homemade cards by little children that are steeped in sentiment—and often covered in glitter, macaroni and school paste.

My wife Sharon would tell you that there is nothing more important than these simple gifts—first from our children, and now our grandchildren. They are cherished touchstones.

At the same time, we think of our mothers as invincible. However, not even our mothers are immune to age or disease. For many families across the country, Mother's Day takes on even deeper meanings as parents get older.

In my own life, my mother was a tremendous force. Each Mother's Day was a celebration of her spirit, intellect and determination—and all this was put to the test in her battle with Alzheimer's disease. It's not easy seeing the woman who raised you struggle with an illness that robs her of her dignity and quality of life. I know that my family is not the only one that has been touched by this disease—and I am certainly not the only son who could talk in such a deeply personal way about losing a mother. But just like Anna Jarvis, my sisters and I sought to honor our mother—and perhaps in the process help another mother or grandmother or family—by opening the Blanchette Rockefeller Neurosciences Institute.

So it is altogether fitting and proper that as we prepare to commemorate that first, historic Mother's Day celebration in Grafton, that we as a Nation begin to reconnect with what Anna Jarvis was trying to achieve—community recognition of the role that women play in all our lives.

Today, I am introducing legislation that authorizes the U.S. Treasury to mint commemorative coins to celebrate the centennial of Grafton's celebration. I am proud to have Senator ROBERT C. BYRD as an original cosponsor. The companion bill also has been introduced in the House of Representatives by my West Virginia colleague, SHELLEY MOORE CAPITO. The proceeds from the sale of these coins won't go to the Government. Instead they will go to two organizations that are actively working to make a difference in the lives of our Nation's women who are battling breast cancer and osteoporosis—the Susan G. Komen for the Cure Foundation and the National Osteoporosis Foundation.

Every day can, and should be Mother's Day. Through this bill, Americans will now have the chance to show, with the purchase of these coins, the high

regard we have for not only our mothers and grandmothers, but our sisters and nieces, and all the women who have made a difference in our lives. In the process, we can contribute to funding research that will improve the quality of their lives.

I urge my colleagues to support this legislation.

By Ms. COLLINS (for herself and Mr. HATCH):

S. 2884. A bill to amend the Internal Revenue Code of 1986 to provide incentives to improve America's research competitiveness, and for other purposes; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today to introduce the Research & Development Tax Credit Improvement Act of 2008, legislation which would extend the R&D tax credit for 5 years, phase-out the Basic Credit, and raise the rate of the Alternative Simplified Credit from 12 percent to 20 percent by 2010.

Those who have followed the ongoing discussions regarding the R&D tax credit will recognize that the legislation I am introducing shares the framework of a proposal already put forward by the senior Senator from the State of Utah, my good friend ORRIN HATCH. Senator HATCH has done a superb job building a consensus around the need to transition to the Alternative Simplified Credit, and to raise that credit to provide a real incentive to the many companies that are unable to benefit from the Basic Credit structure. I applaud his efforts in this regard, and I thank him for lending his support to the bill I am introducing today.

I also want to note the contribution of the distinguished Chairman of the Finance Committee, Senator BAUCUS, who has worked side-by-side with Senator HATCH on the Research and Development tax credit.

The chief distinction between our two bills is the duration of the credit. The Hatch-Baucus bill proposes a permanent credit, while my bill would extend the R&D tax credit for five years. I certainly share the goal of providing a permanent R&D tax credit, but I fear that the cost of doing so puts it beyond our reach. Yet we simply cannot continue to play ''stop-and-go'' with this critical research incentive. Since the R&D tax credit was first enacted in 1981, Congress has had to extend it a dozen times, and it expired again at the end of last year. The constant uncertainty about the status of the credit has made it impossible for companies to plan their research investments, and has seriously diminished the credit's role as an incentive for research and development here in the U.S.

A 5-year extension would give companies enough time to plan their research investments with the credit in mind, restoring the incentive-effect the R&D credit has always been intended to provide. Just as important, the time frame I am proposing, coupled with the increase in the rate to 20 percent will allow for a smooth transition away from the Basic Credit to the Alternative Simplified Credit. The Basic Credit has served its purpose, but it has become hopelessly outmoded. Under the Basic Credit methodology, companies wishing to calculate their R&D credit must measure their current investments against a base that is stuck in the past—literally the tax years between 1984 and 1988. This period is simply not relevant to today's investment decisions, and because of that, fewer and fewer companies get any benefit at all from the Basic Credit.

By contrast, the Alternative Simplified Credit methodology allows companies to calculate their credit using a rolling average of their domestic investments over their three most-recent tax years.

The value of doing this is evidenced by the fact that most companies have already switched to the Alternative Simplified Credit, even though it has been on the books for less than a year-and-a-half, and even though the credit rate is only 12 percent compared to the Basic Credit rate of 20 percent.

The five-year extension I am proposing will allow for a smooth transition to the Alternative Simplified Credit, and will bring the R&D tax credit up-to-date. Companies which still rely on the Basic Credit will be allowed to continue that credit for another two years, just as is contemplated by the legislation that Senators HATCH and BAUCUS have worked so hard on.

Investment in research and development is critical to the breakthroughs we need to keep our economy competitive, and to create the good, high-paying jobs the American people deserve. The R&D tax credit provides an important incentive for this investment, but it needs to be updated so more companies can benefit from it. While making the credit permanent is a worthwhile goal, the 5-year extension I am proposing today is ''do-able'', and I urge my colleagues to support it.

By Ms. SNOWE (for herself, Mr. KERRY, Mr. SMITH, and Mr. BROWN):

S. 2885. A bill to amend the Internal Revenue Code of 1986 to expand the availability of industrial development bonds to facilities manufacturing intangible property; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today to introduce legislation that would provide State and local development finance authorities with greater flexibility in promoting economic growth that meets the changing realities of an ever more global economy. Specifically, my bill would expand the definition of ''manufacturing'' as it pertains to the small-issue Industrial Development Bond, IDB, program to include the creation of ''intangible'' property. I am pleased to be joined by colleagues from both sides of the aisle including Senators KERRY, SMITH, and BROWN, in introducing this critical legislation to promote economic development.

Our Nation's capacity to innovate is a key reason why our economy remains the envy of the world, even during these difficult economic times. Knowledge-based businesses have been at the forefront of this innovation that has bolstered the economy over the long-term. For example, science parks have helped lead the technological revolution and have created more than 300,000 high-paying science and technology jobs, along with another 450,000 indirect jobs for a total of 750,000 jobs in North America.

It is clear that the promotion of knowledge-based industries can be a key economic tool for states and localities. This is especially true for states that have seen a loss in traditional manufacturing. In my home state of Maine, we lost 28 percent of our total manufacturing employment over the last decade. I believe that it critical that we provide states and localities with a wider range of options in promoting economic development. My legislation will do just that by expanding the availability small-issue IDBs to new economy industries, such as software and biotechnology, that have proven their ability to provide high-paying jobs.

These IDBs allow State and local development finance authorities, like the Finance Authority of Maine, to issue tax-exempt bonds for the purpose of raising capital to provide low-cost financing of manufacturing facilities. These bonds, therefore, provide local authorities with an invaluable tool to attract new employers and assist existing one's to grow. The result is a win-win situation for local communities providing them with much needed jobs. Consequently, it only makes since to ensure that these finance authorities have maximum flexibility in options to grow jobs.

In addition, my bill provides some technical clarity to distinguish between the phrases ''functionally related and subordinate facilities'' and ''directly related and acillary facilities.'' Until 1988, there was little confusion based on Treasury regulations going back to 1972 that made it clear that ''functionally related and subordinate facilities'' were clearly eligible for financing through private activity tax-exempt bonds.

But, Congress enacted the Technical and Miscellaneous Revenue Bond Act of 1988 that imposed a limitation that not more than 25 percent of tax- exempt bond financing could be used on ''directly related and ancillary facilities.'' While these two phrases appear to be very similar, they are indeed distinguishable from each other. Unfortunately, the Internal Revenue Service has blurred this distinction between the phrases which has had an adverse impact on the way facilities are able to utilize tax-exempt bond financing. My

legislation would make it clear that ''functionally related and subordinate facilities'' are not susceptible to the 25 percent limitation.

We must continue to encourage all avenues of economic development if Americas to compete in a changing and increasingly global economy and my legislation is one small step in furtherance of that goal. I urge my colleagues to join me in supporting this bill.

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. 2885

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

SECTION 1. EXPANSION OF AVAILABILITY OF INDUSTRIAL DEVELOPMENT BONDS TO FACILITIES MANUFACTURING INTANGIBLE PROPERTY.

(a) EXPANSION TO INTANGIBLE PROPERTY.—

(1) IN GENERAL.—The first sentence of section 144(a)(12)(C) of the Internal Revenue Code of 1986 (defining manufacturing facility) is amended—

(A) by inserting '', creation,'' after ''used in the manufacturing'', and

(B) by inserting ''or intangible property which is described in section 197(d)(1)(C)(iii)'' before the period at the end.

(2) CLARIFICATION.—The last sentence of section 144(a)(12)(C) of such Code is amended to read as follows: ''For purposes of the first sentence of this subparagraph, the term 'manufacturing facility' includes—

''(i) facilities which are functionally related and subordinate to a manufacturing facility (determined without regard to this clause), and

''(ii) facilities which are directly related and ancillary to a manufacturing facility (determined without regard to this clause) if—

''(I) such facilities are located on the same site as the manufacturing facility, and

''(II) not more than 25 percent of the net proceeds of the issue are used to provide such facilities.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after the date of the enactment of this Act.

Mr. KERRY. Mr. President, today, Senator SNOWE and I are introducing legislation that would expand the availability of the Industrial Development Bond, IDB, program. The small-issue IDB program has given State and local governments a low-cost source of financing to create and retain jobs in manufacturing plants.

Over the years, numerous technological advances have driven software and biotechnology to the forefront of our economy. According to the U.S. Census Bureau, there are more than 400 biotechnology companies in Massachusetts alone, employing more than 42,000 and paying more than $5 billion in annual salaries.

Currently, the small-issue IDB program is limited only to manufacturing facilities. As our economy continues to evolve, so must our policies. Our legislation would allow IDBs to be used for high-technology and biotechnology uses. The definition of manufacturing would be broadened to include the creation of intangible property—specifically, patents, copyrights, formulas, processes, designs, patterns, know-how and other similar items.

Expanding the current definition of manufacturing to include ''knowledge based'' companies would promote economic development in our local communities as well as nationwide. This legislation is supported by the Council of Development Finance Agencies.

In addition to expanding the definition of manufacturing, the legislation clarifies that a manufacturing facility includes functionally related and subordinate facilities as part of the facility.

This legislation will provide a boost to the economy by fostering development in technology. I urge my colleagues to support this common sense change.

By Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. SALAZAR, Mr. SCHUMER, Ms. STABENOW, Mr. SMITH, Mr. CRAPO, Mr. ROCKEFELLER, Mr. KYL, and Ms. SNOWE):

S. 2886. A bill to amend the Internal Revenue Code of 1986 to amend certain expiring provisions; to the Committee on Finance.

Mr. BAUCUS. Mr. President, today I am introducing a tax package that would extend relief from the alternative minimum tax and extend other much-needed individual and business provisions.

When the economy is turning down, Americans need certainty about their taxes. Families and businesses need to know what the tax law is.

That is why my bill provides a one year patch for the AMT. The patch will hold the number of taxpayers subject to the AMT at 4.2 million. We will not let more taxpayers fall into the alternative minimum tax.

Last year, Congress did not put a patch in place until December. We must act sooner this year. Through this bill, Congress can act.

That is why my package contains a 2-year extension of provisions that expired at the end of last year.

These include the qualified tuition deduction to give families relief from high tuition costs.

My package also includes the teacher expense deduction. This deduction gives teachers some of the money that they spend on school supplies to educate our children.

The package also includes the State and local sales tax deduction for those States without an income tax.

The bill offers an extension of the research and development credit. This credit gives an incentive to businesses to invest in research. It helps to keep America competitive in the global economy.

My package will also extend provisions that expire this year for an additional year.

The bill extends much-needed energy provisions.

Public and private investment in the renewable energy sector was about $90 billion worldwide last year. That's a 27 percent increase over 2006.

Congress can direct this investment toward the U.S.—rather than overseas—by supporting clean energy tax incentives.

These incentives include tax credits for wind and solar power, efficient buildings and appliances, and clean renewable energy bonds.

These provisions are not only good energy policy. They also create jobs.

This package would also extend wind and solar provisions.

The American solar industry employs 20,000 Americans. With a long-term extension of the solar tax credit, that number would triple.

The American wind industry expanded by 45 percent in 2007. It contributed about 30 percent of the new power capacity in America last year.

These job-creating industries are growing fast. We should support them. We know what happens when we don't.

For example, the tax credit for production of renewable energy was enacted in 1992, starting the growth of renewable power in the U.S.

But since 1999, this credit has expired three times. And when it expires, clean energy suffers, leading to declines between 73 percent and 93 percent in wind energy investment.

We need to keep this credit going to ensure consistent investment in the wind power industry.

This package would also promote energy efficiency. Efficiency is the low-hanging fruit in the energy debate. We can make big strides toward energy independence and a clean environment by getting more for our energy buck.

For example, ENERGY STAR—a voluntary labeling program designed to promote energy-efficient products—saved businesses, organizations, and consumers an estimated $14 billion in 2006.

Efficiency also creates jobs. The American Solar Energy Society reported that in 2006, the efficiency industry created 8 million jobs, over half of them in manufacturing.

The government plays a key role in sustaining the efficiency industry, through tax incentives for efficient commercial buildings, homes, and appliances.

This package would also extend the clean renewable energy bonds, or CREBs.

CREBs passed in the Energy Policy Act of 2005. CREBs spurred more than 700 new wind, biomass, solar, and hydro projects. The number of projects far exceeded the funding available to pay for them.

But CREBs funding lapsed at the end of 2007. That halted development of new projects and the green-collar jobs that go with them. We must keep these projects going.

The CREBs provision was written for non-taxable entities like rural co-ops. Those non-taxable entities cannot use other tax incentives in this package.

I've listed just a few of the important energy items in this extenders bill. There are more. And I plan to build upon this package as it makes its way through the legislative process, with edits and additional items. The Finance Committee has been working to that end for the better part of a year.

Last June, the Finance Committee passed a roughly $30 billion energy-tax package, with a resounding bipartisan vote. A majority of the Senate voted for that bill.

But we were just shy of getting the required 60 votes.

We tried again in December, with a slimmer package. That time, we fell short of the required 60 by just one vote.

We then tried in February, as part of economic stimulus bill. We offered a package very similar to what passed last week. That amendment got 58 votes.

Last week, this body passed, by a solid 88–8 vote, a package of energy-tax extenders, similar to the package considered during the economic stimulus debate.

A vote of 88 to 8 might suggest that there is smooth sailing ahead on energy-tax legislation. But I'm afraid that's not the case.

The day before the Senate passed its housing bill, including the energy-tax package, the House Ways and Means Committee passed its own housing relief bill.

The Ways and Means bill restated the House's position on pay-go. The House requires that the most of the tax package be offset.

How did the Ways and Means Committee offset the bill? Largely with a provision called ''basis reporting.'' President Bush included this in his 2009 budget proposal.

In other words, the House paid for a tax package with an item already supported, at least in principle, by the President.

While I believe that this Congress should have paid for energy-tax legislation with the offsets passed by Finance Committee last year, it's not clear that passing that package gets us any further to extending these important tax incentives.

That is why I have been working on offsets that can pass both bodies and be signed by the President. That is what I will continue to do to get these important energy items—as well as other vital extenders—passed.

By taking care of this now, we can spend more of our time on other things like tax reform.

I plan to hold several hearings and roundtables to cuss tax reform. We began this week. I'm serious about simplifying our tax code. I am serious about helping the American people.

Congress should do more than just extend legislation. Congress needs to work on new policy, new legislation, and new ideas. And by enacting this legislation, we can turn to those important goals. I urge my colleagues to support this package.

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. 2886

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

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Alternative Minimum Tax and Extenders Tax Relief Act of 2008''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

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

Sec. 1. Short title; amendment of 1986 Code; table of contents.

TITLE I—ALTERNATIVE MINIMUM TAX RELIEF

Sec. 101. Extension of alternative minimum tax relief for nonrefundable personal credits.
Sec. 102. Extension of increased alternative minimum tax exemption amount.

TITLE II—INDIVIDUAL TAX PROVISIONS

Sec. 201. Election to include combat pay as earned income for purposes of the earned income credit.
Sec. 202. Distributions from retirement plans to individuals called to active duty.
Sec. 203. Deduction for State and local sales taxes.
Sec. 204. Deduction of qualified tuition and related expenses.
Sec. 205. Deduction for certain expenses of elementary and secondary school teachers.
Sec. 206. Modification of mortgage revenue bonds for veterans.
Sec. 207. Tax-free distributions from individual retirement plans for charitable purposes.
Sec. 208. Treatment of certain dividends of regulated investment companies.
Sec. 209. Stock in RIC for purposes of determining estates of nonresidents not citizens.
Sec. 210. Qualified investment entities.
Sec. 211. Qualified conservation contributions.

TITLE III—BUSINESS TAX PROVISIONS

Sec. 301. Extension and modification of research credit.
Sec. 302. New markets tax credit.
Sec. 303. Subpart F exception for active financing income.
Sec. 304. Extension of look-thru rule for related controlled foreign corporations.
Sec. 305. Extension of 15-year straight-line cost recovery for qualified leasehold improvements and qualified restaurant improvements.
Sec. 306. Enhanced charitable deduction for contributions of food inventory.
Sec. 307. Extension of enhanced charitable deduction for contributions of book inventory.
Sec. 308. Modification of tax treatment of certain payments to controlling exempt organizations.
Sec. 309. Basis adjustment to stock of S corporations making charitable contributions of property.
Sec. 310. Increase in limit on cover over of rum excise tax to Puerto Rico and the Virgin Islands.
Sec. 311. Parity in the application of certain limits to mental health benefits.
Sec. 312. Extension of economic development credit for American Samoa.
Sec. 313. Extension of mine rescue team training credit.
Sec. 314. Extension of election to expense advanced mine safety equipment.
Sec. 315. Extension of expensing rules for qualified film and television productions.
Sec. 316. Deduction allowable with respect to income attributable to domestic production activities in Puerto Rico.
Sec. 317. Extension of qualified zone academy bonds.
Sec. 318. Indian employment credit.
Sec. 319. Accelerated depreciation for business property on Indian reservation.
Sec. 320. Railroad track maintenance.
Sec. 321. Seven-year cost recovery period for motorsports racing track facility.
Sec. 322. Expensing of environmental remediation costs.
Sec. 323. Extension of work opportunity tax credit for Hurricane Katrina employees.

TITLE IV—EXTENSIONS OF ENERGY PROVISIONS

Sec. 401. Extension of credit for energy efficient appliances.
Sec. 402. Extension of credit for nonbusiness energy property.
Sec. 403. Extension of credit for residential energy efficient property.
Sec. 404. Extension of renewable electricity, refined coal, and Indian coal production credit.
Sec. 405. Extension of new energy efficient home credit.
Sec. 406. Extension of energy credit.
Sec. 407. Extension and modification of credit for clean renewable energy bonds.
Sec. 408. Extension of energy efficient commercial buildings deduction.

TITLE V—TAX ADMINISTRATION

Sec. 501. Permanent authority for undercover operations.
Sec. 502. Permanent disclosures of certain tax return information.
Sec. 503. Disclosure of information relating to terrorist activities.

TITLE I—ALTERNATIVE MINIMUM TAX RELIEF

SEC. 101. EXTENSION OF ALTERNATIVE MINIMUM TAX RELIEF FOR NONREFUNDABLE PERSONAL CREDITS.

(a) IN GENERAL.—Paragraph (2) of section 26(a) (relating to special rule for taxable years 2000 through 2007) is amended—

(1) by striking ''or 2007'' and inserting ''2007, or 2008'', and

(2) by striking ''2007'' in the heading thereof and inserting ''2008''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 102. EXTENSION OF INCREASED ALTERNATIVE MINIMUM TAX EXEMPTION AMOUNT.

(a) IN GENERAL.—Paragraph (1) of section 55(d) (relating to exemption amount) is amended—

(1) by striking ''($66,250 in the case of taxable years beginning in 2007)'' in subparagraph (A) and inserting ''($69,950 in the case of taxable years beginning in 2008)'', and

(2) by striking ''($44,350 in the case of taxable years beginning in 2007)'' in subparagraph (B) and inserting ''($46,200 in the case of taxable years beginning in 2008)''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

TITLE II—INDIVIDUAL TAX PROVISIONS

SEC. 201. ELECTION TO INCLUDE COMBAT PAY AS EARNED INCOME FOR PURPOSES OF THE EARNED INCOME CREDIT.

(a) IN GENERAL.—Subclause (II) of section 32(c)(2)(B)(vi) (defining earned income) is amended by striking ''January 1, 2008'' and inserting ''January 1, 2010''.

(b) CONFORMING AMENDMENT.—Paragraph (4) of section 6428, as amended by the Economic Stimulus Act of 2008, is amended to read as follows:

''(4) EARNED INCOME.—The term 'earned income' has the meaning set forth in section 32(c)(2) except that such term shall not include net earnings from self-employment which are not taken into account in computing taxable income.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after December 31, 2007.

SEC. 202. DISTRIBUTIONS FROM RETIREMENT PLANS TO INDIVIDUALS CALLED TO ACTIVE DUTY.

(a) IN GENERAL.—Clause (iv) of section 72(t)(2)(G) is amended by striking ''December 31, 2007'' and inserting ''January 1, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to individuals ordered or called to active duty on or after December 31, 2007.

SEC. 203. DEDUCTION FOR STATE AND LOCAL SALES TAXES.

(a) IN GENERAL.—Subparagraph (I) of section 164(b)(5) is amended by striking ''January 1, 2008'' and inserting ''January 1, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 204. DEDUCTION OF QUALIFIED TUITION AND RELATED EXPENSES.

(a) IN GENERAL.—Subsection (e) of section 222 (relating to termination) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 205. DEDUCTION FOR CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.

(a) IN GENERAL.—Subparagraph (D) of section 62(a)(2) (relating to certain expenses of elementary and secondary school teachers) is amended by striking ''or 2007'' and inserting ''2007, 2008, or 2009''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2007.

SEC. 206. MODIFICATION OF MORTGAGE REVENUE BONDS FOR VETERANS.

(a) QUALIFIED MORTGAGE BONDS USED TO FINANCE RESIDENCES FOR VETERANS WITHOUT REGARD TO FIRST-TIME HOMEBUYER REQUIREMENT.—Subparagraph (D) of section 143(d)(2) (relating to exceptions) is amended by inserting ''and after the date of the enactment of the Alternative Minimum Tax and Extenders Tax Relief Act of 2008 and before January 1, 2010'' after ''January 1, 2008''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to bonds issued after the date of the enactment of this Act.

SEC. 207. TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENT PLANS FOR CHARITABLE PURPOSES.

(a) IN GENERAL.—Subparagraph (F) of section 408(d)(8) (relating to termination) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made in taxable years beginning after December 31, 2007.

SEC. 208. TREATMENT OF CERTAIN DIVIDENDS OF REGULATED INVESTMENT COMPANIES.

(a) INTEREST-RELATED DIVIDENDS.—Subparagraph (C) of section 871(k)(1) (defining interest-related dividend) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(b) SHORT-TERM CAPITAL GAIN DIVIDENDS.—Subparagraph (C) of section 871(k)(2) (defining short-term capital gain dividend) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to dividends with respect to taxable years of regulated investment companies beginning after December 31, 2007.

SEC. 209. STOCK IN RIC FOR PURPOSES OF DETERMINING ESTATES OF NONRESIDENTS NOT CITIZENS.

(a) IN GENERAL.—Paragraph (3) of section 2105(d) (relating to stock in a RIC) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to decedents dying after December 31, 2007.

SEC. 210. QUALIFIED INVESTMENT ENTITIES.

(a) IN GENERAL.—Clause (ii) of section 897(h)(4)(A) (relating to termination) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2008.

SEC. 211. QUALIFIED CONSERVATION CONTRIBUTIONS.

(a) IN GENERAL.—Clause (vi) of section 170(b)(1)(E) (relating to termination) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(b) CONTRIBUTIONS BY CORPORATE FARMERS AND RANCHERS.—Clause (iii) of section 170(b)(2)(B) (relating to termination) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after December 31, 2007.

TITLE III—BUSINESS TAX PROVISIONS

SEC. 301. EXTENSION AND MODIFICATION OF RESEARCH CREDIT.

(a) EXTENSION.—Section 41(h) (relating to termination) is amended—

(1) by striking ''December 31, 2007'' and inserting ''December 31, 2009'' in paragraph (1)(B),

(2) by redesignating paragraph (2) as paragraph (3), and

(3) by inserting after paragraph (1) the following new paragraph:

''(2) TERMINATION OF ALTERNATIVE INCREMENTAL CREDIT.—No election under subsection (c)(4) shall apply to amounts paid or incurred after December 31, 2007.''.

(b) MODIFICATION OF ALTERNATIVE SIMPLIFIED CREDIT.—Paragraph (5)(A) of section 41(c) (relating to election of alternative simplified credit) is amended to read as follows:

''(A) IN GENERAL.—

''(i) CALCULATION OF CREDIT.—At the election of the taxpayer, the credit determined under subsection (a)(1) shall be equal to the applicable percentage (as defined in clause (ii)) of so much of the qualified research expenses for the taxable year as exceeds 50 percent of the average qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined.

''(ii) APPLICABLE PERCENTAGE.—For purposes of the calculation under clause (i), the applicable percentage is—

''(I) 14 percent, in the case of taxable years ending before January 1, 2009, and

''(II) 16 percent, in the case of taxable years beginning after December 31, 2008.''.

(c) CONFORMING AMENDMENT.—Subparagraph (D) of section 45C(b)(1) (relating to special rule) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after December 31, 2007.

SEC. 302. NEW MARKETS TAX CREDIT.

Subparagraph (D) of section 45D(f)(1) (relating to national limitation on amount of investments designated) is amended by striking ''and 2008'' and inserting ''2008, and 2009''.

SEC. 303. SUBPART F EXCEPTION FOR ACTIVE FINANCING INCOME.

(a) EXEMPT INSURANCE INCOME.—Paragraph (10) of section 953(e) (relating to application) is amended—

(1) by striking ''January 1, 2009'' and inserting ''January 1, 2010'', and

(2) by striking ''December 31, 2008'' and inserting ''December 31, 2009''.

(b) EXCEPTION TO TREATMENT AS FOREIGN PERSONAL HOLDING COMPANY INCOME.—Paragraph (9) of section 954(h) (relating to application) is amended by striking ''January 1, 2009'' and inserting ''January 1, 2010''.

SEC. 304. EXTENSION OF LOOK-THRU RULE FOR RELATED CONTROLLED FOREIGN CORPORATIONS.

(a) IN GENERAL.—Subparagraph (B) of section 954(c)(6) (relating to application) is amended by striking ''January 1, 2009'' and inserting ''January 1, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2007, and to taxable years of United States shareholders with or within which such taxable years of foreign corporations end.

SEC. 305. EXTENSION OF 15-YEAR STRAIGHT-LINE COST RECOVERY FOR QUALIFIED LEASEHOLD IMPROVEMENTS AND QUALIFIED RESTAURANT IMPROVEMENTS.

(a) IN GENERAL.—Clauses (iv) and (v) of section 168(e)(3)(E) (relating to 15-year property) are each amended by striking ''January 1, 2008'' and inserting ''January 1, 2010''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2007.

SEC. 306. ENHANCED CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) IN GENERAL.—Clause (iv) of section 170(e)(3)(C) (relating to termination) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after December 31, 2007.

SEC. 307. EXTENSION OF ENHANCED CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF BOOK INVENTORY.

(a) EXTENSION.—Clause (iv) of section 170(e)(3)(D) (relating to termination) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(b) CLERICAL AMENDMENT.—Clause (iii) of section 170(e)(3)(D) (relating to certification by donee) is amended by inserting ''of books'' after ''to any contribution''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made after December 31, 2007.

SEC. 308. MODIFICATION OF TAX TREATMENT OF CERTAIN PAYMENTS TO CONTROLLING EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Clause (iv) of section 512(b)(13)(E) (relating to termination) is

amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments received or accrued after December 31, 2007.

SEC. 309. BASIS ADJUSTMENT TO STOCK OF S CORPORATIONS MAKING CHARITABLE CONTRIBUTIONS OF PROPERTY.

(a) IN GENERAL.—The last sentence of section 1367(a)(2) (relating to decreases in basis) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2007.

SEC. 310. INCREASE IN LIMIT ON COVER OVER OF RUM EXCISE TAX TO PUERTO RICO AND THE VIRGIN ISLANDS.

(a) IN GENERAL.—Paragraph (1) of section 7652(f) is amended by striking ''January 1, 2008'' and inserting ''January 1, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distilled spirits brought into the United States after December 31, 2007.

SEC. 311. PARITY IN THE APPLICATION OF CERTAIN LIMITS TO MENTAL HEALTH BENEFITS.

(a) IN GENERAL.—Subsection (f) of section 9812 (relating to application of section) is amended—

(1) by striking ''and'' at the end of paragraph (2),

(2) by striking the period at the end of paragraph (3) and inserting '', and before the date of the enactment of the Alternative Minimum Tax and Extenders Tax Relief Act of 2008, and'', and

(3) by adding at the end the following new paragraph:

''(4) after December 31, 2009.''.

(b) AMENDMENT TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Section 712(f) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185a(f)) is amended by inserting '', and before the date of the enactment of the Alternative Minimum Tax and Extenders Tax Relief Act of 2008, and after December 31, 2009'' after ''December 31, 2007''.

(c) AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT.—Section 2705(f) of the Public Health Service Act (42 U.S.C. 300gg-5(f)) is amended by inserting '', and before the date of the enactment of the Alternative Minimum Tax and Extenders Tax Relief Act of 2008, and after December 31, 2009'' after ''December 31, 2007''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to benefits for services furnished on or after the date of the enactment of this Act.

SEC. 312. EXTENSION OF ECONOMIC DEVELOPMENT CREDIT FOR AMERICAN SAMOA.

(a) IN GENERAL.—Subsection (d) of section 119 of division A of the Tax Relief and Health Care Act of 2006 is amended—

(1) by striking ''first two taxable years'' and inserting ''first 4 taxable years'', and

(2) by striking ''January 1, 2008'' and inserting ''January 1, 2010''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 313. EXTENSION OF MINE RESCUE TEAM TRAINING CREDIT.

Section 45N(e) (relating to termination) is amended by striking ''December 31, 2008'' and inserting ''December 31, 2009''.

SEC. 314. EXTENSION OF ELECTION TO EXPENSE ADVANCED MINE SAFETY EQUIPMENT.

Section 179E(g) (relating to termination) is amended by striking ''December 31, 2008'' and inserting ''December 31, 2009''.

SEC. 315. EXTENSION OF EXPENSING RULES FOR QUALIFIED FILM AND TELEVISION PRODUCTIONS.

Section 181(f) (relating to termination) is amended by striking ''December 31, 2008'' and inserting ''December 31, 2009''.

SEC. 316. DEDUCTION ALLOWABLE WITH RESPECT TO INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION ACTIVITIES IN PUERTO RICO.

(a) IN GENERAL.—Subparagraph (C) of section 199(d)(8) (relating to termination) is amended—

(1) by striking ''first 2 taxable years'' and inserting ''first 4 taxable years'', and

(2) by striking ''January 1, 2008'' and inserting ''January 1, 2010''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 317. EXTENSION OF QUALIFIED ZONE ACADEMY BONDS.

(a) IN GENERAL.—Paragraph (1) of section 1397E(e) is amended by striking ''and 2007'' and inserting ''2007, 2008, and 2009''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to obligations issued after the date of the enactment of this Act.

SEC. 318. INDIAN EMPLOYMENT CREDIT.

(a) IN GENERAL.—Subsection (f) of section 45A (relating to termination) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2007.

SEC. 319. ACCELERATED DEPRECIATION FOR BUSINESS PROPERTY ON INDIAN RESERVATION.

(a) IN GENERAL.—Paragraph (8) of section 168(j) (relating to termination) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2007.

SEC. 320. RAILROAD TRACK MAINTENANCE.

(a) IN GENERAL.—Subsection (f) of section 45G (relating to application of section) is amended by striking ''January 1, 2008'' and inserting ''January 1, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenditures paid or incurred during taxable years beginning after December 31, 2007.

SEC. 321. SEVEN-YEAR COST RECOVERY PERIOD FOR MOTORSPORTS RACING TRACK FACILITY.

(a) IN GENERAL.—Subparagraph (D) of section 168(i)(15) (relating to termination) is amended to read as follows:

''(D) APPLICATION OF PARAGRAPH.—Such term shall apply to property placed in service after the date of the enactment of the Alternative Minimum Tax and Extenders Tax Relief Act of 2008 and before January 1, 2010.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after the date of the enactment of this Act.

SEC. 322. EXPENSING OF ENVIRONMENTAL REMEDIATION COSTS.

(a) IN GENERAL.—Subsection (h) of section 198 (relating to termination) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenditures paid or incurred after December 31, 2007.

SEC. 323. EXTENSION OF WORK OPPORTUNITY TAX CREDIT FOR HURRICANE KATRINA EMPLOYEES.

(a) IN GENERAL.—Paragraph (1) of section 201(b) of the Katrina Emergency Tax Relief Act of 2005 is amended by striking ''2-year'' and inserting '' 4-year''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to individuals hired after August 27, 2007.

TITLE IV—EXTENSIONS OF ENERGY PROVISIONS

SEC. 401. EXTENSION OF CREDIT FOR ENERGY EFFICIENT APPLIANCES.

(a) IN GENERAL.—Subsection (b) of section 45M (relating to applicable amount) is amended by striking ''calendar year 2006 or 2007'' each place it appears in paragraphs (1)(A)(i), (1)(B)(i), (1)(C)(ii)(I), and (1)(C)(iii)(I), and inserting ''calendar year 2006, 2007, 2008, or 2009''.

(b) RESTART OF CREDIT LIMITATION.—Paragraph (1) of section 45M(e) (relating to aggregate credit amount allowed) is amended by inserting ''beginning after December 31, 2007'' after ''for all prior taxable years''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to appliances produced after December 31, 2007.

SEC. 402. EXTENSION OF CREDIT FOR NONBUSINESS ENERGY PROPERTY.

(a) IN GENERAL.—Section 25C(g) (relating to termination) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2007.

SEC. 403. EXTENSION OF CREDIT FOR RESIDENTIAL ENERGY EFFICIENT PROPERTY.

Section 25D(g) (relating to termination) is amended by striking ''December 31, 2008'' and inserting ''December 31, 2009''.

SEC. 404. EXTENSION OF RENEWABLE ELECTRICITY, REFINED COAL, AND INDIAN COAL PRODUCTION CREDIT.

Section 45(d) (relating to qualified facilities) is amended by striking ''January 1, 2009'' each place it appears in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), and (10) and inserting ''January 1, 2010''.

SEC. 405. EXTENSION OF NEW ENERGY EFFICIENT HOME CREDIT.

Subsection (g) of section 45L (relating to termination) is amended by striking ''December 31, 2008'' and inserting ''December 31, 2009''.

SEC. 406. EXTENSION OF ENERGY CREDIT.

(a) SOLAR ENERGY PROPERTY.—Paragraphs (2)(A)(i)(II) and (3)(A)(ii) of section 48(a) (relating to energy credit) are each amended by striking ''January 1, 2009'' and inserting ''January 1, 2010''.

(b) FUEL CELL PROPERTY.—Subparagraph (E) of section 48(c)(1) (relating to qualified fuel cell property) is amended by striking ''December 31, 2008'' and inserting ''December 31, 2009''.

(c) MICROTURBINE PROPERTY.—Subparagraph (E) of section 48(c)(2) (relating to qualified microturbine property) is amended by striking ''December 31, 2008'' and inserting ''December 31, 2009''.

SEC. 407. EXTENSION AND MODIFICATION OF CREDIT FOR CLEAN RENEWABLE ENERGY BONDS.

(a) EXTENSION.—Section 54(m) (relating to termination) is amended by striking ''December 31, 2008'' and inserting ''December 31, 2009''.

(b) INCREASE IN NATIONAL LIMITATION.—Section 54(f) (relating to limitation on amount of bonds designated) is amended—

(1) by striking ''$1,200,000,000'' in paragraph (1) and inserting ''$1,600,000,000'', and

(2) by striking ''$750,000,000'' in paragraph (2) and inserting ''$1,000,000,000''.

(c) MODIFICATION OF RATABLE PRINCIPAL AMORTIZATION REQUIREMENT.—

(1) IN GENERAL.—Paragraph (5) of section 54(l) is amended to read as follows:

''(5) RATABLE PRINCIPAL AMORTIZATION REQUIRED.—A bond shall not be treated as a

clean renewable energy bond unless it is part of an issue which provides for an equal amount of principal to be paid by the qualified issuer during each 12-month period that the issue is outstanding (other than the first 12-month period).''.

(2) TECHNICAL AMENDMENT.—The third sentence of section 54(e)(2) is amended by striking ''subsection (l)(6)'' and inserting ''subsection (l)(5)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after the date of the enactment of this Act.

SEC. 408. EXTENSION OF ENERGY EFFICIENT COMMERCIAL BUILDINGS DEDUCTION.

Section 179D(h) (relating to termination) is amended by striking ''December 31, 2008'' and inserting ''December 31, 2009''.

TITLE V—TAX ADMINISTRATION

SEC. 501. PERMANENT AUTHORITY FOR UNDERCOVER OPERATIONS.

(a) IN GENERAL.—Section 7608(c) (relating to rules relating to undercover operations) is amended by striking paragraph (6).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to operations conducted after the date of the enactment of this Act.

SEC. 502. PERMANENT DISCLOSURES OF CERTAIN TAX RETURN INFORMATION.

(a) DISCLOSURES TO FACILITATE COMBINED EMPLOYMENT TAX REPORTING.—

(1) IN GENERAL.—Section 6103(d)(5) (relating to disclosure for combined employment tax reporting) is amended—

(A) by striking ''REPORTING'' in the heading thereof and all that follows through ''The Secretary'' in subparagraph (A) and inserting ''REPORTING.—The Secretary'', and

(B) by striking subparagraph (B).

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to disclosures after the date of the enactment of this Act.

(b) DISCLOSURES RELATING TO CERTAIN PROGRAMS ADMINISTERED BY THE DEPARTMENT OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Section 6103(l)(7)(D) (relating to programs to which rule applies) is amended by striking the last sentence.

(2) TECHNICAL AMENDMENT.—Section 6103(l)(7)(D)(viii)(III) is amended by striking ''sections 1710(a)(1)(I), 1710(a)(2), 1710(b), and 1712(a)(2)(B)'' and inserting ''sections 1710(a)(2)(G), 1710(a)(3), and 1710(b)''.

SEC. 503. DISCLOSURE OF INFORMATION RELATING TO TERRORIST ACTIVITIES.

(a) DISCLOSURE OF RETURN INFORMATION TO APPRISE APPROPRIATE OFFICIALS OF TERRORIST ACTIVITIES.—Clause (iv) of section 6103(i)(3)(C) (relating to termination) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(b) DISCLOSURE UPON REQUEST OF INFORMATION RELATING TO TERRORIST ACTIVITIES.—Subparagraph (E) of section 6103(i)(7) (relating to termination) is amended by striking ''December 31, 2007'' and inserting ''December 31, 2009''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures after the date of the enactment of this Act.

By Mr. KOHL (for himself, Ms. COLLINS, and Mrs. LINCOLN):

S. 2888. A bill to protect the property and security of homeowners who are subject to foreclosure proceedings, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. KOHL. The legislation I have introduced with Senators COLLINS and LINCOLN attacks the growing problem of foreclosure rescue scams. I held a revealing hearing in the Aging committee that uncovered the ways scam artists prey on homeowners already in financial and emotional distress. These scams are another consequence of the mortgage crisis that is plaguing our country.

For most people, their home is their greatest asset. When a homeowner falls behind in their mortgage payments, it is a great emotion strain. Scam artists prey on an owner's desperation and give them a false sense of security, claiming they can help ''save their home.'' The types of scams vary, but the end result is that the homeowner is left in a more desperate situation than before.

There are three types of prevalent scams. The first is ''phantom help,'' where the ''rescuer'' claims that they call the homeowner's lender and re-negotiate the loan for a fee. Often the homeowner will pay the fee and the ''rescuer,'' will abandon the homeowner without performing any intervention. The second is a ''rent-to-own'' scheme which is set up to fail. A homeowner will sign over the title of the house and make monthly payments to the scammer in order to help rebuild their credit. However, the monthly payments are extremely high and often result in the homeowner violating the contract and being evicted. Finally, a homeowner may be tricked into unknowingly signing over the title of their house and power of attorney to the scammer and the scammer will then sell the house to a third party. The scam artist might give the homeowner a small amount of money, but often only a fraction of the actual selling price.

As one can clearly see, these scams are well crafted and extremely complicated. Catie Doyle, the Chief attorney for Legal Aid Society of Milwaukee, testified before the Special Committee on Aging, describing the difficulties and problems lawyers are facing when trying to help victims of these scams. One major problem she pointed out was that lawyers have to piece together both state and federal laws to untangle these scams.

The Foreclosure Rescue Fraud Act that Senators COLLINS, LINCOLN and I are offering will remedy Ms. Doyle's concerns. While there are some states that have foreclosure rescue scam laws or are in the process of enacting them, many homeowners still go unprotected from these predators. This legislation will require that all contracts between a foreclosure consultant be in writing and fully disclose the nature of the services and the exact amount. Additionally, the bill prohibits up-front fees from being collected and prohibits a ''consultant'' from obtaining the power of attorney from a homeowner.

I also have a letter of support from a variety of consumer groups including the Center of Responsible Lending, Consumer Federation of America, National Community Reinvestment Coalition, and the National Council of La Raza.

The foreclosure crisis is real. Most communities across the country are experiencing both the primary and secondary effects. It is important that we address fraud at the front end of the lending process, as well, as for those who face foreclosure. I hope that we can work together to move this legislation forward.

By Mr. AKAKA (by request):

S. 2889. A bill to amend title 38, United States Code, to improve veterans' health care benefits, and for other purposes; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today I introduce legislation requested by the Secretary of Veterans Affairs, as a courtesy to the Secretary and the Department of Veterans Affairs. Except in unusual circumstances, it is my practice to introduce legislation requested by the Administration so that such measures will be available for review and consideration.

This ''by-request'' bill would address a range of issues. On the health care side, it would allow VA to contract with community residential care programs for veterans with serious traumatic brain injury. It would also eliminate copayments for all hospice care. Further, it would expand continuing education benefits for physicians and dentists. Finally, it would allow the Secretary to disclose the names and addresses of certain VA patients without prior written consent to collect payment from third-party health plans.

On the benefits side, this legislation would permanently authorize VA to use data provided by the IRS and the Social Security Administration to verify the incomes of recipients of needs-based benefits from VA. VA uses this data to ensure that it does not disburse benefits and payments to individuals who do not legally qualify to receive them.

This legislation would also provide a cost-of-living increase for VA disability compensation for service-connected veterans and dependency and indemnity compensation for survivors.

I am introducing this bill for the review and consideration of my colleagues at the request of the Administration. As chairman of the Committee on Veterans' Affairs, I have not taken a position on this legislation.

Mr. President, I ask unanimous consent that the text of the bill and a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2889

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

SECTION 1. SHORT TITLE; REFERENCES TO TITLE 38, UNITED STATES CODE.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans Health Care Act of 2008''.

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment or repeal to a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 2. SPECIALIZED RESIDENTIAL CARE AND REHABILITATION FOR CERTAIN VETERANS.

Section 1720 is amended by adding at the end the following new subsection:

''(g) The Secretary may contract with appropriate entities to provide specialized residential care and rehabilitation services to a veteran of Operation Enduring Freedom or Operation Iraqi Freedom who the Secretary determines suffers from a traumatic brain injury, has an accumulation of deficits in activities of daily living and instrumental activities of daily living, and who, because of these deficits, would otherwise require admission to a nursing home even though such care would generally exceed the veteran's nursing needs.

SEC. 3. REIMBURSEMENT FOR CERTAIN CONTINUING EDUCATION.

Section 7411 is amended to read:

''The Secretary shall provide full-time board-certified physicians and dentists appointed under section 7401(1) of this title the opportunity to continue their professional education through VA sponsored continuing education programs. The Secretary may reimburse the physician or dentist up to $1,000 per year for continuing professional education not available through VA sources.''.

SEC. 4. COPAYMENT EXEMPTION FOR HOSPICE CARE.

(a) Section 1710(f)(1) is amended by adding ''(except if such care constitutes hospice care)'' after ''nursing home care'';

(b) Section 1710(g)(1) is amended by adding ''(except if such care constitutes hospice care)'' after ''medical services''.

SEC. 5. UPDATE OF VOLUNTARY HIV TESTING POLICY.

Section 124 of the Veterans' Benefits and Services Act of 1988 (title I of Public Law 100–322, as amended; 38 U.S.C. 7333 note) is repealed.

SEC. 6. DISCLOSURE OF MEDICAL RECORDS.

(a) LIMITED EXCEPTION TO CONFIDENTIALITY OF MEDICAL RECORDS.—Section 5701 is amended by adding at the end of the following new subsection:

''(1) Under regulations that the Secretary shall prescribe, the Secretary may disclose the name or address, or both, of any individual who is a present or former member of the Armed Forces, or who is a dependent of a present or former member of the Armed Forces, to a third party, as defined in section 1729(i)(3)(D) of this title, in order to enable the Secretary to collect reasonable charges under section 1729(a)(2)(E) of this title for care or services provided for a non-service-connected disability.''

(b) DISCLOSURES FROM CERTAIN MEDICAL RECORDS.—Section 7332(b)(2) is amended by adding at the end the following new subparagraph: ''(F) To a third party, as defined in section 1729(i)(3)(D) of this title, to collect reasonable charges under section 1729(a)(2)(E) of this title for care or services provided for a non-service-connected disability.''

SEC. 7. PERMANENT AUTHORITY TO CARRY OUT INCOME VERIFICATION.

Section 5317 is amended by striking subsection (g).

SEC. 8. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—The Secretary of Veterans Affairs shall, effective on December 1, 2008, increase the dollar amounts in effect for the payment of disability compensation and dependency and indemnity compensation by the Secretary, as specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) COMPENSATION.—Each of the dollar amounts in effect under section 1114 of title 38, United States Code;

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts in effect under section 1115(1) of such title;

(3) CLOTHING ALLOWANCE.—The dollar amount in effect under section 1162 of such title;

(4) NEW DIC RATES.—Each of the dollar amounts in effect under paragraphs (1) and (2) of section 1311(a) of such title;

(5) OLD DIC RATES.—Each of the dollar amounts in effect under section 1311(a)(3) of such title;

(6) ADDITIONAL DIC FOR SURVIVING SPOUSES WITH MINOR CHILDREN.—The dollar amount in effect under section 1311(b) of such title;

(7) ADDITIONAL DIC FOR DISABILITY.—Each of the dollar amounts in effect under subsections (c) and (d) of section 1311 of such title;

(8) DIC FOR DEPENDENT CHILDREN.—Each of the dollar amounts in effect under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—

(1) The increase under subsection (a) shall be made in the dollar amounts specified in subsection (b) as in effect on November 30, 2008.

(2) Except as provided in paragraph (3), each such amount shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2008, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(3) Each dollar amount increased pursuant to paragraph (2) shall, if not a whole dollar amount, be rounded down to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary may adjust administratively. consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law No. 85–857 (72 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

(e) PUBLICATION OF ADJUSTED RATES.—At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2009, the Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b), as increased pursuant to subsection (a).

THE SECRETARY OF VETERANS AFFAIRS,
Washington, March 18, 2008.

Hon. RICHARD B. CHENEY,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: We are transmitting a draft bill, ''To amend title 38, United States Code, to improve veterans' health care benefits and for other purposes,'' We request that the bill be referred to the appropriate committee for prompt consideration and enactment. Enclosed with the bill is a sectional analysis that describes each provision, provides a rationale for the provision, and provides estimates of the costs, savings and revenues that would result from enactment. Our draft bill includes proposals contained in the President's FY 09 budget request, to include a cost-of living increase in rates of disability compensation and dependency and indemnity compensation. Two of the proposals are discussed in further detail below.

This Administration advocates focusing greater attention on the long-term residential rehabilitation needs of veterans with traumatic brain injuries who do not require nursing home care but are unable to live independently in their homes. In furtherance of that policy, our bill would authorize the Secretary, in carrying out the Department of Veterans Affairs (VA) community residential care program, to contract for specialized residential care and rehabilitation services for veterans of Operation Enduring Freedom and/or Operation Iraqi Freedom (OEF/OIF) who: (1) suffer from traumatic brain injury, (2) have an accumulation of deficits in activities of daily living and instrumental activities of daily living that affects their ability to care for themselves, and (3) would otherwise receive their care and rehabilitation in a nursing home, which exceeds their nursing needs. This authority would provide the Department with a far more appropriate treatment setting for the provision of long-term rehabilitation services. VA estimates the discretionary cost of this proposal to be $1,427,000 in fiscal year 2009 and $79,156,000 over a 10-year period.

In 2004, Congress amended the law to eliminate copayment requirements for hospice care furnished in a VA nursing home. The bill contains a provision to exempt all hospice care from copayments by amending 38 U.S.C. §1710 to eliminate co-payment requirements for veterans receiving VA hospice care either in a VA hospital or at home on an outpatient basis. The provision would provide equitable treatment for all veterans receiving such care and would also align VA with the Medicare program, which does not impose co-payments for hospice care (regardless of setting). There are no costs associated with enactment of this proposal. Projected discretionary revenue loss is estimated to be $149,000 in fiscal year 2009 and $1,400,000 over 10 years.

The Office of Management and Budget advises that the transmission of this legislative package is in accord with the President's program.

Sincerely yours,

JAMES B. PEAKE, M.D.

By Mr. MCCAIN (for himself, Mr. KYL, Mr. BURR, Mr. GRAHAM, Mr. MARTINEZ, Mr. WARNER, Mr. CHAMBLISS, Mr. LIEBERMAN, and Mr. SUNUNU):

S. 2890. A bill to amend the Internal Revenue Code of 1986 to provide for a highway fuel tax holiday; to the Committee on Finance.

Mr. MCCAIN. Mr. President, I am pleased to be joined today by Senators KYL, BURR, GRAHAM, MARTINEZ, WARNER, CHAMBLISS, LIEBERMAN, WICKER and SUNUNU in introducing legislation that would provide all Americans with a ''gas tax holiday'' this summer. This bill would suspend the 18.4 cents-per-gallon Federal tax on gasoline and the 24.4 cents-per-gallon tax on diesel fuel from Memorial Day to Labor Day.

Today, this legislation was put forward on the Senate floor as an amendment to the Highway Technical Corrections bill, but it was blocked from being considered. I now call on my colleagues on both sides of the aisle to come together to support this proposal that would provide immediate relief to all Americans suffering from the high price of gas.

Mr. President, hardworking American families are facing many difficult challenges due to the current economic realities facing our country. Now, more than ever, they find themselves having to choose between basic needs to provide for their families, and this is being greatly exacerbated by rising gasoline prices, which have risen by more than 58 percent in the last 14 months. That is why I am pleased to be joined by so many of my colleagues in offering a proposal to provide some needed relief for every person who will be filling their gas or diesel tanks this summer.

In the past year, the price of unleaded regular gas has increased 53 cents per gallon. Diesel fuel prices nationwide are now over $1.30 more per gallon more than this time last year. With the growing financial strains placed on so many Americans—rising food prices and falling home prices—the additional hit of rising fuel prices is becoming the breaking point.

In an effort to ease some of the hardship caused by the higher fuel prices, our bill would suspend the Federal tax on gas and the tax on diesel fuel from Memorial Day to Labor Day. Last Memorial Day, alone, approximately 32 million Americans traveled by car 50 miles or more from home. Suspending the federal excise tax during the summer, when fuel prices have historically been at the highest annually, would allow Americans to keep a few more of their hard-earned dollars.

Now, let me be clear: this bill would not harm the Highway Trust Fund. This bill would ensure that the Highway Trust Fund remains whole during this ''gas tax holiday'' by transferring monies from the General Treasury. We all agree that our roads and highways must be maintained and improved to ensure the safety of the road-traveling public, and this amendment would do nothing to impact highway construction.

So, my colleagues have an opportunity to take meaningful action to ease some of the financial burdens that are impacting all hardworking Americans every time they fill up their gas or diesel tanks. Let's put some acton behind the usual rhetoric around here and vote to ease their tax burden this summer.

By Mr. KENNEDY (for himself, Mrs. CLINTON, Mr. OBAMA, Mr. BROWN, Mr. FEINGOLD, and Mr. SCHUMER):

S. 2891. A bill to amend the National Labor Relations Act to apply the protections of the Act to teaching and research assistants; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, it is important for Congress to do more to guarantee graduate students the right to organize and to bargain over their wages and working conditions as teaching and research assistants, so I am introducing legislation today to do so.

More than ever in modern education, teaching and research assistants are in classrooms every day, educating students in colleges and universities across the country. Their numbers are increasing as the number of full time faculty dwindles. Often, teaching and research assistants are now doing the same job as junior faculty members.

In fact, the classroom is a workplace for these scholars. It's where they earn the money they need to pay to put food on their tables and a roof over their heads. They deserve the right to stand together and make their voice heard in their workplace. Like other employees, they should have the right to join a union and improve their working conditions. Obviously, better wages and working conditions for them also means better education for their students.

In 2004, however, a decision by the National Labor Relations Board changed the law and denied fundamental workplace rights and protections for teaching and research assistants. This ruling stopped an active organizing movement in its tracks and deprived thousands of teaching and research assistants of their right to organize and bargain over their wages and working conditions.

It is hardly the only bad decision by the National Labor Relations Board under the Bush administration, which has been the most anti-worker, anti-labor, anti-union NLRB in history. The Board has let workers down at every turn. It has blocked efforts to gain union representation, undermined workers' attempts to improve their pay and benefits, and exposed them to penalties for seeking to improve their working conditions.

The National Labor Relations Board is supposed to protect the rights of American workers, but it is failing teaching and research assistants, just as it has failed so many others. By passing the Teaching and Research Assistants Collective Bargaining Rights Act, Congress will give these workers back the rights that the National Labor Relations Board has taken away. This legislation amends the definition of employee under the National Labor Relations Act to explicitly include teaching and research assistants at private universities and colleges and restores the law to where it was before the Bush board's anti-worker decision.

This bill is a significant step forward in restoring workers' rights, and I urge my colleagues to join in supporting this important legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 519—WELCOMING POPE BENEDICT XVI TO THE UNITED STATES AND RECOGNIZING THE UNIQUE INSIGHTS HIS MORAL AND SPIRITUAL REFLECTIONS BRING TO THE WORLD STAGE

Mr. BROWNBACK (for himself, Mr. CASEY, Mr. MCCAIN, Mr. COLEMAN, Mr. BURR, Ms. COLLINS, Mr. DOMENICI, Mrs. DOLE, Mrs. HUTCHISON, Mr. CRAIG, Ms. MURKOWSKI, Mr. THUNE, Mr. CHAMBLISS, Mr. ENZI, Ms. MIKULSKI, Mr. HATCH, Mr. ROBERTS, and Mr. ALLARD) submitted the following resolution; which was considered and agreed to:

S. RES. 519

Whereas Pope Benedict XVI will travel to the United States for his first pastoral visit as Pope and will visit Washington, DC, and New York;

Whereas Pope Benedict XVI was elected as the 265th Bishop of Rome on April 19, 2005, succeeding the much beloved Pope John Paul II;

Whereas the visit of Pope Benedict XVI will mark the 9th visit of a pope to the United States, recognizing the historical importance of the Catholic Church in American life, the deep faith and charity of its members, and the responsibilities of the United States in world affairs;

Whereas Pope Benedict XVI has spoken approvingly of the vibrance of religious faith in the United States, a faith nourished by a constitutional commitment to religious liberty;

Whereas Pope Benedict XVI remains committed to ecumenical dialogue and, during his trip to the United States, will meet with leaders of world religions and representatives of other Christian denominations and will visit a synagogue in New York City, all demonstrating his commitment to sincere dialogue and unity among all members of the human family;

Whereas Pope Benedict XVI has authored 2 encyclical letters inviting the world to meditate on the virtues of love and hope, ''Deus caritas est'' and ''Spe salvi'';

Whereas millions of Americans have discovered in Pope Benedict 's words a renewed faith in the power of hope over despair and love over hate;

Whereas Pope Benedict XVI has been a clear and courageous voice for the voiceless, working tirelessly for the recognition of human dignity and religious freedom across the globe;

Whereas Pope Benedict XVI has spoken out for the weak and vulnerable;

Whereas Pope Benedict XVI seeks to advance a ''civilization of love'' across our world; and

Whereas Catholics in parishes and schools across the Nation, and countless other Americans as well, eagerly await the visit of Pope Benedict XVI to the United States: Now, therefore, be it

Resolved, That the Senate welcomes Pope Benedict XVI on the occasion of his first pastoral visit to the United States and recognizes the unique insights his moral and spiritual reflections bring to the world stage.

SENATE RESOLUTION 520—DESIGNATING MAY 16, 2008, AS ''ENDANGERED SPECIES DAY''

Mrs. FEINSTEIN (for herself, Ms. COLLINS, Ms. CANTWELL, Mr. LIEBERMAN, Mrs. CLINTON, Mr. KERRY, Mr. BROWN, Ms. SNOWE, Mr. LEVIN, Mrs. BOXER, and Mr. FEINGOLD) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 520

Whereas, in the United States and around the world, more than 1,000 species are officially designated as at risk of extinction and thousands more also face a heightened risk of extinction;

Whereas the actual and potential benefits that may be derived from many species have not yet been fully discovered and would be permanently lost if not for conservation efforts;

Whereas recovery efforts for species such as the whooping crane, Kirtland's warbler, the peregrine falcon, the gray wolf, the gray whale, the grizzly bear, and others have resulted in great improvements in the viability of such species;

Whereas saving a species requires a combination of sound research, careful coordination, and intensive management of conservation efforts, along with increased public awareness and education;

Whereas ⅔ of endangered or threatened species reside on private lands;

Whereas voluntary cooperative conservation programs have proven to be critical to habitat restoration and species recovery; and

Whereas education and increasing public awareness are the first steps in effectively informing the public about endangered species and species restoration efforts: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 16, 2008, as ''Endangered Species Day''; and

(2) encourages schools to spend at least 30 minutes on Endangered Species Day teaching and informing students about—

(A) threats to endangered species around the world; and

(B) efforts to restore endangered species, including the essential role of private landowners and private stewardship in the protection and recovery of species; and

(3) encourages organizations, businesses, private landowners, and agencies with a shared interest in conserving endangered species to collaborate in developing educational information for use in schools; and

(4) encourages the people of the United States—

(A) to become educated about, and aware of, threats to species, success stories in species recovery, and opportunities to promote species conservation worldwide; and

(B) to observe the day with appropriate ceremonies and activities.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce a resolution to establish the third annual Endangered Species Day on May 16, 2008. I am introducing this resolution with Senators COLLINS, CANTWELL, LIEBERMAN, CLINTON, KERRY, BROWN, SNOWE, LEVIN, BOXER, and FEINGOLD whose co-sponsorship I appreciate.

I want to commend my constituent, Mr. David Robinson, who first suggested the establishment of an Endangered Species Day. Mr. Robinson is an example of people who really do make a difference.

The designation of Endangered Species Day will provide many wonderful opportunities for the public to familiarize themselves with the status and recovery efforts of endangered species in our country and around the world.

Last year, more than 50 events were held across the country to highlight endangered species success stories. The Governor of Maine, and the cities and counties of Santa Barbara, San Diego, and San Francisco also declared state and local Endangered Species Days. Zoos and aquariums across the country, such as the Roger Williams Zoo and the San Diego Wild Animal Park, also held educational events.

Based on the success of last year, I am confident that the events of this year's Endangered Species Day will continue to foster increased communication and awareness about many of the most endangered species by encouraging such activities as school field trips to the zoo or attending a lecture at the local library. In my city of San Francisco, the Golden Gate National Recreation Area and the Farralones National Marine Sanctuary plan to hold special tours and viewings of endangered species to commemorate this special day.

Endangered Species recovery programs in California are examples of the conservation and management efforts that have helped significantly restore populations of California condor, the least Bell's vireo songbird, and the California gray whale. Over 300 species classified as either endangered or threatened currently call California home, and efforts to protect them will ensure that they continue to do so.

Despite these success stories, we need to be aware that more can be done. At this time, we have more than 5,000 threatened species in the U.S. and abroad, which receive protection. One small step is to increase awareness about the seriousness of the circumstances facing many of these endangered species and educating the public about them.

I am introducing this bill with the hope that Endangered Species Day can spark the wonder and interest in our youth to continue the conservation efforts we have begun, but still are far from finishing.

I urge my colleagues to join me in supporting this resolution.

SENATE RESOLUTION 521—AUTHORIZING THE TAKING OF A PHOTOGRAPH IN THE CHAMBER OF THE UNITED STATES SENATE

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resoultion; which was considered and agreed to:

S. RES. 521

Resolved, That paragraph 1 of Rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol (prohibiting the taking of pictures in the Senate Chamber) be temporarily suspended for the sole and specific purpose of permitting the Senate Photographic Studio to photograph the United States Senate in actual session on Tuesday, June 3, 2008, at the hour of 2:15 p.m.

SEC. 2. The Sergeant at Arms of the Senate is authorized and directed to make the necessary arrangements therefor, which arrangements shall provide for a minimum of disruption to Senate proceedings.

SENATE RESOLUTION 522—RECOGNIZING THE 60TH ANNIVERSARY OF THE FOUNDING OF THE MODERN STATE OF ISRAEL AND REAFFIRMING THE BONDS OF CLOSE FRIENDSHIP AND COOPERATION BETWEEN THE UNITED STATES AND ISRAEL

Mr. REID (for himself, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAIG, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TESTER, Mr. THUNE, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 522

Whereas on November 29, 1947, the United Nations General Assembly voted to partition the British Mandate of Palestine and create a Jewish state;

Whereas on May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel, and the United States Government established full diplomatic relations with Israel;

Whereas the desire of the Jewish people to establish an independent modern State of Israel is an outgrowth of the existence of the historic kingdom of Israel established in the Land of Israel 3,000 years ago, with the city of Jerusalem as its capital;

Whereas for over 2,000 years, there has been continuous Jewish presence and residence in the land comprising the modern State of Israel;

Whereas the establishment of the modern State of Israel as a homeland for the Jewish people followed the slaughter of more than 6,000,000 European Jews during the Holocaust;

Whereas since its establishment 60 years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic democratic society, and created a thriving economic, political, cultural, and intellectual life despite the heavy costs of war, terrorism, and unjustified diplomatic and economic boycotts against the people of Israel;

Whereas the people of Israel have established a vibrant, pluralistic, democratic political system, including freedom of speech, association, and religion; a vigorously free press; free, fair and open elections; the rule of law; a fully independent judiciary; and other democratic principles and practices;

Whereas Israel has developed some of the leading universities in the world, and 8 Israeli citizens have been awarded the Nobel Prize;

Whereas Israel has developed an advanced, entrepreneurial economy, is among the world's leaders in the high-tech industry, and is at the forefront of research and development in the field of renewable energy sources;

Whereas Israel regularly sends humanitarian aid, search-and-rescue teams, mobile hospitals, and other emergency supplies, to help victims of disasters around the world, including the 1994 Rwandan civil war, the 1998 bombing of the United States Embassy in Kenya, the 1999 earthquakes in Turkey, the 2004 Indian Ocean tsunami, the 2005 hurricanes along the southern coast of the United States, and the 2007 fires in Greece;

Whereas Israel has absorbed millions of Jews from countries throughout the world and fully integrated them into Israeli society;

Whereas Israel has bravely defended itself from repeated terrorist and military attacks since its independence;

Whereas successive leaders of Israel have sought to achieve peace with Israel's Arab neighbors;

Whereas Israel has established peaceful bilateral relations with neighboring Egypt and Jordan and has made its desire to establish peaceful relations with all Arab states abundantly clear;

Whereas for 6 decades, the United States and Israel have maintained a special relationship based on mutually shared democratic values, common strategic interests, and moral bonds of friendship and mutual respect;

Whereas the American people feel a strong affinity for the Israeli people based on common values and shared cultural heritage; and

Whereas the United States continues to regard Israel as a strong and trusted ally and an important strategic partner: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic significance of the 60th anniversary of the reestablishment of the sovereign and independent State of Israel as a homeland for the Jewish people;

(2) reaffirms the bonds of friendship and cooperation which have existed between the United States and Israel for the past 60 years, and commits to strengthening those bonds;

(3) commends the people of Israel for their remarkable achievements in building a new state and a pluralistic, democratic society in the face of terrorism, as well as hostility, ostracism, and belligerence from many of their neighbors;

(4) reaffirms its support for Israel's right to defend itself against threats to its security and existence;

(5) reaffirms its enduring support for Israel as Israel pursues peace with its neighbors; and

(6) extends the warmest congratulations and best wishes to the State of Israel and the Israeli people for a peaceful, prosperous, and successful future.

Mr. REID. Mr. President, I come to the floor today with the distinct honor of introducing a resolution with my friend Senator MCCONNELL commemorating the 60th anniversary of the founding of the modern State of Israel.

On this historic occasion, Jews and non-Jews from around the world will come together to celebrate 60 years of Israeli independence. Out of the dark shadows of the Holocaust, which claimed the lives of over 6 million Jews, and many others, the state of Israel was reborn on the very same lands where the Jewish people had maintained a continuous presence for more than 2 millennia.

As an American, I am so proud that the United States has stood by Israel, our closest of allies, from the very beginning of its modern existence. On May 14, 1948, the date on which the people of Israel proclaimed the establishment of the sovereign and independent state of Israel, the United States was right there to offer our unwavering support and establish full diplomatic ties with our new friend. Sixty years later, I want the new generations of Israelis and Jewish-Americans to know that America reaffirms its commitment to the U.S.-Israel alliance and pledges to strengthen the bonds we have forged throughout the decades.

Yom Ha'atzmaut, the Israeli Independence Day, falls on May 8th this year, the same day the world traditionally celebrates the Allied victory over Nazism. Because of America's commitment to defeating European fascism, the histories of the United States and Israel will be forever linked. For it was from the ashes of World War II that our great country rose to become a global superpower at the same time a beacon of democracy and hope was established in the Holy Land.

Today, we face a new set of challenges to peace and freedom. As we have so many times before, the United States and Israel will stand together to combat those who seek to undermine the right of a Jewish state to exist. The Middle East remains an extremely volatile region with a series of ongoing violent conflicts, so it is a great comfort to know that we have a strong partner in such a strategically important part of the globe.

In a region long dominated by autocratic and monarchic traditions, Israel has been a paragon of democratic pluralism. Over the course of its modern existence, Israeli society has defended the principles we, as Americans, hold in such high esteem: freedom of speech, religion, and the press, an independent judiciary, and free market capitalism. Israel's strong democracy, despite being constantly under siege from neighboring states and terrorist entities, shows a remarkable commitment to the ideals of freedom and democracy.

Millions of Americans will undoubtedly commemorate this momentous anniversary, including thousands in my home State of Nevada. I am very fortunate to hail from a part ofthe country with such a dynamic Jewish community; one that is committed to promoting the interests of our great State in any way they can. I would like to offer special congratulations to all those folks in Nevada who have worked so hard to put on events to honor the 60th anniversary of Israeli independence.

In the spirit of continuing the tradition of strong U.S.-Israel relations, I urge this entire chamber to wish all those who choose to celebrate this occasion another 60 years of happiness and prosperity. My best wishes for a safe and peaceful anniversary celebration.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4542. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 4146 proposed by Mrs. BOXER to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table.

SA 4543. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 1195, supra; which was ordered to lie on the table.

SA 4544. Ms. LANDRIEU (for herself and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill H.R. 1195, supra; which was ordered to lie on the table.

SA 4545. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 4146 proposed by Mrs. BOXER to the bill H.R. 1195, supra; which was ordered to lie on the table.

SA 4546. Mr. SPECTER (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 4146 proposed by Mrs. BOXER to the bill H.R. 1195, supra; which was ordered to lie on the table.

SA 4547. Mr. STEVENS (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill H.R. 1195, supra; which was ordered to lie on the table.

SA 4548. Mr. SPECTER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 1195, supra; which was ordered to lie on the table.

SA 4549. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 4146 proposed by Mrs. BOXER to the bill H.R. 1195, supra; which was ordered to lie on the table.

SA 4550. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 1195, supra; which was ordered to lie on the table.

SA 4551. Mr. SMITH submitted an amendment intended to be proposed to amendment SA 4146 proposed by Mrs. BOXER to the bill H.R. 1195, supra; which was ordered to lie on the table.

SA 4552. Mr. DODD (for himself, Mr. SHELBY, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 1195, supra; which was ordered to lie on the table.

SA 4553. Mrs. HUTCHISON (for herself, Mr. CORNYN, Ms. LANDRIEU, Mr. STEVENS, Mrs. LINCOLN, Ms. MURKOWSKI, Mr. MARTINEZ, and Mr. COLEMAN) submitted an amendment intended to be proposed to amendment SA 4146 proposed by Mrs. BOXER to the bill H.R. 1195, supra; which was ordered to lie on the table.

SA 4554. Mr. CARDIN (for himself, Mr. WARNER, Ms. MIKULSKI, and Mr. WEBB) submitted an amendment intended to be proposed by him to the bill H.R. 1195, supra; which was ordered to lie on the table.

SA 4555. Mr. KENNEDY submitted an amendment intended to be proposed to

amendment SA 4146 proposed by Mrs. BOXER to the bill H.R. 1195, supra; which was ordered to lie on the table.

SA 4556. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill H.R. 1195, supra; which was ordered to lie on the table.

SA 4557. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill H.R. 1195, supra; which was ordered to lie on the table.

SA 4558. Mr. KYL (for himself, Mr. MCCAIN, Mr. WARNER, Mr. BURR, Mr. MARTINEZ, Mr. LIEBERMAN, Mr. GRAHAM, Mr. WICKER, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill H.R. 1195, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4542. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 4146 proposed by Mrs. BOXER to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

On page 124, between lines 7 and 8, insert the following:

(s) DEFINITION.—Section 14504a(a)(5) of title 49, United States Code, is amended by striking ''title.'' and inserting ''title, except carriers that the unified carrier registration plan board of directors deems appropriate.''.

SA 4543. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

On page 92, strike lines 15 and 16 and insert the following:

paving'';

(3) in item number 1663 by inserting ''and construct intermodal facilities and fixed guideways in Jersey City'' after ''right-of-way''; and

(4) in item number 614 by inserting ''and for

SA 4544. Ms. LANDRIEU (for herself and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

On page 110, after line 20, insert the following:

(e) PROJECT MODIFICATION.—The description for item 67 in section 3044(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59) is amended to read as follows: ''Union Passenger Terminal Planning and Master Plan and Infrastructure Improvements in Orleans Parish, Louisiana''.

SA 4545. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 4146 proposed by Mrs. BOXER to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

On page 92, strike lines 15 and 16 and insert the following:

paving'';

(3) in item number 1483 by striking the project description and inserting ''Lapalco Boulevard Improvements in Jefferson Parish''; and

(4) in item number 614 by inserting ''and for

SA 4546. Mr. SPECTER (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 4146 proposed by Mrs. BOXER to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

On page 8, between lines 17 and 18, insert the following:

(l) USE OF TOLL CREDITS.—Section 120(j)(1) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking ''A State'' and inserting ''Subject to subparagraph (D), a State''; and

(2) by adding at the end the following:

''(D) EXCEPTION.—Subparagraph (A) shall not apply to the use of Appalachian development highway system funds for any highway project relating to United States Route 219 (Corridor N) in Somerset County, Pennsylvania.''.

SA 4547. Mr. STEVENS (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

On page 119, after line 2, insert the following:

(s) PROJECT MODIFICATION.—The description for item 422 in section 3044(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59) in amended to read as follows: ''People Mover Public Transportation System buses and bus facilities, Anchorage, Alaska''.

SA 4548. Mr. SPECTER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.

(a) MILEAGE EXTENSION.—Section 14501(a) of title 40, United States Code is amended by striking ''three thousand and ninety miles'' and inserting ''3,142 miles''.

(b) DEVELOPMENT OF MULTI-LANE HIGHWAY.—

(1) AUTHORIZATION.—A multi-lane highway, to be designated as Corridor P–1, shall be developed in Pennsylvania along the route described in paragraph (2) as an extension of the Appalachian development highway system, with intersections and interchanges at appropriate crossroad locations.

(2) DESCRIPTION.—Corridor P–1 shall—

(A) extend approximately 52 miles along the alignment of United States Route 15 from its intersection with United States Routes 22 and 322 near Duncannon, Pennsylvania;

(B) extend northward, crossing the Susquehanna River north of Shamokin Dam, Pennsylvania;

(C) merge onto Pennsylvania Route 147; and

(D) proceed northward to the connection with Interstates 80 and 180 north of Milton, Pennsylvania.

(3) EFFECT ON APPORTIONMENTS.—The mileage and the estimate of the costs to complete Corridor P–1 shall not affect apportionments made to Pennsylvania to complete the Appalachian development highway system.

(4) FEDERAL SHARE.—Federal assistance authorized under section 14501 of title 40, United States Code, shall not be more than 80 percent of the cost of developing a 13-mile segment of Corridor P–1 designated by the Secretary of Transportation.

SA 4549. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 4146 proposed by Mrs. BOXER to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

On page 20, strike lines 13 and 14 and insert the following:

(19) in item number 777 by striking the project description and amount and inserting ''Akutan Airport access'' and $3,500,000'', respectively;

On page 31, strike lines 20 through 23 and insert the following:

(98) in item number 161 by striking the project description and amount and inserting ''Construct False Pass causeway and road to the terminus of the south arm breakwater project'' and ''$1,000,000'', respectively;

SA 4550. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

On page 107, line 4, strike ''and'' and all that follows through line 5, and insert the following:

(B) by striking paragraph (10); and

(C) in paragraph (15), by striking ''South Carolina Department of Transportation Light Rail study'' and inserting ''South Carolina Department of Transportation Corridor Study''.

SA 4551. Mr. SMITH submitted an amendment intended to be proposed to amendment SA 4146 proposed by Mrs. BOXER to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the bill, insert:

''In item number 3544, by striking the project description and inserting 'Construction of access road including sidewalks, bike lanes, and railroad crossing from Highway 99W to Cascade View Industrial Properties and/or construction of transportation improvements for the Airport Industrial Park, Corvallis.' ''

SA 4552. Mr. DODD (for himself, Mr. SHELBY, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

On page 117, after line 12, insert the following:

(8) MODIFICATION OF TERMS OF SECTION 5338(B)(2)(E) OF TITLE 49, UNITED STATES CODE.—Of the funds authorized for fiscal year 2007 in section 5338(b)(2)(E) of title 49, United States Code, $213,600,000 that is not otherwise designated for specific projects under section 3044(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users (Public Law 109-59) shall be allocated by the Federal Transit Administration in accordance with the ''Bus and Bus Facilities Discretionary Program Grants Notice of Availability and Solicitation of Grant Applications'' published in the Federal Register on March 23, 2007 (FR 13968-13971). Such allocation shall be made within 90 days of enactment of this Act, and the Federal Transit Administration shall notify the appropriate Congressional committees of such allocation 3 days before publication of the Federal Register notice. Allocations of funds pursuant to this paragraph shall be published in the Federal Register not later than 90 days after enactment of this Act.

SA 4553. Mrs. HUTCHISON (for herself, Mr. CORNYN, Ms. LANDRIEU, Mr. STEVENS, Mrs. LINCOLN, Ms. MURKOWSKI, Mr. MARTINEZ, and Mr. COLEMAN) submitted an amendment intended to be proposed to amendment SA 4146 proposed by Mrs. BOXER to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, lines 24 and 25, strike ''in Clifton''.

On page 49, line 18, strike ''160'' and insert ''169''.

On page 57, strike lines 8 through 11 and insert the following:

(250) in item number 3909 by striking the project description and inserting ''S.R. 281, the Avalon Boulevard Expansion Project from Interstate 10 to U.S. Highway 90'';

On page 78, strike lines 3 and 4 and insert the following:

(386) in item number 273, by striking the project description and inserting ''Improvements to on/off ramp system from I–10 to Ryan Street (LA 385), including installation of an exit ramp for eastbound traffic on I–10, incorporating, as necessary, portions of Front Street and Ann Street, and including repair and realignment of Lakeshore Drive, and to include the expansion of Contraband Bayou Bridge'';

(387) in item number 3735 by striking the project description and inserting ''Widening existing Highway 226, including a bypass of Cash and a new connection to Highway 49'';

(388) in item number 2406 by striking ''in Fort Worth'' and inserting '', or Construct SH 199 (Henderson St.) through the Trinity Uptown Project between the West Fork and Clear Fork of the Trinity River, in Fort Worth''; and

(389) in item number 370 by striking the

On page 107, line 4, strike ''and'' and all that follows through line 5, and insert the following:

(B) by striking paragraph (10); and

(C) in paragraph (15), by striking ''South Carolina Department of Transportation Light Rail study'' and inserting ''South Carolina Department of Transportation Corridor Study''.

On page 114, line 21, strike ''; and'' and insert a semicolon.

On page 114, strike line 22 and insert the following:

(xxvi) in item number 422 by striking the project description and inserting ''People Mover Public Transportation System buses and bus facilities, Anchorage, Alaska'';

(xxvii) in project number 67 by striking the project description and inserting ''Union Passenger Terminal Planning and Master Plan and Infrastructure Improvements in Orleans Parish, Louisiana''; and

(xxviii) by adding at the end—

SA 4554. Mr. CARDIN (for himself, Mr. WARNER, Ms. MIKULSKI, and Mr. WEBB) submitted an amendment intended to be proposed by him to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, insert the following:

SEC. ___. NATIONAL CAPITAL TRANSPORTATION AMENDMENTS ACT OF 2008.

(a) SHORT TITLE; FINDINGS.—

(1) SHORT TITLE.—This section may be cited as the ''National Capital Transportation Amendments Act of 2008''.

(2) FINDINGS.—Congress finds as follows:

(A) Metro, the public transit system of the Washington metropolitan area, is essential for the continued and effective performance of the functions of the Federal Government, and for the orderly movement of people during major events and times of regional or national emergency.

(B) On 3 occasions, Congress has authorized appropriations for the construction and capital improvement needs of the Metrorail system.

(C) Additional funding is required to protect these previous Federal investments and ensure the continued functionality and viability of the original 103-mile Metrorail system.

(b) FEDERAL CONTRIBUTION FOR CAPITAL PROJECTS FOR WASHINGTON METROPOLITAN AREA TRANSIT SYSTEM.—The National Capital Transportation Act of 1969 (sec. 9–1111.01 et seq., D.C. Official Code) is amended by adding at the end the following:

''AUTHORIZATION OF ADDITIONAL FEDERAL CONTRIBUTION FOR CAPITAL AND PREVENTIVE MAINTENANCE PROJECTS

''SEC. 18. (a) AUTHORIZATION.—Subject to the succeeding provisions of this section, the Secretary of Transportation is authorized to make grants to the Transit Authority, in addition to the contributions authorized under sections 3, 14, and 17, for the purpose of financing in part the capital and preventive maintenance projects included in the Capital Improvement Program approved by the Board of Directors of the Transit Authority.

''(b) USE OF FUNDS.—The Federal grants made pursuant to the authorization under this section shall be subject to the following limitations and conditions:

''(1) The work for which such Federal grants are authorized shall be subject to the provisions of the Compact (consistent with the amendments to the Compact described in subsection (d)).

''(2) Each such Federal grant shall be for 50 percent of the net project cost of the project involved, and shall be provided in cash from sources other than Federal funds or revenues from the operation of public mass transportation systems. Consistent with the terms of the amendment to the Compact described in subsection (d)(1), any funds so provided shall be solely from undistributed cash surpluses, replacement or depreciation funds or reserves available in cash, or new capital.

''(c) APPLICABILITY OF REQUIREMENTS FOR MASS TRANSPORTATION CAPITAL PROJECTS RECEIVING FUNDS UNDER FEDERAL TRANSPORTATION LAW.—Except as specifically provided in this section, the use of any amounts appropriated pursuant to the authorization under this section shall be subject to the requirements applicable to capital projects for which funds are provided under chapter 53 of title 49, United States Code, except to the extent that the Secretary of Transportation determines that the requirements are inconsistent with the purposes of this section.

''(d) AMENDMENTS TO COMPACT.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section until the Transit Authority notifies the Secretary of Transportation that each of the following amendments to the Compact (and any further amendments which may be required to implement such amendments) have taken effect:

''(1)(A) An amendment requiring that all payments by the local signatory governments for the Transit Authority for the purpose of matching any Federal funds appropriated in any given year authorized under subsection (a) for the cost of operating and maintaining the adopted regional system are made from amounts derived from dedicated funding sources.

''(B) For purposes of this paragraph, the term 'dedicated funding source' means any source of funding which is earmarked or required under State or local law to be used to match Federal appropriations authorized under this Act for payments to the Transit Authority.

''(2) An amendment establishing the Office of the Inspector General of the Transit Authority in accordance with section 3 of the National Capital Transportation Amendments Act of 2008.

''(3) An amendment expanding the Board of Directors of the Transit Authority to include 4 additional Directors appointed by the Administrator of General Services, of whom 2 shall be nonvoting and 2 shall be voting, and requiring one of the voting members so appointed to be a regular passenger and customer of the bus or rail service of the Transit Authority.

''(e) AMOUNT.—There are authorized to be appropriated to the Secretary of Transportation for grants under this section an aggregate amount not to exceed $1,500,000,000 to be available in increments over 10 fiscal years beginning in fiscal year 2009, or until expended.

''(f) AVAILABILITY.—Amounts appropriated pursuant to the authorization under this section—

''(1) shall remain available until expended; and

''(2) shall be in addition to, and not in lieu of, amounts available to the Transit Authority under chapter 53 of title 49, United States Code, or any other provision of law.

''(g) ACCESS TO WIRELESS SERVICES IN METRORAIL SYSTEM.—

''(1) REQUIRING TRANSIT AUTHORITY TO PROVIDE ACCESS TO SERVICE.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section unless the Transit Authority ensures that customers of the rail service of the Transit Authority have access within the rail system to services provided by any licensed wireless provider that notifies the Transit Authority (in accordance with such procedures as the Transit Authority may adopt) of its intent to offer service to the public, in accordance with the following timetable:

''(A) Not later than 1 year after the date of the enactment of the National Capital Transportation Amendments Act of 2008, in the 20 underground rail station platforms with the highest volume of passenger traffic.

''(B) Not later than 4 years after such date, throughout the rail system.

''(2) ACCESS OF WIRELESS PROVIDERS TO SYSTEM FOR UPGRADES AND MAINTENANCE.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section unless the Transit Authority ensures that each licensed wireless provider who provides service to the public within the rail system pursuant to paragraph (1) has access to the system on an ongoing basis (subject to such restrictions as the Transit Authority may impose to ensure that such access will not unduly impact rail operations or threaten the safety of customers or employees of the rail system) to carry out emergency repairs, routine maintenance, and upgrades to the service.

''(3) PERMITTING REASONABLE AND CUSTOMARY CHARGES.—Nothing in this subsection may be construed to prohibit the Transit Authority from requiring a licensed wireless provider to pay reasonable and customary charges for access granted under this subsection.

''(4) REPORTS.—Not later than 1 year after the date of the enactment of the National Capital Transportation Amendments Act of 2008, and each of the 3 years thereafter, the Transit Authority shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report on the implementation of this subsection.

''(5) DEFINITION.—In this subsection, the term 'licensed wireless provider' means any provider of wireless services who is operating pursuant to a Federal license to offer such services to the public for profit.''.

(c) WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY INSPECTOR GENERAL.—

(1) ESTABLISHMENT OF OFFICE.—

(A) IN GENERAL.—The Washington Metropolitan Area Transit Authority (referred to in this subsection as the ''Transit Authority'') shall establish in the Transit Authority the Office of the Inspector General (referred to in this subsection as the ''Office''), headed by the Inspector General of the Transit Authority (referred to in this subsection as the ''Inspector General'').

(B) DEFINITION.—In subparagraph (A), the ''Washington Metropolitan Area Transit Authority'' means the Authority established under Article III of the Washington Metropolitan Area Transit Authority Compact (Public Law 89–774).

(2) INSPECTOR GENERAL.—

(A) APPOINTMENT.—The Inspector General shall be appointed by the vote of a majority of the Board of Directors of the Transit Authority, and shall be appointed without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations, as well as familiarity or experience with the operation of transit systems.

(B) TERM OF SERVICE.—The Inspector General shall serve for a term of 5 years, and an individual serving as Inspector General may be reappointed for not more than 2 additional terms.

(C) REMOVAL.—The Inspector General may be removed from office prior to the expiration of his term only by the unanimous vote of all of the members of the Board of Directors of the Transit Authority, and the Board shall communicate the reasons for any such removal to the Governor of Maryland, the Governor of Virginia, the Mayor of the District of Columbia, the chair of the Committee on Government Reform of the House of Representatives, and the chair of the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) DUTIES.—

(A) APPLICABILITY OF DUTIES OF INSPECTOR GENERAL OF EXECUTIVE BRANCH ESTABLISHMENT.—The Inspector General shall carry out the same duties and responsibilities with respect to the Transit Authority as an Inspector General of an establishment carries out with respect to an establishment under section 4 of the Inspector General Act of 1978 (5 U.S.C. App. 4), under the same terms and conditions which apply under such section.

(B) CONDUCTING ANNUAL AUDIT OF FINANCIAL STATEMENTS.—The Inspector General shall be responsible for conducting the annual audit of the financial accounts of the Transit Authority, either directly or by contract with an independent external auditor selected by the Inspector General.

(C) REPORTS.—

(i) SEMIANNUAL REPORTS TO TRANSIT AUTHORITY.—The Inspector General shall prepare and submit semiannual reports summarizing the activities of the Office in the same manner, and in accordance with the same deadlines, terms, and conditions, as an Inspector General of an establishment under section 5 of the Inspector General Act of 1978 (5 U.S.C. App. 5). For purposes of applying section 5 of such Act to the Inspector General, the Board of Directors of the Transit Authority shall be considered the head of the establishment, except that the Inspector General shall transmit to the General Manager of the Transit Authority a copy of any report submitted to the Board pursuant to this paragraph.

(ii) ANNUAL REPORTS TO LOCAL SIGNATORY GOVERNMENTS AND CONGRESS.—Not later than January 15 of each year, the Inspector General shall prepare and submit a report summarizing the activities of the Office during the previous year, and shall submit such reports to the Governor of Maryland, the Governor of Virginia, the Mayor of the District of Columbia, the chair of the Committee on Government Reform of the House of Representatives, and the chair of the Committee on Homeland Security and Governmental Affairs of the Senate.

(D) INVESTIGATIONS OF COMPLAINTS OF EMPLOYEES AND MEMBERS.—

(i) AUTHORITY.—The Inspector General may receive and investigate complaints or information from an employee or member of the Transit Authority concerning the possible existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety.

(ii) NONDISCLOSURE.—The Inspector General shall not, after receipt of a complaint or information from an employee or member, disclose the identity of the employee or member without the consent of the employee or member, unless the Inspector General determines such disclosure is unavoidable during the course of the investigation.

(iii) PROHIBITING RETALIATION.—An employee or member of the Transit Authority who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or threaten to take any action against any employee or member as a reprisal for making a complaint or disclosing information to the Inspector General, unless the complaint was made or the information disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

(E) INDEPENDENCE IN CARRYING OUT DUTIES.—Neither the Board of Directors of the Transit Authority, the General Manager of the Transit Authority, nor any other member or employee of the Transit Authority may prevent or prohibit the Inspector General from carrying out any of the duties or responsibilities assigned to the Inspector General under this subsection.

(4) POWERS.—

(A) IN GENERAL.—The Inspector General may exercise the same authorities with respect to the Transit Authority as an Inspector General of an establishment may exercise with respect to an establishment under section 6(a) of the Inspector General Act of 1978 (5 U.S.C. App. 6(a)), other than paragraphs (7), (8), and (9) of such section.

(B) STAFF.—

(i) ASSISTANT INSPECTOR GENERALS AND OTHER STAFF.—The Inspector General shall appoint and fix the pay of—

(I) an Assistant Inspector General for Audits, who shall be responsible for coordinating the activities of the Inspector General relating to audits;

(II) an Assistant Inspector General for Investigations, who shall be responsible for coordinating the activities of the Inspector General relating to investigations; and

(III) such other personnel as the Inspector General considers appropriate.

(ii) INDEPENDENCE IN APPOINTING STAFF.—No individual may carry out any of the duties or responsibilities of the Office unless the individual is appointed by the Inspector General, or provides services procured by the Inspector General, pursuant to this subparagraph. Nothing in this clause may be construed to prohibit the Inspector General from entering into a contract or other arrangement for the provision of services under this subsection.

(iii) APPLICABILITY OF TRANSIT SYSTEM PERSONNEL RULES.—None of the regulations governing the appointment and pay of employees of the Transit System shall apply with respect to the appointment and compensation of the personnel of the Office, except to the extent agreed to by the Inspector General. Nothing in the previous sentence may be construed to affect clauses (i) and (ii).

(C) EQUIPMENT AND SUPPLIES.—The General Manager of the Transit Authority shall provide the Office with appropriate and adequate office space, together with such equipment, supplies, and communications facilities and services as may be necessary for the operation of the Office, and shall provide necessary maintenance services for such office space and the equipment and facilities located therein.

(5) TRANSFER OF FUNCTIONS.—To the extent that any office or entity in the Transit Authority prior to the appointment of the first Inspector General under this subsection carried out any of the duties and responsibilities assigned to the Inspector General under this subsection, the functions of such office or entity shall be transferred to the Office upon the appointment of the first Inspector General under this subsection.

(d) STUDY AND REPORT BY COMPTROLLER GENERAL.—

(1) STUDY.—The Comptroller General shall conduct a study on the use of the funds provided under section 18 of the National Capital Transportation Act of 1969 (as added by this section).

(2) REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General shall submit a report to the Committee on Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the study conducted under paragraph (1).

SA 4555. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 4146 proposed by Mrs. BOXER to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

On page 131, beginning with line 13, strike through line 17 on page 13, and insert the following:

(1) LIMITATION ON LIABILITY.—An employer shall not be liable for a violation of section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) with respect to a covered employee if the employer proves that—

(A) the violation occurred in the one-year period beginning on August 10, 2005;

(B) as of the date of the violation, the employer did not have actual knowledge that section 4142 of Public Law 109–59 changed the applicability of section 13(b)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(b)(1)); and

(C) the employer's primary reliance on section 13(b)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(b)(1)) led to the violation.

(2) ACTIONS TO RECOVER AMOUNTS PREVIOUSLY PAID.—Nothing in paragraph (1) shall be construed to establish a cause of action for an employer to recover amounts paid, or agreed to be paid, before the date of enactment of this Act in settlement of, in compromise of, or pursuant to a judgment rendered regarding a claim or potential claim based on an alleged or proven violation of section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) occurring in the one-year period referred to in paragraph (1)(A) with respect to a covered employee.

(c) COVERED EMPLOYEE DEFINED.—In this section, the term ''covered employee'' means an individual—

(1) who is employed by a motor carrier or motor private carrier (as such terms are defined by section 13102 of title 49, United States Code, as amended by section 305 of this Act);

(2) whose work, in whole or in part, is defined—

(A) as that of a driver, driver's helper, loader, or mechanic; and

(B) as affecting the safety of operation of motor vehicles weighing 10,000 pounds or less in transportation on public highways in interstate or foreign commerce, except vehicles—

(i) designed or used to transport more than 8 passengers (including the driver) for compensation;

(ii) designed or used to transport more than 15 passengers (including the driver) and not used to transport passengers for compensation; or

(iii) used in transporting material found by the Secretary of Transportation to be hazardous under section 5103 of title 49, United States Code, and transported in a quantity requiring placarding under regulations prescribed by the Secretary under section 5103 of title 49, United States Code; and

(3) who performs duties on motor vehicles weighing 10,000 pounds or less.

SA 4556. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 18, insert ''sediment control and'' after ''Boulder Creek''.

SA 4557. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

On page 86, line 14, strike the period at the end, insert a semicolon, and insert the following:

(26) by striking item number 234; and

(27) in item number 236, by striking ''$10,000,000'' and inserting ''$17,000,000''.

SA 4558. Mr. KYL (for himself, Mr. MCCAIN, Mr. WARNER, Mr. BURR, Mr. MARTINEZ, Mr. LIEBERMAN, Mr. GRAHAM, Mr. WICKER, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the first word and insert the following:

_____. HIGHWAY FUEL TAX HOLIDAY.

(a) TEMPORARY SUSPENSION OF HIGHWAY FUEL TAXES ON GASOLINE AND DIESEL FUEL.—

(1) IN GENERAL.—Section 4081 of the Internal Revenue Code of 1986 (relating to imposition of tax on gasoline, diesel fuel, and kerosene) is amended by adding at the end the following new subsection:

''(f) TEMPORARY SUSPENSION OF TAXES ON GASOLINE AND DIESEL FUEL.—

''(1) IN GENERAL.—During the applicable period, each rate of tax referred to in paragraph (2) shall be reduced to zero cents per gallon.

''(2) RATES OF TAX.—The rates of tax referred to in this paragraph are—

''(A) the rate of tax otherwise applicable to gasoline under clause (i) of subsection (a)(2)(A), determined with regard to subsection (a)(2)(B) and without regard to subsection (a)(2)(C),

''(B) the rate of tax otherwise applicable to diesel fuel under clause (iii) of subsection (a)(2)(A), determined with regard to subsection (a)(2)(B) and without regard to subsection (a)(2)(C), and

''(C) the rate of tax otherwise applicable to diesel fuel under paragraph (1) of section 4041(a) with respect to fuel sold for use or used in a diesel-powered highway vehicle.

''(3) APPLICABLE PERIOD.—For purposes of this subsection, the term 'applicable period' means the period beginning on May 26, 2008, and ending on September 1, 2008.

''(4) MAINTENANCE OF TRUST FUND DEPOSITS.—In determining the amounts to be appropriated to the Highway Trust Fund under section 9503 and to the Leaking Underground Storage Tank Trust Fund under 9508, an amount equal to the reduction in revenues to the Treasury by reason of this subsection shall be treated as taxes received in the Treasury under this section or section 4041.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect on the date of the enactment of this Act.

(b) FLOOR STOCK REFUNDS.—

(1) IN GENERAL.—If—

(A) before the tax suspension date, a tax referred to in section 4081(f)(2) of the Internal Revenue Code of 1986 has been imposed under such Code on any liquid, and

(B) on such date such liquid is held by a dealer and has not been used and is intended for sale,

there shall be credited or refunded (without interest) to the person who paid such tax (hereafter in this subsection referred to as the ''taxpayer''), against the taxpayer's subsequent semi-monthly deposit of such tax, an amount equal to the excess of the tax paid by the taxpayer over the amount of such tax which would be imposed on such liquid had the taxable event occurred on the tax suspension date.

(2) TIME FOR FILING CLAIMS; CERTIFICATIONS NECESSARY TO FILE CLAIMS.—

(A) IN GENERAL.—No credit or refund shall be allowed or made under this subsection—

(i) unless claim therefor is filed with the Secretary before the date which is 6 months after the tax suspension date, and

(ii) in any case where liquid is held by a dealer (other than the taxpayer) on the tax suspension date, unless the taxpayer files with the Secretary—

(I) a certification that the taxpayer has given a credit to such dealer with respect to such liquid against the dealer's first purchase of liquid from the taxpayer subsequent to the tax suspension date, and

(II) a certification by such dealer that such dealer has given a credit to a succeeding dealer (if any) with respect to such liquid against the succeeding dealer's first purchase of liquid from such dealer subsequent to the tax suspension date.

(B) REASONABLENESS OF CLAIMS CERTIFIED.—Any certification made under subparagraph (A) shall include an additional certification that the claim for credit was reasonably based on the taxpayer's or dealer's past business relationship with the succeeding dealer.

(3) DEFINITIONS.—For purposes of this subsection—

(A) the terms ''dealer'' and ''held by a dealer'' have the respective meanings given to such terms by section 6412 of such Code; except that the term ''dealer'' includes a producer, and

(B) the term ''tax suspension date'' means May 26, 2008.

(4) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (b) and (c) of section 6412 of such Code shall apply for purposes of this subsection.

(c) FLOOR STOCKS TAX.—

(1) IMPOSITION OF TAX.—In the case of any liquid on which tax would have been imposed under section 4081 of the Internal Revenue Code of 1986 during the applicable period but for the amendment made by subsection (a), and which is held on the floor stocks tax date by any person, there is hereby imposed a floor stocks tax in an amount equal to the tax which would be imposed on such liquid had the taxable event occurred on the floor stocks tax date.

(2) LIABILITY FOR TAX AND METHOD OF PAYMENT.—

(A) LIABILITY FOR TAX.—A person holding a liquid on the floor stocks tax date to which the tax imposed by paragraph (1) applies shall be liable for such tax.

(B) METHOD OF PAYMENT.—The tax imposed by paragraph (1) shall be paid in such manner as the Secretary shall prescribe.

(C) TIME FOR PAYMENT.—The tax imposed by paragraph (1) shall be paid on or before the date which is 6 months after the floor stocks tax date.

(3) DEFINITIONS.—For purposes of this subsection—

(A) HELD BY A PERSON.—A liquid shall be considered as ''held by a person'' if title thereto has passed to such person (whether or not delivery to the person has been made).

(B) GASOLINE AND DIESEL FUEL.—The terms ''gasoline'' and ''diesel fuel'' have the respective meanings given such terms by section 4083 of such Code.

(C) FLOOR STOCKS TAX DATE.—The term ''floor stocks tax date'' means September 2, 2008.

(D) APPLICABLE PERIOD.—The term ''applicable period'' means the period described in section 4081(f)(3) of such Code.

(4) EXCEPTION FOR EXEMPT USES.—The tax imposed by paragraph (1) shall not apply to gasoline or diesel fuel held by any person exclusively for any use to the extent a credit or refund of the tax imposed by section 4081 of such Code is allowable for such use.

(5) EXCEPTION FOR FUEL HELD IN VEHICLE TANK.—No tax shall be imposed by paragraph (1) on gasoline or diesel fuel held in the tank of a motor vehicle.

(6) EXCEPTION FOR CERTAIN AMOUNTS OF FUEL.—

(A) IN GENERAL.—No tax shall be imposed by paragraph (1)—

(i) on gasoline (other than aviation gasoline) held on the floor stocks tax date by any person if the aggregate amount of gasoline held by such person on such date does not exceed 4,000 gallons, and

(ii) on diesel fuel held on such date by any person if the aggregate amount of diesel fuel held by such person on such date does not exceed 2,000 gallons.

The preceding sentence shall apply only if such person submits to the Secretary (at the time and in the manner required by the Secretary) such information as the Secretary shall require for purposes of this subparagraph.

(B) EXEMPT FUEL.—For purposes of subparagraph (A), there shall not be taken into account fuel held by any person which is exempt from the tax imposed by paragraph (1) by reason of paragraph (4) or (5).

(C) CONTROLLED GROUPS.—For purposes of this paragraph—

(i) CORPORATIONS.—

(I) IN GENERAL.—All persons treated as a controlled group shall be treated as 1 person.

(II) CONTROLLED GROUP.—The term ''controlled group'' has the meaning given to such term by subsection (a) of section 1563 of such Code; except that for such purposes the phrase ''more than 50 percent'' shall be substituted for the phrase ''at least 80 percent'' each place it appears in such subsection.

(ii) NONINCORPORATED PERSONS UNDER COMMON CONTROL.—Under regulations prescribed by the Secretary, principles similar to the principles of clause (i) shall apply to a group of persons under common control where 1 or more of such persons is not a corporation.

(7) OTHER LAW APPLICABLE.—All provisions of law, including penalties, applicable with respect to the taxes imposed by section 4081 of such Code shall, insofar as applicable and not inconsistent with the provisions of this paragraph, apply with respect to the floor stock taxes imposed by paragraph (1) to the same extent as if such taxes were imposed by such section 4081.

(d) SECRETARY.—For purposes of this section, the term ''Secretary'' means the Secretary of the Treasury or the Secretary's delegate.

(e) BENEFITS OF TAX REDUCTION SHOULD BE PASSED ON TO CONSUMERS.—It is the policy of Congress that—

(1) consumers immediately receive the benefit of the reduction in taxes resulting from the amendment made by subsection (a), and

(2) transportation motor fuels producers and other dealers take such actions as necessary to reduce transportation motor fuels prices to reflect such reduction, including immediate credits to customer accounts representing tax refunds allowed as credits against excise tax deposit payments under the floor stocks refund provisions of subsection (b).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, April 17, 2008, at 10 a.m., in 215 Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, April 17, 2008, at 3 p.m. to hold a working coffee meeting with His Excellency Ahmed Aboul Gheit, Foreign Minister of the Arab Republic of Egypt.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, April 17, 2008, at 10:30 a.m., in room 562 of the Dirksen Senate Office Building to conduct a hearing on the National Indian Gaming Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

AD HOC SUBCOMMITTEE ON STATE, LOCAL, AND PRIVATE SECTOR PREPAREDNESS AND INTEGRATION

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Thursday, April 17, 2008, at 2 p.m. to conduct a hearing entitled, ''Focus on Fusion Centers: A Progress Report.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 17, 2008, at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND POWER

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power be authorized to meet during the session of the Senate to conduct a hearing on Thursday, April 17, 2008, at 2 p.m., in room SD366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

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.

VETERANS' BENEFITS ENHANCEMENT ACT—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, I spoke to the minority leader last evening and indicated to him that I was going to move to the Veterans' Benefits Act. As a result of that, I have no alternative—not speaking to him but not having heard back—I have no alternative but to file cloture on this matter. Otherwise, of course, another day would be lost. So I am disappointed that I need to file this. This is a veterans' benefits enhancement bill. I would hope that on Monday, we could have Senator AKAKA and his ranking member be allowed to move to this legislation. We have already announced there will be no votes tomorrow or on Monday. It would sure be good if we could do that.

In view of the situation we have here, I have no alternative but to move to proceed to S. 1315, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the cloture motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 336, S. 1315, the Veterans' Benefits Enhancement Act.

Harry Reid, Daniel K. Akaka, Barbara Boxer, Patty Murray, Byron L. Dorgan, Edward M. Kennedy, Christopher J. Dodd, Benjamin L. Cardin, Patrick J. Leahy, Bernard Sanders, Sherrod Brown, Amy Klobuchar, Richard Durbin, Ken Salazar, Sheldon Whitehouse, Max Baucus, Daniel K. Inouye.

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, April 22, following a period of morning business, the Senate resume consideration of the motion to proceed and the time until 12 noon be equally divided and controlled between the leaders or their designees; that at noon, the Senate proceed to a vote on a motion to invoke cloture on the motion to proceed to S. 1315; further, that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZING THE TAKING OF A PHOTOGRAPH IN THE SENATE CHAMBER

Mr. REID. Mr. President, there is a resolution at the desk, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 521) authorizing the taking of a photograph in the Chamber of the U.S. Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and that there be no intervening action or debate on this matter.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 521) was agreed to, as follows:

S. RES. 521

Resolved, That paragraph 1 of Rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol (prohibiting the taking of pictures in the Senate Chamber) be temporarily suspended for the sole and specific purpose of permitting the Senate Photographic Studio to photograph the United States Senate in actual session on Tuesday, June 3, 2008, at the hour of 2:15 p.m.

SEC. 2. The Sergeant at Arms of the Senate is authorized and directed to make the necessary arrangements therefor, which arrangements shall provide for a minimum of disruption to Senate proceedings.

ORDERS FOR FRIDAY, APRIL 18, 2008

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:30 a.m. tomorrow, Friday, April 18; that following the prayer and the pledge, the Journal of proceedings be approved to date, and that there then be a period for the transaction 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. As previously announced, there will be no votes tomorrow or Monday because of the Passover holiday.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous that it stand in recess under the previous order.

There being no objection, the Senate, at 6:40 p.m., recessed until Friday, April 18, 2008, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF JUSTICE

KELLY HARRISON RANKIN, OF WYOMING, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF WYOMING FOR THE TERM OF FOUR YEARS, VICE MATTHEW HANSEN MEAD, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PHILIP M. BREEDLOVE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. (LH) ROBERT S. HARWARD, JR.

EXTENSIONS OF REMARKS

RECOGNIZING ALISHA D. PRATHER FOR HER CONTRIBUTIONS AND SERVICE TO THE COMMITTEE ON SCIENCE AND TECHNOLOGY

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. GORDON of Tennessee. Madam Speaker, I rise today to recognize a talented individual who has been a dedicated member of our Committee staff—Alisha D. Prather.

Alisha came to the Committee as the communications director for the minority staff at the beginning of the 108th Congress. She filled a newly created position since the minority staff had functioned without a press person for some years.

Her degree in Telecommunications from Baylor University and a Master's in Communication Studies from the University of Louisiana at Lafayette meant Alisha was well prepared for the job. She also came to us with a great deal of work experience on Capitol Hill under her belt.

From the start, the challenge Alisha faced on the Committee was taking technical, scientific information and translating it into an interesting and informative message for the American public. She succeeded. With her quick intellect and some long hours, Alisha soon produced an organized press shop, building enormous credibility with our science constituencies, the public and the media.

One of her first projects as the new communications director was to shepherd the minority website through a top to bottom redesign. She did an outstanding job. The website received a Congressional Management Foundation Gold Mouse Award in 2006, recognizing the site as one of the best web sites on Capitol Hill. Alisha did it again in 2007 when our Committee website received another Gold Mouse Award and was judged to be the number one committee website in Congress.

With our move to the Majority in 2007, Alisha undertook the task of meeting the press needs of a growing staff and an increasingly busy Committee agenda, while assuring that my media needs and the needs of our active Membership were well attended.

Prior to her time with us, Alisha worked for 8 years as the communications director for Representative Chris John of Louisiana. For several years, Alisha also served as the communications coordinator for the Blue Dog Coalition.

Alisha leaves the Hill after 11½ years here, and she will be missed. She's heading to Texas which takes her that much closer to her home State of Louisiana. Although a huge fan of Capitol Hill and the Washington, DC area, Alisha has always had an interest in spending some time closer to home.

We wish her well as she takes on a new challenge—Director of Communications for the new Galveston National Laboratory projected to open in November of this year. As Alisha says, it's the opportunity to build something from the ground up.

We're quick to point out that she did just that with our press operation here at the Committee, and we extend our sincere thanks to her for a job well done.

IN HONOR OF THE 50TH ANNIVERSARY OF THE DELMAR LITTLE LEAGUE

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to recognize the Delmar Little League, which will celebrate its opening day and 50th anniversary on April 19. For one half-century. the Delmar Little League has been providing the only organized summer activity open to all youths in the town of Delmar, Delaware.

The Delmar Little League was chartered in 1958 under the leadership of Epperson ''Eppie'' Culver, who also became the league's first president and one of the league's first coaches. The league was initially organized into four teams: the Vets, sponsored by the Delmar VFW Memorial Post 8276, the Moose, sponsored by Moose Lodge No. 582, the Firemen, sponsored by the Delmar Fire Department, and the Lions, sponsored by the Delmar Lions Club. The inaugural season was officially dedicated on August 15, and the first games were played on a corner lot provided by the Delmar Fire Department. That year, using equipment given to the league by the Delmar Kiwanis Club, the four teams only played against each other: they did not compete with any other teams outside of the league.

By the 1959 season, the Delmar Little League had grown to 60 boys, and the league had its own field on which to play. The league held a contest to decide on the name of the park. The winning entry was submitted by James Mills, and Pote Field was dedicated on June 19, 1959. The new location was named for Monroe Pote, or ''Mr. Baseball'', as he was known in Delmar. Mr. Pote is credited with establishing the first organized baseball team in Delmar in 1922, along with many other sports teams and organizations for the young men of his town. Mr. Pote became an inspiration and a father figure to many of the boys that he coached. 1959 proved to be a milestone year for the league in scoring, as well: the first home run was scored by Gary Wooten on May 30 and the first grand slam by John Ehrlich on June 23. The league formed its original First All-Star Team in 1960.

The league moved to its present facilities in 1962, when the park's namesake. William Gordy, Sr., donated the land for a new field. Today, there are 449 players registered in the Delmar Little League, with over half of the players hailing from Delaware. In addition, the league has hosted several state level tournaments. The Delmar Little League established a female softball division in 1982 and the baseball league is now open to young women, as well.

I acknowledge the Delmar Little League for 50 years of promoting physical fitness and community involvement amongst young people in the State of Delaware. I am confident that the league will continue to do so for many more years to come.

PACCAR: TRADER OF THE YEAR

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. REICHERT. Madam Speaker, I want to congratulate PACCAR, Inc. for earning the 2008 Governor's Trader of the Year Award in Washington State for expanding the State's international trade. PACCAR, headquartered in my congressional district, is a global leader in the design, manufacture and customer support of light-, medium- and heavy-duty trucks. In addition, PACCAR provides financial services and informational technology for the actual truck makers—all while conducting its business with the health and safety of the planet in mind.

With 22,000 employees worldwide and 2,500 in Washington State, PACCAR is a local business with a truly global reach. In 2007, PACCAR had $15.2 billion in net income, selling products and services in more than 100 countries, while setting record industry sales for commercial vehicles above 15 tons in Western and Central Europe.

I also want to recognize PACCAR for its leadership and innovation in energy independence and environmentally friendly business practices. The company truly represents the spirit of the Pacific Northwest region by conducting business within and very often exceeding regulatory environmental standards, harnessing the power and efficiency of solar energy and, perhaps most importantly, conserving energy utilizing breakthrough hybrid technology.

PACCAR is a leader in truck design and manufacture. It is an American company from the Pacific Northwest with a global impact. It is also a wonderful example of American business leading the way in energy independence and environmentally-friendly business practices and I offer its employees my sincere congratulations and appreciation.

● 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 ACHIEVEMENTS OF THE SOUTHERN ILLINOIS UNIVERSITY DEBATE TEAM

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. COSTELLO. Madam Speaker, I rise today to acknowledge the outstanding accomplishments of the debate team at Southern Illinois University in Carbondale, Illinois. Directed by Dr. Todd Graham, the team of Kevin Calderwood, a junior in political science from Chesterfield, MO, and Kyle Dennis, a senior in economics from Blue Springs, MO, won the national championship in the 54-team National Parliamentary Tournament of Excellence.

It is important to note that this was a very select competition. A team must qualify for the national championship tournament by doing well throughout the year. While only 54 teams competed, more than 300 attempted to qualify.

The debate program also entered teams in the National Parliamentary Debate Association tournament. That tournament is held at the end of March at the United States Air Force Academy in Colorado Springs, CO, and includes over 250 universities and colleges. Among the 500 debaters competing, Kevin won the top spot in the individual awards, solidifying his position as one of the best debaters in the country. Kyle took home third place overall in the individual awards.

In addition, the team of Katie Thomas, from Fort Collins, CO, and Adam Testerman, from Springfield, MO, won fifth place as a team overall. Also participating in the debate program was Nicholas Deml of La Crosse, WI. Graduate students Benjamin Haas, from Poplar Bluff, MO, and Brian Norcross from San Diego, CA, assisted Dr. Graham with team preparation.

Not surprisingly, the debate program's successes throughout the season resulted in a great deal of recognition from peers at other universities. Ryan Lawrence, a debater from the University of California at Berkeley and the top debater last year, commented to Dr. Graham that he would still hold his head high if beaten by Southern Illinois because he and his teammates considered it ''the smartest, hardest-working and best debate team in the country.''

Madam Speaker, Southern Illinois University has a proud tradition in teaching, research and public service. It is widely recognized that graduates who are well prepared become leaders in their fields. I urge my colleagues to join me in congratulating the debate team, faculty and students at Southern Illinois University for their continuing commitment to excellence.

HONORING THE 50TH ANNIVERSARY OF BAYVIEW ELEMENTARY SCHOOL

HON. RON KLEIN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. KLEIN of Florida. Madam Speaker, I rise today to honor Bayview Elementary School in Fort Lauderdale, FL on its 50th Anniversary. For the past 50 years, Bayview Elementary School has been providing students with the skills, knowledge, and preparation they need to succeed both inside and outside the classroom.

Instrumental to the success of Bayview Elementary is the hard work of the teachers, administrators, parents and other volunteers within the community who are committed to providing these children with a topnotch education. The faculty at Bayview truly cares for the well-being of their students, and their dedication to improving the quality of education in their classrooms will benefit these students for generations to come.

I would also like to recognize Ms. JoEllen Scott, the principal of Bayview Elementary School, whose hard work and excellent leadership have helped make this school the success it is today. I am confident that Bayview Elementary School will continue to produce well-rounded and motivated students for the next 50 years and beyond.

DEACON ASPINWALL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Deacon Aspinwall who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Deacon Aspinwall is a senior at Arvada High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Deacon Aspinwall is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential that students at all levels strive to make the most of their education and develop a work ethic that will guide them for the rest of their lives.

I extend my deepest congratulations once again to Deacon Aspinwall for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication he has shown in his high school career to his college career and future accomplishments.

VIRGINIA TECH MASSACRE

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. POE. Madam Speaker, today marks the 1 year anniversary of the Virginia Tech massacre. One year ago, students on the campus woke up and went to class. It was another seemingly ordinary day. But a mentally-ill coward, hungry for control and infamy, followed through on his premeditated rampage.

On April 16, 2007, there were two separate attacks, 2 hours apart on the campus of Virginia Tech. The murderer, Seung-Hui Cho, killed 32 people and wounded many.

The first attack occurred at West Ambler Johnston Hall. Cho entered the co-ed dormitory, home to 894 students, at 7 a.m. Fifteen minutes later, he murdered two victims before returning to his dorm room. Nearly 2 hours later, Cho went to a post office to mail writings and video footage to NBC News. He was sure to inform the press because he wanted the infamy and power. This coward carried chains, locks, a hammer, a knife, two guns, nineteen 10- and 15-round magazines, and almost 400 rounds of ammunition. He was on a murderous mission.

Two hours after his first killings, Cho continued his murder spree at Norris Hall. He chained the three main entrance doors shut, placed a note on the doors that said if the door was opened a bomb would explode, and then went up to the second floor to begin the massacre. Cho peeked into the classroom twice, to view his prey. He entered Professor G.V. Loganathan's classroom, killing the professor and then killing 9 of the 13 students. Two other students were injured and only 2 students survived unharmed. Cho then walked across the hall to Christopher James Bishop's classroom where he killed Bishop and 4 other students. Cho wounded 6 others. Cho continued down Norris Hall, shooting students and professors. He returned to the classrooms several times. Cho's spree continued for 10 to 12 minutes. He fired at least 174 rounds.

The 2 hour murderous massacre taught us that universities must have a coordinated, quick system to notify students, staff, and the entire university community of a pending danger. I'm an original cosponsor on the Virginia Tech Victims Campus Emergency Response Policy and Notification Act, which would require universities to notify students and employees within 30 minutes after campus security or law enforcement determines that an emergency exists on campus. It is unfortunate that it took a tragedy to teach us this lesson.

This country continues to mourn the lives of the 32 victims from Virginia Tech. We will never forget them. And that's just the way it is.

PERSONAL EXPLANATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Ms. GRANGER. Madam Speaker, on rollcall Nos. 147, 153, 154, 155, 164, 165, 174, 178, 179, and 181 I am not recorded because I was absent due to illness.

Had I been present, I would have voted ''no.''

IN HONOR OF THE SPELLING CHAMPIONS OF THE MULTI-REGIONAL STATE SPELLING BEE

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mrs. BACHMANN. Madam Speaker, last month, students from all over Minnesota met at the St. Cloud Holiday Inn Hotel and Suites to compete for the honor of traveling to Washington in May for the Scripps National Spelling Bee. I commend all of the students who participated for their extraordinary commitment to academics and their brilliance and poise under pressure.

In particular, I share in all of Minnesota's pride in 8th Grader Catherine Cojocaru of Holy Spirit Catholic School in Rochester, Minnesota, who will be participating in the National Spelling Bee for the second year in a row.

I also wish to commend the winners of the Central Minnesota Regional Spelling Bee who competed amongst 56 students in grades 5 to 8 from 34 different school districts. These students earned a spot at the State Bee: Ali Fuller of Chisago Lakes, Christina Huling of Annandale, Matt Schultz of St. Michael-Albertville, and Peter Doyle of Rocori. The skill these young men and women showed is truly awe-inspiring. They are a real example for us all.

HONORING THE LONE STAR COLLEGE SYSTEM UNIVERSITY CENTER ON ITS 10TH ANNIVERSARY

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. BRADY of Texas. Madam Speaker, I rise today very proud to honor and congratulate the Lone Star College System University Center in The Woodlands, Texas, on its 10th anniversary.

The University Center broke ground in June of 1996 under the theme of ''common ground for the common good.'' Partner universities, which include: Prairie View A&M University, Sam Houston State University, Texas A&M University, Texas Southern University, University of Houston and University of Houston-Downtown, began offering courses in September of 1997, and facilities were opened in January of the next year. Since that time, the University Center has indeed honored the vision of providing multi-level quality higher education instruction to a diverse population of citizens from north Houston, north Harris and Montgomery counties.

Over the past decade, the Center has experienced phenomenal growth. Student enrollment and the number of courses offered has grown four-fold. In 1997, the Center served 374 students in 65 classes. Today, over 2,300 students participate in 255 classes. Fifty-two thousand students have been served in ten years with no signs that growth will stop.

This unique partnership between the six Texas universities and the five colleges of the Lone Star College System has created amazing educational opportunities for the students of the region. Through this partnership, students at the University Center can complete baccalaureate degrees, master's degrees and continuing professional studies in over 65 programs without having to drive long distances. Having such programs right in their own backyard is an opportunity that the enrollment numbers clearly tell us is just too good to pass up.

The University Center is not only an asset to our community now, but the sky is the limit for its future impact. By offering convenient access to top quality instructors and innovative teaching, the opportunity for students to achieve their higher education goals in my district has never been so strong.

I consistently hear from employers that University Center students take their outstanding educations and make a mark in the workplace. Many careers have been started or enhanced through this unique educational resource. As the University Center moves beyond its first decade, the best is truly yet to come.

Madam Speaker, it is an honor to represent the University Center in the U.S. House of Representatives, and I urge you to join me in congratulating the Lone Star College System—University Center on this momentous occasion.

RECOGNIZING THE OPENING OF THE TREATY ROOM AND THE CROSSROADS OF DESTINY EXHIBIT AT THE GARST MUSUEM IN GREENVILLE, OHIO

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. BOEHNER. Madam Speaker, I rise to recognize the grand opening of the Treaty Room and the Crossroads of Destiny Exhibit at the Garst Museum in Greenville, Ohio

One of most significant historical moments in Darke County was the signing of the Treaty of Greene Ville, which ended forty years of conflict over the upper Ohio Valley and opened the door for western settlement, leading to Ohio's statehood. This exhibit tells the story of life on the frontier: war, resolution, loss, progress and the growth of a nation.

While Darke County is no longer the Western edge of the United States, its citizens retain the finest qualities of frontier settlers: generous hearts, a zeal for public service and the passionate patriotism that General Anthony Wayne, General William Henry Harrison, Meriwether Lewis and William Clark exhibited more than two centuries ago.

It is my pleasure to congratulate The Garst Museum, the Darke County Historical Society and the citizens of Darke County on the grand opening of this new exhibit.

CONGRATULATING ST. MARY OF VERNON ON THEIR 30TH ANNIVERSARY

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. KIRK. Madam Speaker, I rise today to honor the 30th Anniversary of St. Mary of Vernon, a well-established church located in the 10th district of Illinois.

In 1978, Father John Finnegan went to Lake County to establish a new parish in the Vernon Hills area. The first Mass took place on August 15, 1978, in a rented space at Hawthorn Jr. High School. Three years later, in 1981, the church moved into their new Worship Center which doubled as a building for Mass as well as for social and community activities. In December of 2005, the church moved into a new church building, fulfilling their dream. Despite the acquisition, the congregation takes pride in the fact that it is the people inside the church's walls that make St. Mary of Vernon what it is.

The parishioners of St. Mary of Vernon are dedicated to the Catholic education for all ages. Their goal is for all activities and gatherings to have a spiritual dimension and regular participation in these programs helps develop a community within the church.

Going beyond themselves, St. Mary of Vernon believes in serving the needs of their surrounding community. Through outreach programs, people feel welcome in the church at all times. To maximize their impact, they also partner up with other congregations and community efforts.

This year we pause to celebrate the church's 30th Anniversary and their impact on our community. I commend St. Mary's for their accomplishments over the years and know they will continue to do great things in the years to come.

IN HONOR OF GERRET AND TATIANA COPELAND

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to recognize Mr. and Mrs. Gerret and Tatiana Copeland for their momentous gift to Christiana Care Health System's Center for Heart and Vascular Health. The Copelands' gift will enable Christiana Care to purchase a Stereotaxis remote navigation system that can more effectively target problem areas in the heart while still preserving healthy tissue, thereby providing the people of Delaware with the best treatment available for a potentially fatal disorder.

Stereotaxis is used to treat Atrial Fibrillation, a common heart condition that occurs when the heart rhythm becomes irregular, possibly leading to blood clots and eventual stroke. The current procedure—which involves inserting a catheter through the artery, identifying the areas of the heart that trigger the irregular heartbeat, and destroying those areas—puts healthy tissue in the heart at risk, is time consuming, and has only a 50 percent success rate. The Stereotaxis equipment, which will be housed in a new surgical suite named for Gerret and Tatiana, uses computer technology to create three-dimensional images of the heart and veins, allowing the cardiologist to direct a magnetic catheter with greater precision and less chance of damaging the patient's heart. These features should increase procedure success rates to as high as 90 percent. In addition, the Stereotaxis procedure is shorter than the traditional procedure; thus, the patient should require less sedation, less post-surgery medication, and recover at a taster rate. This type of cutting-edge equipment is available in only 100 hospitals worldwide.

The Copelands are no strangers to philanthropy: they have been generously supporting various causes in Delaware for many years, most notably the arts. Their gift to Christiana Care, however, is very personal. In 2006, following a cardiac catheterization, Gerret underwent heart bypass surgery to treat blockage in six of his arteries. Due to the extraordinary skill of the dedicated team of doctors at Christiana Care, Gerret has since made a full recovery. He and Tatiana hope that their donation will help others benefit from the same exceptional care.

I thank and acknowledge Gerret and Tatiana Copeland for their commitment to aiding the fight against heart disease. Their gift grants Delaware residents access to the latest technology used to treat life-threatening heart problems, undeniably bettering countless lives and transforming cardiac care for the people of Delaware.

A PROCLAMATION HONORING JUSTIN MCCAULEY FOR WINNING THE OHIO DIVISION IV STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. SPACE. Madam Speaker:

Whereas, Justin McCauley showed hard work and dedication to the sport of basketball; and

Whereas, Justin McCauley was a supportive member of the team; and

Whereas, Justin McCauley always displayed dedication to the sport of basketball and the Tuscarawas County Rockets Special Olympics basketball team; now, therefore, be it

Resolved, That along with his friends, family, and the residents of the 18th Congressional District, I congratulate Justin McCauley on supporting the Tuscarawas County Rockets Special Olympics basketball team during their quest to win the Ohio Division IV State Basketball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2007–2008 basketball season.

INTRODUCTION OF NCAA FOOTBALL CHAMPIONSHIP EQUITY RESOLUTION

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. ABERCROMBIE. Madam Speaker, today I have joined with my colleagues Congressman SIMPSON of Idaho and Congressman WESTMORELAND of Georgia in introducing a resolution to end disparity in college sports that is an unintended consequence of the Bowl Championship Series (BCS). This resolution declares the BCS an illegal restraint on trade, and demands that the US Department of Justice take the proper actions to investigate and end the unfair BCS system. It also encourages the National Collegiate Athletic Association (NCAA) to establish a true football playoff system to determine the national collegiate football champion in the interest of parity and sportsmanship.

The BCS is fundamentally unfair. Non-BCS schools, those in conferences not automatically qualified for the BCS bowls, are at a disadvantage prior to the first kickoff of the season. Non-BCS schools must basically have perfect seasons, and must be the best of over 50 schools to even be considered to play in a BCS bowl, while schools that belong to conferences that are automatically-qualified for BCS bowls (BCS schools) must only be the best of 8–12 schools, depending on the conference they compete in. Six of the ten schools that participate in the BCS bowls qualify by becoming the regular season champion of a BCS automatically-qualifying conference: the Atlantic Coast Conference (ACC), Big 10, Big 11, Big Fast, Pacific–10. and the Southeastern Conference (SEC). The four others are determined based on rankings, conference standings, and in some cases, selected by bowl officials. There is also a rule prohibiting more than one non-BCS school from competing in a single year.

These unfair eligibility requirements produce effects that go far beyond restricting access to playing for the national championship. The BCS generates hundreds of millions of dollars of revenue annually, and this money is disproportionately awarded to BCS conferences. Of the more than $217 million generated by the 2006–2007 post-season bowls, $185 million, or 85 percent went to the BCS schools, which represent 66, or 55 percent of Division I schools. Money generated by the post-season games help schools cover costs for their athletic departments, facilities, equipment, recruitment, and other sports programs. Non-BCS schools must use their general funds to cover costs of their athletic departments, which takes funding from academic and administrative needs.

The lopsided distribution of BCS revenue results in two tiers within the NCAA Football Bowl Subdivision (formerly Division 1), those with access to the BCS, and those without. Those without are unable to change their situation as the money and prestige associated with the BCS makes it highly unlikely that a non-BCS school will be able to compete for the same recruits, coaches, sponsorships, national television exposure, and the revenue it generates. This disparity keeps them in the second-class status and must be changed.

Questions about the legality of the BCS have also arisen. Legal scholars have analyzed the anti-trust aspects of the BCS, and some have concluded that the BCS violates the Sherman Anti-Trust Act under the Rule of Reason test. This requires that the competitive benefits of the system outweigh the anti-competitive effects. However, the anti-competitive effects of the financial gain and recruiting advantage of the BCS schools can easily outweigh the pro-competitive benefits of arranging for the top two ranking BCS teams to play for the national championship.

Many have called for the end of or change to the BCS, and the current system is only the latest reincarnation. The NCAA has, on multiple occasions, studied and considered moving to a playoff to determine the national champion. Successful BCS school football coaches and presidents have called for a playoff system, as have presidents of non-BCS schools. Congress has held multiple hearings questioning the fairness of the BCS and states have introduced and passed legislation calling for changes to the system.

NCAA football is the only college team sport without a playoff determining the national champion. While the NCAA Basketball Championship's format will not transfer perfectly to college football, it is an ideal system. All Division I schools start the season with an equal chance of making it to the playoffs. The championship is decided on the court by the players and their talent, not rankings and their schedule before the tournament. The basketball championship also allows for a nearly annual "Cinderella story," an underrated team that defies expectations, upsets traditionally strong opponents and competes deep into the tournament. This year it was Davidson College, a member of the Southern Conference, which was seeded tenth in its region and made it to the Elite Eight, beating former champion Georgetown University, the University of Wisconsin and Gonzaga University along the way. This scenario is highly unlikely in the BCS system, as there is little chance for a non-BCS school to even be offered an invitation to play. Non-BCS schools, the University of Hawaii in 2008 and Boise State University in 2007 were undefeated going into the BCS and were not even given the opportunity to play for the national championship.

Something must be done to ensure that money and opportunity are evenly distributed among all college football programs. Congress should act in the interest of all the athletes, coaches, staff and supporters to guarantee parity and competition in college football. The current system leaves much to be desired and I urge my colleagues to join me in support of this resolution calling for the NCAA Division I national champion to be determined by a playoff.

BRITTANY PADGETT

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Brittany Padgett who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Brittany Padgett is a senior at Wheat Ridge High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Brittany Padgett is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential that students at all levels strive to make the most of their education and develop a work ethic that will guide them for the rest of their lives.

I extend my deepest congratulations once again to Brittany Padgett for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication she has shown in her high school career to her college career and future accomplishments.

RECOGNIZING FLORENCE CRITTENTON SERVICES ON THE 125TH ANNIVERSARY OF THE NATIONAL CRITTENTON FOUNDATION

HON. NANCY E. BOYDA

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mrs. BOYDA of Kansas. Madam Speaker, I am pleased today to recognize Florence Crittenton Services in Topeka. Kansas, on the occasion of the 125th Anniversary of The National Crittenton Foundation.

Florence Crittenton Services in Topeka, one of the 22 Crittenton agencies nationwide, is

justifiably proud of their more than 100 years of service to the State of Kansas' most vulnerable girls and young women.

In 1900, this agency began in Topeka with a contribution of just $100, which was given to provide much-needed community services and shelter to young women in the community.

It is worth our time to take a moment and realize just how much that small $100 contribution has created.

Today, 100 years later, Florence Crittenton Services provides not just shelter, but cutting edge, comprehensive services to Kansas' most vulnerable girls and young women. Currently, Florence Crittenton is the only Psychiatric Residential Treatment Facility in Kansas that serves female clients only.

Many people who know the Crittenton name associate it with support for unwed mothers. While this is an important part of the Crittenton legacy. the program has evolved over time to meet the increasingly complex and acute needs of at-risk young women and their families all across Kansas.

Most importantly, this array of services to girls and young women in Kansas provides opportunities for growth and support that would not exist otherwise. I am proud to acknowledge Florence Crittenton Services of Kansas for their long-standing and worthwhile efforts that give girls the tools and skills to change the course of their lives.

On this historic occasion, I ask my colleagues to join me in honoring Florence Crittenton Services in Topeka for their ongoing commitment to at-risk girls, young women and their families.

HONORING THE 125TH ANNIVERSARY OF THE NATIONAL CRITTENTON FOUNDATION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. DUNCAN. Madam Speaker, I rise today to celebrate the 125th anniversary of the National Crittenton Foundation, a national organization dedicated to supporting and empowering young women and girls at-risk.

More than a century ago, founder Charles Crittenton and his colleague, Dr. Kate Waller Barrett, began an international movement to help homeless, pregnant women and their babies. Today, the unique partnership between The National Crittenton Foundation and the Crittenton Family of Agencies carries on this mission through a national network of affiliated independent, local organizations.

As a leading member of the Crittenton Family of Agencies, the Florence Crittenton Agency in Knoxville, Tennessee has worked tirelessly to ensure that the children, families, and pregnant young women of East Tennessee have the best possible services. I am proud to have such an upstanding organization located in my congressional district.

Founded in 1896 under the proud leadership of Mrs. Annie McGhee McClung, the Knoxville organization experienced a period of decline during wars and the Great Depression, but the challenges facing young women and girls remained. Seeing the great need that still existed, seven Knoxville community leaders signed a second Charter of Incorporation on October 1, 1963, ushering in a new era of innovative services and support.

Through its active participation with The National Crittenton Foundation and the Crittenton Family of Agencies, the Florence Crittenton Agency in Knoxville continues to strengthen communities and have a positive impact on East Tennessee.

In closing, Madam Speaker, I ask that my colleagues join me in recognizing the National Crittenton Foundation and Knoxville's Florence Crittenton Agency on this historic occasion and thank them for their ongoing commitment to our communities and to our country.

TRIBUTE TO SAMMY GEORGE OF CHATTANOOGA, TENNESSEE

HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. WAMP. Madam Speaker, today I rise to honor Sammy George of my hometown of Chattanooga, Tennessee, as he departs the broadcasting industry at the height of his career with 35 years of service. Mr. George has been an outstanding leader at home, in the industry and within our community. Now that he will be spending more time with his family and friends, I want to take a moment to recognize his tremendous accomplishments and thank him for all he has done in Chattanooga.

Alter serving in the U.S. Marines in Vietnam, Sammy returned to his hometown of West Blocton, Alabama, where he worked as a disc jockey, DJ. He moved to Chattanooga in 1985 to become the general manager of the upstart radio station WUSY US–101 where he has remained for more than 22 years.

During his term, the station has won countless awards and has been recognized for its distinction and excellence These include nine Country Music Association Station of the Year awards, four R&R Station of the Year awards, one Academy of Country Music Station award, a National Association of Business, NAB, Marconi for Personality of the Year and the NAB Crystal award.

Most importantly, Sammy has focused his talent and energy on helping those in need. He has humbly led our community in raising millions of dollars for charitable causes, including $5 million for the St. Jude Children's Research Hospital and $800,000 of supplies for Hurricane Katrina victims.

Sammy retires as the market manager for Clear Channel/Chattanooga where he oversaw three popular radio stations: WUSY US–101, WLND 98.1 The Legend, and WRXR Rock 105. After taking some much deserved time off, he will bring his wealth of experience to Northwest Georgia Bank where he will be vice-president for new business.

Sammy George is a man of integrity, loyalty and outstanding leadership, and I am proud to recognize him today.

THE 2008 COOPERATIVE CONSERVATION AWARD

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. REICHERT. Madam Speaker, I want to congratulate Mount Rainier National Park, the Student Conservation Association, SCA, the Washington's Trails Association, WTA, the National Parks Conservation Association, NPCA, Washington's National Park Fund, and The Mountaineers for being awarded the 2008 Cooperative Conservation Award, CCA, from the Department of the Interior. The CCA is the Department of Interior's highest award presented to private citizens and organizational partners who support the agency's mission and demonstrate significant contributions to its programs.

The award was given to the coalition for their outstanding efforts in rebuilding damaged trails, campgrounds and other facilities at Mount Rainier following the disastrous floods and windstorms during the winter of 2006. The coalition named their efforts the Mount Rainier Recovery Initiative and enlisted the help of more than 700 people from all over the country to rebuild and solidify some of the most beautiful trails, campgrounds and habitats in the country. The work they did was truly remarkable. Their dedication is appreciated by residents of the Pacific Northwest and the residents of the Eighth District, the district I represent.

The work by the coalition, along with countless volunteers, will be enjoyed for years to come by the thousands of visitors to Mount Rainier. With all the coalition has accomplished, their efforts continue by expanding their reach outside Mount Rainier to other areas in Washington State affected by extreme weather utilizing the success of their Mount Rainier Model. Again, congratulations the SCA, the WTA, the NPCA, Washington's National Park Fund and The Mountaineers for their dedication to the natural wonders of the Pacific Northwest and urge them to continue in their efforts.

THE CITY OF ROCK PORT, MISSOURI

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. GRAVES. Madam Speaker, I proudly rise to recognize, the City of Rock Port, Missouri, the first community in the United States of America whose energy source is totally wind powered.

Rock Port, where Lewis and Clark camped in 1804, the county seat of Atchison County—named after United States Senator David Atchison—and the home of the annual Atchison County Fair, has come a long way to be the undisputed leader of energy innovation by becoming the first community in our Nation to be totally energy independent of foreign resources.

Named for the soil that it is built on, Loess Hills Wind Farm is located on agricultural lands within the city limits of Rock Port. The

four wind turbines that make up the Loess Hills Wind Farm will produce 16 million kilowatt hours of electricity per year. Rock Port will truly be the first community in America capable of meeting its entire annual electricity demands from wind power.

As a long standing supporter of wind energy, I am a proud to report the first 100 percent wind-powered community in the United States is in the Sixth Congressional District of Missouri.

Madam Speaker, I ask that you and the entire United States House of Representatives join me in celebrating with the City of Rock Port, Atchison County and the great State of Missouri in being the ''true'' leader for this Nation for energy independence.

DESIREE LAWRENCE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Desiree Lawrence who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Desiree Lawrence is a student at Wheat Ridge High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Desiree Lawrence is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential that students at all levels strive to make the most of their education and develop a work ethic that will guide them for the rest of their lives.

I extend my deepest congratulations once again to Desiree Lawrence for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

A PROCLAMATION HONORING RACHEL RUSSELL FOR WINNING THE OHIO DIVISION IV STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. SPACE. Madam Speaker:

Whereas, Rachel Russell showed hard work and dedication to the sport of basketball; and

Whereas, Rachel Russell was a supportive team player; and

Whereas, Rachel Russell always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Rachel Russell on winning the Ohio Division IV State Basketball Championship. We recognize the tremendous hard work and sportsmanship she has demonstrated during the 2007–2008 basketball season.

RECOGNIZING THE FLORENCE CRITTENTON HOME IN LEXINGTON, KENTUCKY

HON. BEN CHANDLER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. CHANDLER. Madam Speaker, it is with great pleasure that I recognize the 125th anniversary of the National Crittenton Foundation, an organization that supports empowerment and self-sufficiency for young women at risk. In particular, I want to celebrate the work of a leading member of the Crittenton Family of Agencies: The Florence Crittenton Home in Lexington, Kentucky.

Established in 1894, The Florence Crittenton Home in Lexington is a private nonprofit residential treatment facility that provides comprehensive services to girls who have been abused, neglected, abandoned or are experiencing pregnancy and parenting in the face of mental health and behavioral challenges. Every day, this dedicated organization strives to provide a stable, safe and nurturing atmosphere to help its clients achieve the personal growth and family stability necessary to thrive as adults.

Originally known as the Lexington House of Mercy, the Florence Crittenton Home opened its doors on September 3, 1894 in response to community concern about the lack of support for the city's girls. Over the years, with help from community partners including the Fayette County Board of Education, the University of Kentucky, the Keeneland Foundation, the Junior League of Lexington, numerous churches and dedicated volunteers, the Florence Crittenton Home has provided important social services to thousands of Kentucky's young women.

The National Crittenton Foundation and Lexington's own Florence Crittenton Home are to be commended as organizations that allow Kentucky's young women to believe in and empower themselves. It is with this ongoing contribution in mind that I recognize them both on this special occasion.

TRIBUTE TO JANET ELIZABETH THIESSEN

HON. RICK LARSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. LARSEN of Washington. Madam Speaker, I rise today to pay tribute to a woman who spent more than 20 years working for the people of the 2nd District of Washington State. Janet Elizabeth Thiessen, who passed away last month at the age of 78, was at the side of former Congressman Al Swift, throughout the years he represented the 2nd District from 1978 until 1995.

Ms. Thiessen's service to the 2nd District didn't begin with Rep. Swift; she first worked for his predecessor, Congressman Lloyd Meeds, as a caseworker in the district office and later as a member of his DC staff.

After graduating from Western Washington State College, Ms. Thiessen started out her career as a teacher. When she and her husband moved to Skagit County, she turned her attention to raising sons Kyle and Scott and volunteering in the community. One of her volunteer projects she was most proud of was helping to bring childcare to migrant families in Skagit County so children wouldn't have to be in the fields while their parents were in the fields picking fruit and vegetables. It was during her years as a volunteer for the local Democratic Party that she met Lloyd Meeds. Her volunteer efforts for Rep. Meeds led to a job helping his constituents, first in the district office and then in Washington. DC. Ms. Thiessen and Swift both worked for Rep. Meeds and when Swift was elected, she became office manager and ultimately his Chief of Staff.

Ms. Thiessen was respected and admired by all who worked in the office. She set high standards and expected top-quality work from all staff in the Swift office. Her hand was in nearly every issue that Swift worked on throughout his tenure in Congress, from his Motor Voter bill, which eventually became law, to the various projects that he sponsored around the 2nd District, such as the 88th Street Interchange on I–5 and the return of passenger rail service between Seattle and Vancouver, BC. She knew the issues, she knew the district, and she made sure everything ran smoothly for Rep. Swift and his legislative staff.

Her writing and grammatical skills were the envy of the entire office. I've been told that both she and Rep. Swift were terrific editors, but her eagle eyes would rarely let a misspelled word or typo slip by in any of the correspondence that went out of the office. Outside of the office, her ability to work a crossword or any type of word puzzle was legendary!

She was one of the first to arrive in the office each day and usually the last to leave at night. She took young staffers under her wing and often pushed them to better themselves in their careers—whether that meant going back to school or taking another job. Many of Swift's former staffers whom Ms. Thiessen helped nurture have gone on to become state legislators, CEOs, judges, attorneys, public affairs officers, top congressional staff, archivists, and teachers. I am fortunate that my own district director for many years worked with and was mentored by Ms. Thiessen.

Janet Thiessen was an independent woman who made her way in a world that was, at that time, often dominated by men. She rose from an unpaid volunteer to the Chief of Staff for a veteran congressman, all on her own. Her intellect, political skills, loyalty, sense of humor and kindness served her well in her career on Capitol Hill and in life. She will be greatly missed.

HONORING THE GRAND OPENING OF THE LEWIS LIBRARY AND TECHNOLOGY CENTER

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. BACA. Madam Speaker, on April 19, 2008, the city of Fontana and neighboring cities in the region will gather to celebrate the grand opening of the Lewis Library and Technology Center located in Fontana, CA.

The idea for the Lewis Library and Technology Center was birthed out of the need to create a library that would house the needs of the growing community. City officials and local developers believed that a more technologically advanced library was necessary to enhance personal, professional, recreational and lifelong learning goals, a task that was unattainable through the already existing ''Emerald Street'' Library.

The Lewis Library and Technology Center is the first significant new building in the region. This library creates not only a new awareness for the city, but a newfound awareness and appreciation for the Inland Empire Region. specifically the San Bernardino County area.

In addition to representing a new image for the city and the region, the Lewis Library and Technology Center provides accessibility to surrounding cities like Rancho Cucamonga, Rialto, Colton, Ontario, Bloomington and San Bernardino.

Fontana is the 5th fastest growing city in the State and the 8th fastest growing city in the Nation—population 183,640 and growing. Fontana is also a melting pot with 12 percent Black, 60 percent Hispanic, 25 percent White, with a wide variety of cultures and languages. Roughly 41 percent of our 42,000 school-age children in the classrooms are designated ''English Language Learners.'' That's 17,176 kids who need your help. The library will fulfill the community's desire for improved library services as well as establish an icon for a maturing and growing city.

The Lewis Library and Technology Center will for years to come be symbolic of the city's diversity and will be representative of the advancements that have been made in Fontana. The library will be a historic monument for the city and the region.

It is on behalf of the children of our community and our region that we recognize this great work and give tribute to the grand opening of the Lewis Library and Technology Center.

THE FOREIGN INTELLIGENCE SURVEILLANCE ACT

HON. ALLEN BOYD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. BOYD of Florida. Madam Speaker, I want to commend the House and Senate leadership on their negotiations throughout the last year on the Foreign Intelligence Surveillance Act. They have worked diligently on this issue and I rise today to encourage them to finalize a version of the bill that protects the civil liberties of our citizens, provides comprehensive guidelines for our intelligence community and reaffirms the importance of private industry cooperation in government investigations.

The right to privacy has long been regarded as an inherent American value and it is our Government's responsibility to strike a balance between protecting that constitutionally protected right and securing the country against future terrorist attacks. I have been pleased to support the Democratic led efforts towards Foreign Intelligence Surveillance Act reauthorization that have made it clear that these rights are to be at the forefront of actions taken by Government officials.

In addition to this emphasis, I believe it imperative that a final bill exempts from liability the telecommunications companies who participated in the Bush administration's requests for information on customer records. I join the National Sheriffs' Association, the International Association of Chiefs of Police, the Fraternal Order of Police, members of the 9/11 Commission and the Florida State Attorney General Bill McCollum in urging this protection. A provision as such will ensure that the cooperative relationships that law enforcement and the private sector have will continue to facilitate critical information exchanges that protect this Nation and its citizens.

I am confident that Congress will continue the role intended by our forefathers to oversee the past, current and future actions of the executive branch, particularly in regard to these bedrock issues that make the United States the greatest country in the world. Our intelligence community deserves updated direction and guidance on these issues backed by the force of law, and I urge our leaders to continue their good work.

HONORING VOLUNTEERS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. SAM JOHNSON of Texas. Madam Speaker, it is my privilege to bring before this Congress the following outstanding people who have voluntarily served orphans, public school children, college students, juvenile delinquents, and needy families under the official invitation and authority of government agencies in Austria, China, Indonesia, South Korea, Malaysia, Mexico, Mongolia, New Zealand, Peru, Philippines, Romania, Russia, Singapore, Taiwan and Ukraine. The excellent character demonstrated by these people, as well as their commitment to the principles upon which our Nation was founded, have not only attracted the attention of leaders, parents, the media, and students, but it has also brought honor to the United States of America and to the Lord Jesus Christ who they serve.

Bair, Aileen, IL; Bair, Robert, IL; Beiler, Krista, PA; Bisson, Hannah, OH; Bollinger, Lauren, OH; Brown, James, NY; Chen, Anna, NY; Chen, Faith, NY; Chen, Grace, NY; Chen, Karen, NY; Chen, Dr. Stephen, NY; Chen, Timothy, NY.

Christensen, Edith, GA; Christiansen, Alissa, OK; Christiansen, Chad, OK; Clawson, Laura, MN; Clayton, Philip, NC; Coffing, Dominique, NM; Connelly, Sarah, AZ; Conzatti, Dena, WA; Cook, Aaron, SC; Cook, Kristi, SC; Cooper, Gloria, TX; Cooper, Josiah, TX.

Copu, Carmen, IL; Copu, Joy, IL; Copu, Paul, IL; Copu, Peter, IL; Copu, Rebecca, IL; Copu, Stefana, IL; Copu, Valen, IL; Copu, Victor, IL; Copu, William, IL; Crisp, Heather, OH; Cyrus, Lauren, MI; Dalrymple, Hannah, GA.

DeBoer, Rachel, IL; DePriest, Amy, MO; Dornink, Melody, MN; Dudley, Juliana, PA; Dudley, Wesley, PA; Ehnis, Nathan, MI; Ehnis, Shannon, MI; Eng, Emily, NC; Eng, Michelle, NC; Estes, Autumn, FL; Estes, Curtis, FL; Estes, Daniel, FL.

Estes, Mildred, FL; Farr, Roger, TX; Farr, Sue, TX; Freehan, Benjamin, WA; Feig, Joel, WI; Feig, Zachary, WI; Fernandez, Jonathan, CA; Fields, Jonelle, TX; Forsman, Camille, MN; Fox, Elizabeth, CA; Frahm, Jonathan, GA; Frahm, Laura, GA.

Gamble, Allison, AL; Gay, Carissa, OR; Gilley, Rebekah, AL; Gillson, Kennan, MN; Gillson, Kirsten, MN; Greenwood, Karen, CT; Grier, Anna, GA; Grindall, Rachel, WA; Hanes, Austin, AL; Haueisen, Michelle, WA; Heath, Joshua, PA; Heath, Krystal, PA.

Hilton, Alex, VA; Hollinger, Seanna, NE; Hubbard, Micah, AR; Hug, Ruth, WA; Hung, Daniel, CA; Hung, Rachel, CA; Hung, Rebecca, CA; Hung, Sharon, CA; Hynes, Joy, IN; Jefferies, Megan, MI; Johnson, Amanda, WI; Johnson, Rebekah, IL.

Jorgensen, Andrew, PA; Jorgensen, Rachel, PA; Kallberg, Luke, IL; Kallberg, Naomi, IL; Krauter, Jocelyn, PA; Ku Isabelle, NJ; Kulp, Jarita, WI; LaLone, Douglas, PA; Langemann, Christy, CO; Lawrence, Ian, AL; Lehman, Regina, PA; Leskowat, Catherine, OK.

Leskowat, Naomi, OK; Levendusky, Angie, OK; Levendusky, Dr. Tim, OK; Lewis, Mai, WI; Lindley, Jessica, IL; Lindley, Sarah, IL; Little, Lauren, NJ; Llewellyn, Chad, MD; Lukachick, Anna, LA; Lukachick, David, LA; Lyons, Hannah, IL.

Lyons, Mary, IL; Lyons, Naomi, IL; Lyons, Roy, IL; Mally, Grace, IA; Mally, Harold, IA; Mally, Rebekah, IA; Mally, Sarah, IA; Mally, Stephen, IA; Malm, Ben, MN; Marshall, Dallas, OK; Marshall, Ezra, OK.

Marshall, James, OK; Marshall, Johnathan, OK; Marshall, Louanne, OK; Marshall, Thaddaeus, OK; Mason, Christina, AR; Matchak, Jacob, CA; Mattix, George, IL; Mattix, Pattie, IL; McCray, Jo, AR; McCray, Dr. Kevin, AR.

Meng, Christine, NC; Meng, Ethen, NC; Meng, Grace, NC; Meng, Justin, NC; Meng, Stephen, NC; Neu, Daniel, KS; Newhook, Andrew, PA; Newhook, Trevor, PA; Newhook, Tyler, PA; Nicholson, Benjamin, TX; Noland, Katerine, MA.

O'Conner, Adam, LA; Payne, Ashia, MD; Payne, Nikolai, IA; Pennel, Corrie, DE; Peterson, Joy, FL; Phariss, Erik, TX; Phariss, Ken, TX; Phariss, Sacha, TX; Phariss, Susana, TX; Pierpont, Holly, MI; Plattner, Tessa, AZ.

Randall, Erin, TX; Richmond, Kristen, OH; Ross, Charles, GA; Ross, Mary, GA; Ross, Rebecca, GA; Sachse, Jennifer, TX; Samaha, James, SC; Sanborn, Diane, FL; Sanders, Charity, AL; Sater, Jonathan, ID.

Seale, Susanna, TX; Searle, Shawn, CA; Sellin, Tammy, KS; Shepherd, Gracie, GA; Sherrer, Katherine, NC; Shoemaker, Richard, OK; Simpson, Jerry, OH; Simpson, Nichole, OH; Snyder, Benjamin, MA; Staddon, Donald, WV; Steinbach, Jeff, CA.

Stewart, Andrew, OH; Stewart, Lucas, OH; Stonecypher, Esther, IN; Stonecypher, Caleb, IN; Stonecypher, Debra, IN; Stonecypher, Elizabeth, IN; Stonecypher, Leah, IN; Stonecypher, Maurice, IN; Straub, Nathan, WA; Straub, Teresa, WA; Strickler, Ruth, PA.

Sullivan, Andrei, NC; Sullivan, John David, NC; Sullivan, Roslyn, NC; Sullivan, Sarah, NC; Sullivan, Tom, NC; Taylor, Luisa, CA; Turner, Jane, GA; Vaccaro, Jeanette, MT; Van Ry, Sheralee, WA; Waller, Adam, IL.

Waller, Brian, IL; Waller, David, IL; Waller, Derrick, IL; Waller, Lydia, IL; Waller, Matthew, IL; Waller, Rachelle, IL; Waller, Rebecca, IL; Waller, Samuel, IL; Waller, Sarah, IL; Waller, Sue, IL; Waterman, Kaylan, MI; Wenstrom, Angela, FL; Wenstrom, Brittany, FL.

Wenstrom, Chris, FL; Wenstrom, James, FL; Wenstrom, Kimberly, FL; Wenstrom, Matthew, FL; Wenstrom, Michelle, FL; Whitten, Susannah, IN; Williams, Arnah, IN; Williams, Burton, CT; Williams, Sue, CT; Winkler, Kathryn, NY; Yaste, Alexander, IN; and Zaloum, Kristina, IN.

A PROCLAMATION HONORING ROBERT EASLICK FOR WINNING THE OHIO DIVISION IV STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. SPACE. Madam Speaker:

Whereas, Robert Easlick showed hard work and dedication to the sport of basketball; and

Whereas, Robert Easlick was a supportive team player; and

Whereas, Robert Easlick always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Robert Easlick on winning the Ohio Division IV State Basketball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2007–2008 basketball season.

GENEVIEVE MARTINEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Genevieve Martinez who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Genevieve Martinez is a student at Wheat Ridge Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Genevieve Martinez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential that students at all levels strive to make the most of their education and develop a work ethic that will guide them for the rest of their lives.

I extend my deepest congratulations once again to Genevieve Martinez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

TRIBUTE TO PRINCIPAL JILL RAMSEY AND TEACHERS MR. PATRICK FINE, MS. LIESA HARTIN, MR. MIKE KAISER AND MR. STEVE MUSIAL

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. AKIN. Madam Speaker, I rise today to recognize and honor Principal Jill Ramsey and physical education teachers: Mr. Patrick Fine, Ms. Liesa Hartin, Mr. Mike Kaiser, and Mr. Steve Musial. Principal Jill Ramsey and the Chesterfield Elementary School has successfully renewed its STARS status. The criteria for STARS recognition is based on the National Standards for Physical Education, specifically, educationally and developmentally appropriate instructional strategies and teaching skills, adequate facilities and equipment that are safe and appropriate for the age and abilities of the students and that enable students to participate in the maximum amount of active time on task, and classes taught by certified physical educators.

A quality school physical education program is the foundation for helping all children develop the knowledge, skills, and confidence that promote lifelong physical activity. By improving the quality of school physical education programs across the country, we will have a direct effect on the health of America's children.

I want to thank the fine educators of Chesterfield Elementary School for their commitment to the health and education of our future generations and congratulate them on the successful renewal of their STARS status in 2008.

CONGRATULATING WANDA JENSEN FOR HER MANY YEARS OF SERVICE AS STICKNEY TOWNSHIP DEMOCRATIC COMMITTEEWOMAN

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. LIPINSKI. Madam Speaker, I rise today to honor Wanda Jensen as she retires from over 40 years of service as Stickney Township Democratic committeewoman. Throughout her tenure, Mrs. Jensen served her community commendably and I am pleased to recognize her for her long and admirable record of public service.

A longtime resident of the Third District, Mrs. Jensen has demonstrated true community spirit with an unwavering devotion to serving the public. Her service to Stickney as a Democratic committeewoman since 1966 is but one example of her deep community involvement. A true pillar of the community, Wanda has served as a Stickney Township trustee for more than 30 years, all the while devoting extra time to organizations such as the Boy Scouts and the Girl Scouts.

As a testament to her success at bringing the community together, Mrs. Jensen is the proud founder of a local fashion show that has been running for 41 years. Over time, this event has evolved into a popular community gathering that sells out every year.

Amidst her many commendable contributions to the Third District, Mrs. Jensen raised 4 children and now enjoys the pleasure of a large family, which has grown to include 14 grandchildren and 5 great-grandchildren. Mrs. Jensen is also a devoted member of St. Albert the Great Catholic Church.

I rise today, Madam Speaker, to commend the dedication and service of Wanda Jensen as she retires from her post as Stickney Township Democratic committeewoman. I am proud to have in the Third District such an exemplary model of a devoted public servant. I deeply appreciate her service and wish her and her loved ones a wonderful celebration as they commemorate her many years of service.

CONGRATULATING GIRL SCOUT GOLD AWARD RECIPIENTS

HON. RAY LaHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. LaHOOD. Madam Speaker, today I am proud to recognize seven outstanding young women who have earned the Girl Scout Gold Award. The Gold Award is the highest offered by the Girl Scouts.

I am honored to extend my congratulations to Ms. Kellie Poland, Ms. Marlene Smith, Ms. Andreanna Haun, Ms. Heather Graham, Ms. Nikita Garman, Ms. Mindy Merdian, and Ms. Alexis Moore, all Gold Award winners. These young women join an elite group of Girl Scouts, as last year only about 5 percent of eligible Scouts earned the prestigious Gold Award. Each of these young women's accomplishments demonstrates their ability to successfully meet a challenge and achieve a truly difficult goal. They have shown leadership in their communities and, through their efforts, have had a positive impact on the lives of others. The Girl Scouts can be proud today, as I am, of these fine young women, who, with character and confidence, have shown the courage to achieve the highest of honors available to them, the Gold Award.

I applaud their dedication and thank them for their service to our communities. I encourage them to continue to be positive examples for those around them, and, again, I offer my sincere congratulations.

FERNANDA MARTINEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Fernanda Martinez who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Fernanda Martinez is a student at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Fernanda Martinez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential that students at all levels strive to make the most of their education and develop a work ethic that will guide them for the rest of their lives.

I extend my deepest congratulations once again to Fernanda Martinez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

IN HONOR OF ELEANOR WASSON

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. FARR. Madam Speaker, I rise today, with my colleagues ANNA ESHOO and DENNIS KUCINICH to honor the memory of an optimistic, vivacious woman whose positive outlook and zeal for life inspired many. Eleanor Wasson, a driving force behind WomenRise for Global Peace, passed away peacefully on April 6, 2008. She was 100 years old.

Miss Wasson grew up in Los Angeles, California and was raised by a loving, supportive family. In her life she was always conscious of the importance of giving back to the community. She devoted her life to fighting for political and social causes in the United States and abroad. Miss Wasson was an active volunteer, working three decades as a coordinator of Volunteer Services for UCLA, and later, creating her own organization. Miss Wasson helped introduce volunteerism to the rest of the world through the creation of International Volunteer Education, which was designed to teach foreign countries to recruit and train large numbers of volunteers.

A feminist ahead of her time, Miss Wasson's activism and longevity was fueled by her uplifting outlook on life. Miss Wasson was noted for the ability to befriend people from all over the world and from diverse walks of life. Her warm heart led her to treat each individual with equal respect and friendliness; noting that having plenty of friends attributed to her own longevity. Above all, she led her life believing in the universal power of love, and that we all had power, providing that every action was motivated by love.

Later in her life, Miss Wasson was drawn to the beauty of California's Central Coast. She moved to Santa Cruz in 1989, where she continued to cultivate her spirit of volunteerism, contributing much to a local environmental organization. EarthSave. There, she continued to make friends and spread her contagious optimism with Santa Cruz locals. Old age could not stop Miss Wasson as she continued her activist lifestyle up until her recent passing. Her memories live on, along with her book ''28,000 Martinis and Counting,'' which details her centenarian life of ''living, learning, and loving.''

Eleanor is survived by her daughters Joan Smith and Diane Wright; along with numerous beloved family members and friends.

Madam Speaker, I would like to extend our Nation's deep gratitude for Eleanor's service to the United States and her own local community. I know I speak for every Member of Congress in offering our condolences to Joan, Diane and the entire Wasson family for the loss of their beloved mother, grandmother and great-grandmother.

A PROCLAMATION HONORING TRAVIS GLASGOW FOR WINNING THE OHIO DIVISION IV STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. SPACE. Madam Speaker:

Whereas, Travis Glasgow showed hard work and dedication to the sport of basketball; and

Whereas, Travis Glasgow was a supportive team player; and

Whereas, Travis Glasgow always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate Travis Glasgow on winning the Ohio Division IV State Basketball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2007–2008 basketball season.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Ms. SLAUGHTER. Madam Speaker, I was unavoidably detained and missed Rollcall votes 192, 199, 200, and 201. Had I been present, I would have voted ''yea'' on rollcall No. 192, ''yea'' on rollcall No. 199, ''yea'' on rollcall No. 200, and ''yea'' on rollcall No. 201.

PERSONAL EXPLANATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Ms. GRANGER. Madam Speaker, on rollcall Nos. 148, 149, 150, 151, 152, 156, 157, 158, 159, 160, 161, 162, 163, 166, 167, 168, 169, 170, 171, 172, 173, 175, 176, 177, 180, and 182 I am not recorded because I was absent due to illness.

Had I been present, I would have voted ''aye.''

HONORING MRS. PINKIE PARKER HARDY

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Ms. LEE. Madam Speaker, I rise today to honor the extraordinary life of Mrs. Pinkie Parker Hardy. We lost our beloved Mrs. Pinkie Hardy on April 3, 2008. She led a full and vibrant life during her 91 years on this earth, raising a loving family and mentoring many in her church and community.

On May, 19, 1916, Pinkie Parker was born in Washington, Louisiana to Alice White and John Parker. During Pinkie's life, she witnessed many of the Nation's most turbulent and controversial moments. Growing up in the south in the first quarter of the last century, Pinkie was self-educated and she devoted her energies to her community, her family, and her faith. She was a lifelong resident of Eunice, Louisiana.

In 1936, at the age of 20, Pinkie Parker married Herman Joseph Hardy. From this loving union, five sons and two daughters were born. In 1949, Mrs. Hardy became a parishioner at St. Mathilda Catholic Church. She remained a devout and extremely active member of this parish until she became ill just last year.

Mrs. Hardy contributed immeasurably to the growth and service of St. Mathilda Parish during her life. Bishop Flynn appointed her as the first Extraordinary Minister of the Eucharist at St. Mathilda. She also served as Lector and Parish Council President for several years. For 50 years, Mrs. Hardy was an active member of the Knights of Peter Claver (KPC) Council #92. Mrs. Hardy spent 26 of those years serving as the Grand Lady of KPC.

In 1987, Mrs. Hardy was the recipient of the Martin Luther King, Jr. Award from the Diocese of Lafayette. In 2002, she received the Bishop's Medal for devoted service to her church and society.

It is clear that Mrs. Hardy was an indispensable component of her community. She came of age and lived her adult life during the most tumultuous and influential political period in American history. Mrs. Hardy's life exemplifies that of many African-Americans during this century, their struggle for human rights and civic freedom, and their strength and perseverance.

These important men and women are seldom recognized for their greatness. Mrs. Hardy's life is one to be remembered and admired as an example of the true work and inner fortitude that keeps this country together. These individuals dedicated their lives to the service of their God and community in the face of incredible odds. Each and every one of them had a unique story, a special impact, and a loving family. Mrs. Pinkie Parker Hardy was a member of mine.

On a very personal level, Mrs. Hardy was ''family'' to me. She shared her deep religious faith, her wonderful Creole cooking (especially her gumbo) and her insights as a strong, yet gentle African-American woman with me on several occasions. To know ''Mrs. Pinkie'' was to love her.

Mrs. Pinkie Parker Hardy will be sorely missed by all those who loved her and were honored to have her kindness and spirit touch their lives. Her memory and legacy will live on through her seven children, five daughters-in-law, 22 grandchildren, 34 great-grandchildren, and four great-great-grandchildren as well as innumerable relatives and friends.

Today, California's 9th Congressional District salutes and honors Mrs. Pinkie Parker Hardy. We extend our deepest condolences to her family and children. Thank you for sharing her great spirit with so many people over the last century. May her soul rest in peace.

A PROCLAMATION HONORING KERSHAL ZEHNDER FOR WINNING THE OHIO DIVISION IV STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. SPACE. Madam Speaker:

Whereas, Kershal Zehnder showed hard work and dedication to the sport of basketball; and

Whereas, Kershal Zehnder was a supportive team player; and

Whereas, Kershal Zehnder always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, That along with his friends, family, and the residents of the 18th Congressional District, I congratulate Kershal Zehnder on winning the Ohio Division IV State Basketball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2007–2008 basketball season.

QUIANNE HOLMES

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Quianne Holmes, who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Quianne Holmes is a senior at Wheat Ridge High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Quianne Holmes is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential that students at all levels strive to make the most of their education and develop a work ethic that will guide them for the rest of their lives.

I extend my deepest congratulations once again to Quianne Holmes for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication she has shown in her high school career to her college career and future accomplishments.

JUBILEE ACT FOR RESPONSIBLE LENDING AND EXPANDED DEBT CANCELLATION OF 2008

SPEECH OF

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 2008

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2634) to provide for greater responsibility in lending and expanded cancellation of debts owed to the United States and the international financial institutions by low-income countries, and for other purposes:

Mr. CARSON. Mr. Chairman, I rise in strong support of H.R. 2634, the Jubilee Act. This bill seeks to help those struggling under the most grievous economic circumstances abroad. It reflects a strong bipartisan effort to assist in full debt cancellation for 24 of the world's poorest countries.

Under this bill, introduced by Congresswoman WATERS, debt relief would be extended to countries not currently eligible under the IMF's Heavily Indebted Poor Countries program. Nine of these countries would receive immediate assistance under this act while the remaining countries would have to meet stringent standards in order to receive the forgiveness.

These standards would ensure countries receiving assistance do not acquire new debt or encourage bad actors within their government. Countries would not be eligible for assistance if they lack transparency in their budget, commit human rights violations, support international terrorism, have excessive levels of military funding, or fail to cooperate on international narcotics control issues. The bill further provides that external financing needs of these countries are met through grants rather than loans to prevent them from falling victim to exploitive lending in the future.

Debt relief for the most severely disadvantaged throughout the world concerns us all as global citizens and numerous constituents in my district have reached out to me expressing their overwhelming support for this compassionate bill. I am proud to be a member of the committee that passed this bill with a favorable recommendation and of this House which has moved this legislation today. H.R. 2634 helps our world's neediest individuals, many of which have suffered under repressive regimes, move forward and use their countries' future capital on important economic growth activities and health care.

JUBILEE ACT FOR RESPONSIBLE LENDING AND EXPANDED DEBT CANCELLATION OF 2008

SPEECH OF

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 16, 2008

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2634) to provide for greater responsibility in lending and expanded cancellation of debts owed to the United States and the international financial institutions by low-income countries, and for other purposes:

Ms. LEE. Mr. Chairman, I rise today in support of the Hastings amendment to H.R. 2634 which expresses the sense of Congress that Haiti's debts should be immediately forgiven. This amendment seeks to empower a nation that has endured a turbulent past and has fought courageously to achieve a relative measure of stability.

As the world has experienced a 40 percent rise in global food prices since mid–2007, Haiti, the poorest country in the Western Hemisphere, has keenly felt this increase on a greater scale. Eighty percent of Haiti's population lives on less than $2 a day. The cost of staple foods which Haiti's economy depends on, such as rice, beans, fruit, and condensed milk, has gone up 50 percent in the past year.

The high cost of food in Haiti has led to anti-government protests and riots, in which at least 5 people have died and 40 people have been wounded. These extreme reactions to the humanitarian crisis will jeopardize Haiti's security and the capacity of its democratic institutions to govern effectively. To put it simply, Haiti's democracy cannot survive if it is unable to ensure that its people have access to basic food commodities at a reasonable price.

The Hastings amendment reinforces the point that Haiti is scheduled to send $48,700,000 in debt payments to multilateral financial institutions in 2008—money that could be better spent on providing for its people.

In light of this devastating global food crisis and the crisis in Haiti, we must urge the Secretary of the Treasury to do all that he can to expedite the complete and immediate cancelation of Haiti's debts to all international financial institutions.

This is a reasonable amendment that responds to an urgent need, and I urge my colleagues to support it.

THE 125TH ANNIVERSARY OF THE NATIONAL CRITTENTON FOUNDATION

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Ms. JACKSON-LEE of Texas. Madam Speaker, I ask my colleagues to join me today in celebrating the 125th Anniversary of the National Crittenton Foundation, an organization that supports empowerment, self-sufficiency, and an end to cycles of destructive behaviors and relationships for at-risk and system-involved girls, young women and their families.

On this historic occasion, I am particularly honored to recognize the ongoing contribution of one of the leading members of the Foundation's Family of Agencies, DePelchin Children's Center in Houston, which proudly serves my home district and other children and families from across Texas.

DePelchin Children's Center has strong roots in our community. More than 120 years ago, Charles Crittenton, the well-known American philanthropist, visited Houston and inspired a group of local activists to establish one of the country's first maternity homes, a refuge for young unmarried mothers. In response to changing community needs, the Crittenton Home significantly expanded its services over the years, merging with DePelchin Children's Center in 1983.

Recognizing that a child's needs are best met in a family environment, DePelchin Children's Center strives to strengthen the lives of children and families by providing a continuum of services to prevent and resolve social and emotional crises. Each year, the agency provides more than 30 programs for over 26,000 vulnerable children and families each year in multiple locations in Harris, Montgomery, Brazoria, Galveston, Fort Bend and Waller counties. In addition to teen parenting and independent living services, DePelchin offers foster care, adoption, prevention, residential, and an array of other services designed to meet its clients' complex needs.

The unique partnership between DePelchin Children's Center and The National Crittenton Foundation is an additional strength for Houston's children and families. This ongoing collaboration was and is based on Charles Crittenton's and Dr. Kate Waller Barrett's belief that the most effective way to address compelling national social issues was through a network of affiliated independent, local organizations supported by a national body.

I am proud of the work The National Crittenton Foundation and DePelchin Children's Center continue to do on behalf of vulnerable children and families across the state

of Texas and across this nation. I thank them for their commitment and wish them a strong and continued partnership in the coming years.

HONORING THE NATIONAL CRITTENTON FOUNDATION

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. PASTOR. Madam Speaker, I rise today to ask my colleagues to join me in commemorating the 125th anniversary of the National Crittenton Foundation and the Crittenton Family of Agencies. I do so because this network of organizations deserves recognition for the profound role they have played in allowing girls and young women to realize their full potential.

In particular, I would like to draw attention to the Florence Crittenton Services of Arizona in Phoenix. For more than a century, this organization has provided valuable services, education and community-based programs to help Arizona children and teens overcome the issues of abuse, neglect, teen pregnancy and mental health problems. Through its comprehensive network of services and support systems, this organization provides a refuge where vulnerable youth, ages 12 to 21, prosper from the assistance of a caring community and discover the possibility of a bright new future in spite of their challenging past experiences.

As society has experienced dramatic changes in the last 100 years, the Phoenix home has changed too, but its goal of giving every girl it serves safety, hope, and opportunity has remained constant. I commend the Florence Crittenton board members, staff and volunteers for their compassion and dedication to excellence, ensuring that their services continue to grow to meet the needs of the girls it serves, and for becoming one of the state's leading experts in gender-specific services.

It is with great pride that I congratulate the Florence Crittendon Services of Arizona and its nationwide community of Crittendon sister organizations on their successful efforts to empower at-risk girls to rise above the negative circumstances they have been exposed to and become productive and self-sufficient citizens who understand the value of always treating themselves and others with respect.

UPON INTRODUCTION OF THE WIRELESS INTERNET NATIONWIDE FOR FAMILIES ACT OF 2008

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Ms. ESHOO. Madam Speaker, today Rep. CHRISTOPHER CANNON and I introduced the Wireless Internet Nationwide for Families Act of 2008 (WIN) which, if enacted, would foster the deployment of a new nation-wide wireless broadband network.

By every measure, the U.S. is losing the international broadband race and our competitiveness as a nation is at stake. More than 100 million Americans do not have broadband at home. Seventy-one percent of Latinos do not have broadband at home. Sixty-nine percent of Americans living in rural areas do not have broadband. Sixty percent of African Americans do not have broadband at home.

The high cost of internet access is a barrier for too many families who want broadband. In just the last year, the average cost of a broadband connection has risen $2 per month, or nearly five percent. These troubling figures must change and that's why I've introduced the WIN Act. This legislation mandates that the Federal Communications Commission (FCC) auction certain spectrum that is currently lying fallow.

The winner of the auction would be required to build and complete a network within 10 years which must provide coverage to at least 95 percent of our country. The licensee would be required to provide service for free to consumers and public safety users. The WIN Act also requires the licensee to deny access to obscene and indecent material on the free service tier.

The results of the 700 MHz auction disappointed many of us who hoped that a new entrant would emerge. Seventy percent of the auctioned spectrum went to only two carriers. While the auction required under this legislation is open to anyone, it is my hope that the bold conditions of requiring free, family friendly service will encourage the entry of a new national broadband service provider.

The public airwaves are a national resource that should he utilized to benefit the public. For far too long our nation's carriers have stockpiled spectrum, gamed building-out requirements, and provided poor service to consumers. This bill attempts to remind licensees that they do not own the public waves in fee simple. As licensees, they hold spectrum in a public trust. This is an agreement that obligates them to utilize this spectrum in the public interest in exchange for their exclusive control.

The Innovation Agenda made a commitment to spur affordable access to broadband and this bill will go a long way to providing universal broadband access. I encourage my colleagues to join me and Rep. CANNON in support of this legislation.

IN MEMORY OF DOROTHY PRICE MOORE

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. ROSS. Madam Speaker, I rise today to honor the memory of my dear friend Dorothy Moore of Arkansas City, Arkansas, who passed away April 9, 2008, at the age of 97.

Dorothy Moore, affectionately known as ''Miss Dorothy'' to all that knew her and throughout the state of Arkansas, was a tremendous woman and an inspiration to everyone who called her a friend. Raised on her family's farm in Southeast Arkansas during the Depression and the Great Flood of 1927, she learned the importance of small town values such as hard work, honesty, compassion for others, and reverence for all which she exemplified throughout her life and were evident in all she did.

Faithful to her community, Miss Dorothy returned home to Arkansas City after college to begin her lifelong career in public service. For over two decades Miss Dorothy served as the Deputy Collector in the Desha County Sheriff's Office while her husband, Robert S. Moore, held the post of Sheriff. During this time she was the backbone of her wonderful family as well as a trusted political advisor to her husband. After her husband's life was tragically cut short, it was Miss Dorothy who stepped in and completed the remainder of his term as Desha County Sheriff—a role that was only fitting for a person dedicated to her community and committed to public service.

After Miss Dorothy completed her time as Sheriff, her political journey in Arkansas continued as she was selected by then-Governor Bill Clinton to serve on his staff. Her friendly style and warm smile became so contagious around the office that she was asked to continue working for Arkansas's next two governors. Her numerous years spent working in the Governor's office established her as a legendary figure in Arkansas history.

Miss Dorothy was a great ambassador for Desha County and Southeast Arkansas as she worked tirelessly to create a strong sense of community in everything she did. I was truly honored and humbled to be able to speak at Miss Dorothy's funeral, and I will always cherish the fond memories I have of her. It is with great admiration and heartfelt respect that I will remember a lady who was a mother figure to an entire state, and whose class and dignity will always represent what Southern Hospitality should be.

I send my deepest condolences to her daughter Dorothy Lee Moore Paige and her husband David of Davis, California; her son State Representative Robert S. Moore Jr. and his wife Beverly of Arkansas City; and to her four grandchildren, six great-grandchildren and numerous friends across the state. Miss Dorothy will be greatly missed in Desha County and throughout the state of Arkansas, and I will continue to keep her family in my thoughts and prayers.

A PROCLAMATION HONORING JOHN CALSON FOR WINNING THE OHIO DIVISION IV STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. SPACE. Madam Speaker:

Whereas, John Calson showed hard work and dedication to the sport of basketball; and

Whereas, John Calson was a supportive team player; and

Whereas, John Calson always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with his friends, family, and the residents of the 18th Congressional District, I congratulate John Calson on winning the Ohio Division IV State Basketball Championship. We recognize the tremendous hard work and sportsmanship he has demonstrated during the 2007–2008 basketball season.

ALIA SHEYA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Alia Sheya, who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Alia Sheya is a student at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Alia Sheya is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential that students at all levels strive to make the most of their education and develop a work ethic that will guide them for the rest of their lives.

I extend my deepest congratulations once again to Alia Sheya for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

IN RECOGNITION OF CARROLL SHELBY

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. KNOLLENBERG. Madam Speaker, I rise today to recognize Carroll Shelby. a true visionary in the automotive industry, to honor his receipt for the Automotive Industry Executive of the Year's Lifetime Achievement Award.

Born January 11, 1923 in Texas, Carroll Hall Shelby served admirably in the U.S. Air Force as a flight instructor and test pilot during World War II. After his service with the military, Shelby began what would become a decorated and distinguished career as a professional automobile racer. Named Sports Illustrated's Driver of the Year in 1956 and 1957. Carroll Shelby was also inducted into both the International MotorSports Hall of Fame and the Automobile Hall of Fame.

Mr. Shelby's influence on the racing world as a driver was only exceeded by his impact as an automotive designer, securing his legacy as an industry luminary through the many innovations and designs that have shaped and reshaped the cars we drive today. Some of the most beautiful and powerful cars ever made, including the Ford GT40, the Ford Shelby Mustangs, and the Dodge Viper, are the product of his vision and expertise.

Beyond his achievements in the automotive realm, Carroll Shelby has demonstrated his compassion through his commitment to the Carroll Shelby Children's Foundation, a charity he established to help children in need of heart and kidney transplants. His work with this foundation has helped many families and has fueled research that will help save even more lives throughout the future.

Madam Speaker, I am proud to recognize the achievements and service of Carroll Shelby. His many contributions to the automotive industry and the country represent his commitment to excellence, and I wish congratulations for receiving this prestigious award.

INTRODUCTION OF THE TEACHING AND RESEARCH ASSISTANT COLLECTIVE BARGAINING RIGHTS ACT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. GEORGE MILLER of California. Madam Speaker, I am pleased to introduce the Teaching and Research Assistant Collective Bargaining Rights Act. This legislation will restore the right of graduate assistants to organize and bargain for better wages and working conditions under the National Labor Relations Act, NLRA.

Graduate assistants across this country have seen their workloads dramatically increase in recent years. As many colleges and universities try to cut costs they have relied on graduate students to take on a larger role and more responsibility: They teach classes, develop course curriculum, grade student papers, and provide counseling. One reason for this trend is simple—graduate student teachers are paid a fraction of what faculty earn. Confronted with this economic reality, graduate assistants, many of whom have families to support, have sought to exercise their right to organize and bargain collectively for a better deal.

Right on cue, as it has done with millions of other workers, the Bush NLRB quickly stripped away the right of graduate teaching students to join a union and have a voice at the bargaining table. The National Labor Relations Board's, NLRB, 2004 decision in Brown University overturned prior precedent and found that graduate assistants are not employees under the NLRA and therefore not afforded the rights and protections of the Act. This decision has stripped away the right of over 51,000 teaching assistants, research assistants and proctors to bargain for better wages and working conditions at 1.561 private universities.

Thousands of graduate assistants continue to light for the right to join a union. At public universities in 14 States, graduate assistants are already afforded the right to join unions. According to the Coalition of Graduate Employee Unions, there are approximately 23 unions on more than 60 campuses in the United States, including the University of Michigan, the University of Massachusetts, and the University of California.

The Teaching and Research Assistant Collective Bargaining Rights Act is simple. It will amend Section 2(3) of the NLRA to clarify that the term ''employee'' includes any graduate student who is performing work for compensation at the direction of the institution. As employees, these workers would have the right to organize and bargain collectively under the NLRA. This bill restores prior precedent. As the NLRA covers only private sector workers, State schools are not affected by the Brown University decision or this legislation.

The Teaching and Research Assistant Collective Bargaining Rights is about fundamental fairness and justice. It will restore the right to thousands of hardworking graduate employees to bargain for better wages and working conditions. I urge all of my colleagues to support this country's graduate teaching assistants and support this legislation.

HONORING 108 YEARS OF SILENT SERVICE

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. COURTNEY. Madam Speaker, last week, I had the honor of participating in a wreath laying ceremony at the United States Navy Memorial to mark the 108th anniversary of the submarine force. The ceremony, held in front of the memorial's ''Lone Soldier,'' was a moving tribute to the proud heritage of our submarine force and the dedicated submariners who have silently protected our Nation for more than 100 years. And, over the last weekend, I was proud to attend Naval Submarine Base New London's annual submarine birthday ball.

For over a century, sailors have embarked on dangerous service in a place where human life was never meant to exist in order to silently protect our Nation. There is an irony to the fact that while our Nation owes much of its security over the past century to the submarine force, most Americans will never truly know all that the ''silent service'' has done to protect us.

2008 is an especially important year in the history of the submarine force, as it marks the 50th anniversary of the USS *Nautilus'* (SSN–571) journey across the North Pole in 1958, an unprecedented achievement by our sailors at a critical time for our Nation. The men aboard her on her historic journey set the pace for all those who followed in their footsteps.

Much has changed about our submarine force and the role of our submariners since the USS *Holland* (SS–1) first set sail in 1900. In World War I and World War II, our submarines were not much more than surface ships that could submerge for a short period before surfacing. Yet, in very dangerous conditions and with high casualty rates, submariners sank an estimated 6 million tons of enemy merchant ships and sank nearly one-third of the Japanese Navy's warships. The cost of their efforts were high: 52 submarines and over 3,600 men, at a rate of nearly one in four, were lost in the war. But their sacrifice helped bring us to victory and proved the submarine's role in the defense of our Nation.

In the Cold War, submariners played a key role as a critical strategic deterrent in our protracted struggle with the Soviet Union. Silently patrolling in waters across the world, our attack and ballistic missile submarine crews helped to secure an uneasy peace by ensuring that we were ready to respond at any moment. There were no victory medals when it was over, no parades for the countless young men who served on these critical yet silent front lines, but there is no doubt our Nation is forever indebted to them and the era they helped us overcome.

And, as the Cold War ended and new challenges emerged, the modern attack submarine fleet, consisting of the Los Angeles- and Virginia-class, emerged as our Nation's front line defense Today, our submariners are no less critical than the eras preceding us. We use submarines extensively around the globe, using their stealth to covertly gather intelligence briefed at the highest levels of our government. They are adapting and growing

to meeting the security challenges of the 21st century, and every day they remind us that submarines are, and will remain, at the core of our Nation's defense.

From the *Holland*, to the *Nautilus*, and to the newest boats in the fleet, the USS *North Carolina* (SSN–777) and USS *New Hampshire* (SSN–778), the capabilities and technologies on board may have changed dramatically, but one thing has always stayed the same: The strength of any submarine has always come down to those who command and serve aboard her.

In my travels over the past year, I have met countless commanding officers and sailors—many of them young men doing some of the most important work on behalf of our security—who selflessly dedicate their lives in dangerous service.

Our sailors serve in the harshest of conditions around the globe, on long tours away from their families literally stacked on top of their crewmates, often cut off from the rest of the world. They make up the smallest portion of our Navy and their achievements are most often secret. But, there is no doubt that each and every one of them loves what they do on behalf of the security of our Nation.

Every submariner today serves upon the foundation built by those that came before them. At the core of their service over the past century has been a legacy is one of devotion, bravery and innovation. Without a doubt, today's submarine force is living up to that legacy and building one of their own for those who come after them to follow.

This is an exciting time for the submarine force. It is a time of great possibility and of new challenges. But, after spending time with sailors in the mess hall of a submarine submerged below the ice to building relationships with officers at the top of the chain of command, I am confident that our submariners will continue the proud legacy built by those who came before them.

I ask all my colleagues to join with me in extending our deep appreciation to those who have, and continue to, silently serve our Nation, their families, and to all our Armed Forces serving today around the globe.

PERSONAL EXPLANATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. CONYERS. Madam Speaker, I missed rollcall vote 200 yesterday, Wednesday, April 16, 2008, as I was attending to other business in the Capitol. Had I been present, I would have voted in the following manner: ''Yes'' on motion that the Committee rise, H.R. 5715, the Ensuring Continued Access to Student Loans Act.

TAXPAYER ASSISTANCE AND SIMPLIFICATION ACT OF 2008

SPEECH OF

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 2008

Mr. HOYER. Madam Speaker, today, as millions of Americans prepare to file their Federal income tax returns by midnight, many will be confounded, confused and, yes, perhaps even cranky because of our unbelievably complicated tax code, and, I don't think there's a person in this body who will blame them.

Our tax code is a maze of complexity that creates confusion and, yes, unfairness. In fact, between 2001 and 2006—when our Republican colleagues controlled the Congress and the White House—they added more than 10,000 pages to the Internal Revenue Code and regulations.

It now takes people an average of 34 hours to complete a 1040 long form. It's no wonder that 62 percent of Americans rely on a tax professional to prepare their returns.

The Democratic majority has been focused for years on making our Tax Code fairer and simpler—and doing so in a fiscally responsible way, but this issue also demands Presidential leadership. We know that from experience.

The last real tax reform occurred 22 years ago when President Reagan and Dan Rostenkowski, then Chairman of the Ways and Means Committee, came together to streamline our Tax Code.

When a new President takes office in January 2009, I believe that this should be an issue near the top of the agenda—particularly an effort to reform the dreaded alternative minimum tax.

Today, we will consider the ''Taxpayer Assistance and Simplification Act,'' which makes small, but important reforms to our Tax Code.

Among other things, this bill will:

Strengthen taxpayer protections from identity theft and tax fraud;

Expand assistance for low-income taxpayers;

Close tax loopholes that allow Government contractors to set up sham companies in foreign jurisdictions to avoid paying Social Security and Medicare taxes; and

End the private collection of Federal income taxes.

Just this morning, the Washington Post reported that the Internal Revenue Service expects to lose more than $37 million by using private debt collectors to pursue tax scofflaws.

That's right—private companies hired to collect tax revenue that the IRS does not have the resources to pursue actually cost the Federal Government—i.e., taxpayers—more than they bring in.

Furthermore, let me say that there clearly is something wrong with our Tax Code when the costs of noncompliance—the so-called ''tax gap''—is an estimated $345 billion a year. The reality is, this tax gap is only going to be narrowed and closed when we get serious about real tax reform.

Until that day, Mr. Speaker, we must do what we can to make our tax laws fairer and simpler. This legislation is an important step in that regard.

I urge my colleagues on both sides of the aisle to vote for this bill, and, in the months ahead, to come together—like we did in 1986—in support of real tax reform.

IN SPECIAL RECOGNITION OF NORMAN M. WALKER IN CELEBRATION OF HIS RETIREMENT AS CHIEF OF POLICE, CITY OF DEFIANCE, OHIO

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. LATTA. Madam Speaker, I rise today to pay a very special tribute to one of the truly outstanding individuals from Ohio's Fifth Congressional District, Mr. Norman Walker. On Friday, April 18. 2008, Norman Walker will retire after thirty years of service on the City of Defiance's Police Department.

Over the last three decades, Norman Walker has certainly been an indispensible asset to the City of Defiance and to the northwest Ohio law enforcement community. His strong commitment to sound principles and honest leadership has guided his nearly fifteen years of service as Chief of Police. Mr. Walker's commitment to the law enforcement creed of ''to serve and protect'' was instilled in him as he worked his way through every rank in the Defiance Police Department. Without question, Mr. Walker has given unselfishly of his time and talents in order that the citizens of the City of Defiance might have a safe community in which to work and raise their families.

Norman Walker embodies the spirit of American public service and through his workman-style approach put his vision for a modern rural police department into action to establish the City of Defiance's police department as it model for the region. His dedication to community-oriented policing has empowered not only his fellow officers, but community residents as well, to play an active role in their own safety and have a voice in how their police department can continually provide better service to the residents of Defiance, Ohio.

Madam Speaker, it has often been said that America succeeds due to the remarkable accomplishments and contributions of her citizens. It is evident that Mr. Walker has devoted himself to the preservation of a free and just society where the rule of law is respected by all who call this great land their home. For that, we owe him a debt of gratitude that mere words cannot sufficiently express.

Madam Speaker, at this time, I would ask my colleagues of the 110th Congress to join me in honoring Norman Walker. On the occasion of his retirement as the City of Defiance's Chief of Police, we thank him for his dedicated service and we wish him well in all of his future endeavors.

SHUMET DEMIE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Shumet Demie who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Shumet Demie is a senior at Pomona High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Shumet Demie is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential that students at all levels strive to make the most of their education and develop a work ethic that will guide them for the rest of their lives.

I extend my deepest congratulations once again to Shumet Demie for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication she has shown in her high school career to her college career and future accomplishments.

A PROCLAMATION HONORING ELIZABETH LIPPENCOTT FOR WINNING THE OHIO DIVISION IV STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. SPACE. Madam Speaker:

Whereas, Elizabeth Lippencott showed hard work and dedication to the sport of basketball; and

Whereas, Elizabeth Lippencott was a supportive team player; and

Whereas, Elizabeth Lippencott always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Elizabeth Lippencott on winning the Ohio Division IV State Basketball Championship. We recognize the tremendous hard work and sportsmanship she has demonstrated during the 2007–2008 basketball season.

EMERGENCY ASSISTANCE FOR SECURE ELECTIONS ACT OF 2008

SPEECH OF

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 2008

Mr. HONDA. Mr. Speaker, while I was unfortunately absent for the vote on H.R. 5036 due to commitments in my home state of California, I would have voted in support of this legislation had I been present. I am deeply dismayed that the bill failed to pass by a wide margin.

As an original cosponsor of H.R. 5036, the Emergency Assistance for Secure Elections Act, I thank Congressman HOLT for his vigorous efforts to provide emergency support to states and counties that wish to ensure that all votes are accurately counted through the use of paper ballots. This bill would provide assistance to states and counties that voluntarily choose to use paper-based voting systems. States would be able to seek federal reimbursements for emergency paper ballots that are offered in the event of technological failures. The bill would make funding available for the development of procedures to conduct hand-counted audits or to hand-count the results of elections.

Free and fair elections are fundamental aspects of a representative democracy like the United States, and we must provide the necessary support to our state and local governments to strengthen the integrity of our democracy. In the 2004 election, while widespread usage of electronic voting machines helped standardize our nation's voting system and prevented some of the problems that occurred with punch-card ballots in the 2000 election, there were reports of voting irregularities, some of which were due to glitches in electronic voting machine software. This is why it is absolutely necessary to make available paper receipts that each voter can verify for themselves.

To this end, I am also a cosponsor of H.R. 811, the Voter Confidence and Increased Accessibility Act. The legislation would require voting systems to produce a voter-verified paper record suitable for a manual audit equivalent or superior to that of a paper ballot box system.

A few years ago, I held a town hall meeting on electronic voting at Santa Clara University to expand my knowledge and public awareness of direct recording electronic (DRE) devices. The program provided much insight into the development of DREs but it also left many unanswered questions about their security and reliability. Since then, I have supported legislation that seeks to ensure a voter verifiable record and greater openness in the testing and certification process of DREs.

Even as secure technology is developed, voter verifiable records will sustain the high integrity of our voting processes. It is imperative that Congress helps support those states and counties that are willing to use paper ballots to strengthen our democracy until electronic systems that produce a paper trail are available, and to ensure that all American votes cast will be counted.

PERSONAL EXPLANATION

HON. TIM MAHONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. MAHONEY of Florida. Madam Speaker, on April 17, 2008, I missed votes because I was attending my daughter Bailey's equestrian event. Bailey is competing today at the 2008 Varsity Equestrian National Championship in Waco, Texas. She is a senior at Oklahoma State University and has been a member of the OSU equestrian team since her freshman year.

TRACY KRAUSE: PHYSICAL EDUCATION TEACHER OF THE YEAR

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. REICHERT. Madam Speaker. I want to congratulate Mr. Tracy Krause being recognized as the National Physical Education Teacher of the Year. The award was presented on April 11, 2008, at the National Association for Sport and Physical Education (NASPE) Hall of Fame Banquet. The NASPE is a non-profit professional membership association that sets the standard for practice in physical education and sport.

Mr. Krause is a Physical Education teacher at Mount Tahoma Senior High School. He has taught Physical Education for 15 years. His contributions to physical education were recognized because of his innovative approach to physical education and wellness. Rather than just focusing on activities students can do on the track and in the gym during that particular school day, Mr. Krause exposed students to a lifetime of physical activity such as biking, hiking and climbing with positive results and ever-increasing interest from students and administrators. Mr. Krause takes responsibility for the lifetime fitness of his students, not just the years they are enrolled in his class.

Apart from his work at Tahoma High, Mr. Krause is a National Board Certified Teacher who has presented numerous workshops and conferences and supervises pre-service teachers at regional universities throughout Washington State. The work he is doing to better the fitness level and overall wellness of young people is a wonderful anecdote for relieving pressure on an increasingly expensive health care system.

I again congratulate Mr. Tracy Krause for the recognition he received from the NASPE, encourage him to continue in his important work and thank him for the lives he has already permanently changed for the better.

PERSONAL EXPLANATION

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. WITTMAN. Madam Speaker, I was not present in the House chamber for votes on April 3, 2008.

If I had been present, I would have voted "yes" on rollcall No. 159, a motion to recommit H.R. 4847, the United States Fire Administration Reauthorization Act, with instructions to amend the bill (forthwith) to provide liability protection to firemen that provide inspection services or advice on the use of child safety seats to their communities.

I would also have voted "yes" on rollcall No. 160, final passage of H.R. 4847, the United States Fire Administration Reauthorization Act.

NATIONAL LANDSCAPE CONSERVATION SYSTEM ACT

SPEECH OF

HON. ROB BISHOP

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 9, 2008

The House in Committee of the Whole House of the State of the Union had under consideration the bill (H.R. 2016) to establish the National Landscape Conservation System, and for other purposes:

Mr. BISHOP of Utah. Mr. Chairman, I would like to submit for the Record portions of an article from the Tucson Weekly that was published on February 15, 2007.

FOLLOWING THE AMNESTY TRAIL

Leo W. Banks follows one of Arizona's most popular illegal alien crossing routes

and finds piles of garbage trampled public lands, angry residents and the suspected presence of a vicious gang.

In the coming weeks, as President Bush and the Democrat-controlled Congress take up immigration reform, and the political talk turns to amnesty, everyone living along border smuggling routes will hunker down to wait for the worst. They know their lives will get miserable in a hurry.

The word amnesty possesses remarkable power on the Mexican side of the line. It has the same effect as a starter's pistol.

Bang! Let the land rush begin.

It happened after Jan. 7. 2004. when Bush floated his idea for a temporary worker program. The idea was broadly viewed in Mexico as amnesty, and the Border Patrol's own survey proved it. In the weeks following the proposal, the agency quietly questioned crossers apprehended at the southern border and found the president's plan had caused a big spike in illegal crossings. Forty-five percent said they'd entered our country ''to get Bush's amnesty.''

Nowhere will the coming stampede be more evident than on the smuggling routes that begin at the border at Sasabe, 65 miles southwest of Tucson, curl up through the Altar Valley and continue all the way to the Ironwood Forest National Monument, a full 75 miles north of the border.

The 129,000–acre Ironwood, located west of Marana and south of Eloy, is a desert paradise of giant saguaros and spooky black-rock peaks worthy of a gothic novel. President Bill Clinton declared it a Federal monument in June 2000.

But the smugglers have turned this signature Arizona landscape into a criminals' playground. The land here is crisscrossed with trails so packed from use, they shine white under the sun. Another Monument resident, Cindy Coping, uses Google Earth to zoom in on the Amnesty Trail, which comes up clear as a bell on her monitor.

What's it like to live here?

If you're out on the land a lot, expect to find the corpses of those who've made the terrible decision to cross this desert. Including the three murders last week, seven bodies were found on the Ironwood in the three months prior to this writing.

One photo, taken sometime in 2000 by my anonymous photographer, shows the skull of a presumed illegal, with other human bones in the foreground. Next to the skull, not pictured, stands a saguaro-rib cross, probably built by companions after the deceased went down.

For those trying to keep cattle on their land, the smugglers have made living in the Ironwood a nightmare. At this writing, rancher Emilio Figueroa says he has 18 head of cattle, valued at $800 each, on Tohono O'odham land immediately west of the monument. They got out when coyotes cut his fence. Now the tribe is refusing to let him onto Indian land to retrieve them. He's out $14,000.

For Cindy's husband, Bob, a 58–year-old retired Raytheon engineer, one of the defining aspects of life on the Ironwood is a particular sound he can hear, literally, a mile away. ''I'll be out working and I'll hear, 'wappa-wappa-wappa', and I know it's a load-out truck coming down the road with a flat tire,'' he says.

The smugglers keep driving on the flat until the rubber flies off. Even then, they don't stop. They keep driving on the tire's rim until that, too, falls off or disintegrates. Sometimes the drive train falls out first.

These smuggler vehicles, most stolen from Phoenix, often travel at night without headlights, with tape over the brake lights, and they've been clocked tearing through the monument's dirt roads at 89 mph. This endangers the lives of residents and visitors alike.

It also ensures that many of these load vehicles—such as the tan truck pictured—never make it out of the monument. They smash into trees and saguaros, or run into ditches. The BLM has towed 300 vehicles a year out of the monument since 2000.

These load-outs, as well as the constant foot traffic, destroy habitat and threaten cultural sites and endangered species. The trash left behind requires pickup crews to have biohazard training and armed guards watching them as they work.

Even worse, Vic Brown says that MS–13, the notoriously vicious Salvadoran gang, might be operating on the monument, based on suspicious tattoos law enforcement has seen on smugglers arrested there. The Border Patrol's public information office in Tucson wouldn't return a call to talk about MS–13 in the monument.

Says Vic Brown: ''We're trying to maintain some semblance of a national monument out there, and to be quite honest, we're not able to do it, because undocumented immigrants have targeted the area. I've watched it degrade from when I got there in 1992, and in the last 5 years, it has gotten progressively worse.''

The Copings bought their land here in 1995, and since then, they've been eyewitnesses to the explosion of the smuggling trade. In the mid-'90s. it was mainly small family groups that crossed at Sasabe and walked the 75 miles north to the monument, then an additional 18–20 miles to their pickup at Eloy. They rarely used coyotes.

In 2000, the Copings began seeing vehicles, often Ford F–150 pickups, parked at the side of the road. They usually had dark windows, no license plates and the keys resting on a tire. The illegals would drive themselves out to I–10, then Phoenix.

The abandoned-truck phase gave way in about 2003 to the huge load-out phase. The Copings began seeing SUVs with five to eight illegals sitting on the roof, as Bob says, ''like wasted college students,'' or on the hood, forming a narrow tunnel through which the driver can see.

Some of these illegals have told the Copings they already had jobs lined up in places such as North Carolina, and curried plane tickets out of Sky Harbor in Phoenix.

Cell phones revolutionized the smuggling racket, allowing illegals to call ahead to arrange a pickup in the Ironwood, often eliminating the longer walk to Eloy. Independent walkers are gone now. ''Everybody we see now is somebody's customer,'' says Bob.

The business has become sophisticated, commercial and very dangerous. Cindy, 50, a former engineer at Hughes, used to check fences alone on horseback, but she quit, afraid of what she might encounter. ''Sometimes I'll be at the house alone, and 20 illegals will walk down the road,'' she says. ''It's intimidating. They sound like an army marching.''

Bob says the number of load-outs in the Ironwood increased last spring before and after demonstrators took to the streets in Tucson and elsewhere to demand a rewrite of American law to accommodate illegal aliens and their corporate partners. The atmosphere, including talk of amnesty, created an explosion in traffic. In April, the Copings counted eight load-outs in one day.

When the National Guard was sent to the border, the free-for-all ended abruptly, if briefly. ''We saw helicopters overhead, military-type aircraft, and we didn't a see a load-out for two weeks,'' Bob says. ''The traffic probably dropped 90 percent.''

But the numbers have risen again significantly, and in recent e-mails, the Copings have told me the big load-outs have returned with a vengeance. Cindy's e-mails have the tension and immediacy of dispatches written from a war zone—because, in fact, she and Bob live in one.

Last Thursday, three illegals were murdered in the Ironwood. Cindy and Bob learned of the trouble when a male illegal came to their house, his thigh covered in blood, evidently splatter from someone else's wound. In rapid Spanish, he repeated words like, ''Pow! Pow!'' and ''911'' and ''muerta'' and ''mujer,'' while gesturing of blood pouring from someone's chest. Cindy grubbed her medical kit, and she and Bob and this man jumped into a pickup and raced to the scene.

Here is what she wrote next:

''I called 911 and attended to the woman, who was shot in the shoulder with a bullet wound coming out that soft spot at the bottom of her throat. The 911 dispatcher was simultaneously responding to a similar call from the Asarco Silverbell Mine, which is about a 10-mile drive south. As soon as I could see the woman was in stable condition. I crossed the street and assessed the motionless man on the other side.

''I felt no pulse on his still-warm throat. His eyes were closed. I grubbed his wrist, and it cold. Then I saw the back of his head was shot open. He was gone. There was no bleeding at the scene, so I assume this shooting took place earlier, and these four people were unloaded.

''The woman, Sebastiana, whom I later found out is 24 years old, began shivering in the morning's chill. I found no signs of continued bleeding. Her wound had been hurriedly dressed with someone's cotton coat stuffed up under her shirt. It was a gaping 2-inch-wide gash between the two bullet holes, but it had stopped bleeding. She was alert and breathing, even able to talk. She had a smaller wound to her abdomen. I elevated her feet, and Bob made two trips back to the house for wool blankets to keep her warm.

''A younger (undocumented) woman, Linda, at the scene had blood covering her cheek and circling one eye. She indicated no pain, so this was perhaps someone else's blood. She indicated that something had grazed her face, possibly a bullet. In the dark, it appeared she'd been punched in the eye, but after it got light. I could see it was just dried blood on her face. The first official to arrive on scene was a Pima County deputy who told us that someone had walked into Asarco with four fingers shot off.''

The e-maiI goes on. It ends with Cindy and Bob retreating to their house and locking the gate, another case of Arizona citizens sealing themselves off from the horrors this invasion has brought to our state.

But heartrending encounters are not unusual in the Ironwood. In November, a man in his mid-50s showed up at the Copings' corrals and said he'd been drinking his urine for four days. Cindy made him macaroni and cheese and watched him gobble it down. As he ate, he broke down in retching sobs.

The man said he owned a small farm with 70 pigs in Colima, Mexico, and had seven sons living in Phoenix. Breaking her rule of not allowing strays to use the phone, Cindy allowed him to call them to pick him up. He waited and waited, but no one in his family came for him.

That night, he slept in the bed of one of the pickups. In the morning, he gave Cindy several necklaces—depicting Jesus, the Virgin of Guadalupe and other images—then left, and Cindy isn't sure in which direction he went. She never called the Border Patrol to pick him up.

''They usually don't come if it's one or two strays,'' she says. ''But mostly I didn't have the heart. I couldn't do it after all he'd been through.''

Cindy figures she and Bob have made six such ''rescues'' over the years, She has no

choice. ''If I don't help them, they'll die,'' she says. ''We're 75 miles from the border, No one gets here without walking, at least three days, and it's another 20-mile walk out.''

But living in the Ironwood presents other tough choices.

In 1997, as a precaution, Cindy got shots to immunize her from contact with hepatitis A. At the time, she was working with Pima County Search and Rescue, and that agency recommended that its personnel get immunized for the more worrisome, and potentially fatal, hepatitis B. It is spread through contact with the blood of an infected person, and Cindy has had contact with bleeding Third World people.

She hasn't gotten the second shot yet. ''If I were taking the best care of myself. I'd get the B shot, too,'' says Cindy. ''I probably still will.''

It's easy to understand her anxiety, and her belief that she is on her own against this invasion—because, in spite of what she calls the dedicated Border Patrol agents on the ground, Cindy knows that the American government has neither the will nor desire to control this border.

The same year she got the shots, a Border Patrol agent told Cindy that while traveling in Guatemala, he walked by a travel agency in Guatemala City and saw in its front window a map showing the 1,800-mile route to the United States—with her little house in the Ironwood as a landmark.

But Cindy just shrugged at that disturbing news. After so many years of living on the Amnesty Trail, she's no longer capable of surprise.

THE PASSING OF RINCON CHAIRMAN VERNON WRIGHT

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. ISSA. Madam Speaker, I rise today to honor the life of Rincon Band of Luiseno Indians Chairman Vernon Wright. Chairman Wright passed away on Thursday, April 10, 2008, of liver cancer at the age of 53—far too soon for a man that had so much left to give to his tribe and community.

Born in San Diego, California to Vernon Hollis Wright and Beverly Wright, Chairman Wright was a lifelong resident of the area. After graduating from San Diego High School and Palomar College, he studied at the Gemological Institute of America and operated a jewelry shop in Escondido, California until becoming politically active with the Rincon tribe in the 1990s.

In 2006, he was elected chairman of the 650-member tribe, after serving as a council member and vice-chairman for several years. As chairman, he did a number of good things for the tribe and surrounding community. He worked hard over the years to heal internal strife that dwelled within the tribe and helped to mend disagreements with the Bureau of Indian Affairs. He also brought the community together through his leadership and helped to usher in the tribe's current economic success.

Not long before his passing, some tribal members had begun calling him ''Chief,'' a title that hadn't been used on the reservation for decades. This informal honor was appropriate for Chairman Wright, because he worked tirelessly for the benefit of his tribe. Months before his passing, he devoted countless hours and effort to helping tribal members recover from the Poomcha Fire, which devastated the Rincon reservation last year.

Chairman Wright was a good man, an honorable man, who was taken from the world too soon and with much left to accomplish. While his passing is a tragedy, he truly touched the lives of those around him, and the Rincon Tribe has been left much better because of his leadership and guidance. He will be remembered and missed.

CELEBRATING THE U.S.-KOREA FRIENDSHIP AND ALLIANCE

HON. DIANE E. WATSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Ms. WATSON. Madam Speaker, it has been my privilege to represent California's 33rd Congressional District with the largest number of Korean American constituents in the Nation. The Korean Americans who live in my district and other neighborhoods in Los Angeles—and, for that matter, across the country—have made incalculable contributions to American life and society.

My purpose in mentioning the Korean American community—which now numbers more than 2 million people nationwide—stems from the arrival this week of President Lee Myung-Bak of the Republic of Korea, who comes to Washington to meet with President Bush, our congressional leadership, senior government officials, business executives, and Korean American leaders. I wish to take this opportunity to welcome President Lee and wish him well as he makes his first official overseas trip.

The United States and the Republic of Korea have shared a long and successful alliance. South Korea is a key partner in the Six-Party Talks aimed at assuring that North Korea does not develop and deploy nuclear weapons that could create a strategic imbalance in northeast Asia. The people of South Korea know better than anyone what the consequences of a nuclear-armed North Korea could be.

South Korea and the United States have also been political, diplomatic, and economic partners since the founding of the alliance 125 years ago. While our two countries were brought dramatically together through the Korean War, which ended in an armistice 55 years ago, we have worked together consistently in a much less dramatic way since then.

For instance, South Korea and the United States are close business partners with over $80 billion in annual bilateral trade volume. In fact, South Korea is the seventh largest trading partner of the United States. Goods and services move between our two countries on a daily basis.

The pending U.S.-Korea Free Trade Agreement will not bring with it just economic benefits, many of which were described in a recent study released by the U.S. International Trade Commission, but also positive geopolitical and geostrategic consequences.

Approving the U.S.-Korea Free Trade Agreement will strengthen our relationship with one of our most important and indispensable allies in Asia and give the United States a permanent economic foothold in the most dynamic and fastest growing region in the world. This agreement will also provide a counterbalance to China's emergence as a dominant market player in that region and worldwide.

The Free Trade Agreement will complement the likely admission of the Republic of Korea into the Visa Waiver Program, making it easier for Korean travelers to visit the United States as tourists or as students, or for business or family purposes. I can attest that many of my constituents are looking forward eagerly to Korea's inclusion in the Visa Waiver Program, which will bring with it many economic benefits aside from—and in addition to—those benefits that will accrue from the U.S.-Korea Free Trade Agreement.

Madam Speaker, I have just barely touched on the many important issues that will be discussed this week while President Lee is in Washington. The South Korean President's visit gives us a special reason to address these topics, but it does not mean that the conversation will end when he returns home. I know from experience that my colleagues on the Foreign Affairs Committee's Subcommittee on Asia, the Pacific, and the Global Environment will be exploring these issues in depth in the weeks and months to come.

We welcome the opportunity to hear directly from President Lee his own views and the views of his government on these matters that affect both South Korea and the United States.

RELATING TO THE CONSIDERATION OF H.R. 5724, UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT IMPLEMENTATION ACT

SPEECH OF

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2008

Mr. REICHERT. Mr. Speaker, last week's unprecedented vote to change the rules and delay considering the Colombia Free Trade Agreement was one of the most disappointing moments I have had as a Member of the House of Representatives.

I was disappointed that the Majority would so blatantly play election-year politics and cater to special interests at the expense of good economic policy.

I was disappointed that my Democratic colleagues in Washington State—the most trade-dependent State in the Nation—rejected my call for a united delegation effort to bring the FTA to the floor, and instead followed the Speaker at the expense of our region's needs. With our economy lagging, and in light of how important this agreement is to large employers in our State like Boeing and Microsoft, I cannot understand the thinking behind their position.

But more than anything, I was disappointed that the House was denied the opportunity to consider a trade measure of critical importance to our economy and to our workers.

I traveled to Colombia two weeks ago to see firsthand the progress the country is making, and it is remarkable. I met with union members who support and union members who oppose it. And let me say a word about that: The unions who oppose the FTA represent workers who are unaffected by it. The

unions who support the agreement are those whose workers will be affected. Let me repeat that: The unions in Colombia that will be affected by this trade agreement support it.

I also met with President Uribe, the Attorney General, and disarmed paramilitary combatants. I saw the broad support from the Colombian people for this agreement and the progress the country has made to protect and promote human rights. I returned even more convinced that we must pass this agreement to grow our economy, create jobs, and support a strategic ally.

The Colombia FTA would grow our economy by opening new markets for American businesses and farmers while bringing fairness to our existing trade relationship. Virtually all of Colombian goods enter America duty-free, while American goods face tariffs. With so many jobs tied to trade in Washington, common sense says we must level the playing field.

The FTA will also support democracy in an unstable region. It's imperative for Americans to view free trade agreements not just as a mutual economic benefit, but also as a core component of our country's diplomacy and security. Colombia stands tall as a beacon of democracy in the face of Hugo Chavez's anti-American policies. And Colombia remains a key ally in efforts to combat the illegal drug trade. What message does it send to our allies around the world if we ask so much of them, then turn our backs on them at a crucial moment? Why do so many Members come down here to talk about working together with other countries in foreign policy, but do not want to do so in trade? Trade is foreign policy.

Delaying the Colombia FTA signals to our allies that America is closed for trade, and encourages our rivals to exploit new markets. It also derails the consideration of other pending trade agreements like one with Korea, Washington State's fourth largest trading partner. This is absolutely the wrong message to send in this time of economic uncertainty.

Regardless of your views of the FTA, the House deserves to debate it under the rules of consideration this chamber agreed to when it approved trade promotion authority. Let's stop playing political games that cater to special interests, and let's start working together, as Democrats and Republicans, to pass the trade measures that are important to our economy and our workers.

XIA LANIEL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Xia Laniel who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Xia Laniel is a student at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Xia Laniel is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential that students at all levels strive to make the most of their education and develop a work ethic that will guide them for the rest of their lives.

I extend my deepest congratulations once again to Xia Laniel for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

CHARLES HITCHBORN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. GRAVES. Madam Speaker, it is with great pride and pleasure that I rise today to recognize the outstanding service and leadership of Chuck Hitchborn on the occasion of his retirement as Mayor of the City of Smithville, Missouri.

Chuck served four years as Mayor of Smithville. Before that, he served six years on the Smithville Board of Aldermen. In addition to his service in Smithville, Chuck also served eight years as a city council member in Arrowhead, Colorado. Chuck has been married to his wife, Joan, for 57 years. Together they have two children, five grandchildren, and ten grandchildren with two more on the way. In his spare time, he is an avid quilter and enjoys gardening. He gets his greatest enjoyment from working with kids and supporting Smithville's local student organizations and athletes.

Chuck has served the Smithville community in many other ways as well. He has been a member and past President of the Rotary Club and is also a current member of the Smithville R–II School District Foundation. Some of Chuck's accomplishments include the downtown sewer replacement project, the approval of Smithville Commons and the addition of the veterans memorial in downtown Smithville.

Madam Speaker, I ask my colleagues to join with me in commending Chuck Hitchborn for his dedicated service to the people of Smithville, Missouri. I know Chuck's colleagues, family and friends join with me in thanking him for his commitment to others and wishing him happiness and good health in his retirement.

A PROCLAMATION HONORING JENNY HOSTETLER FOR WINNING THE OHIO DIVISION IV STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. SPACE. Madam Speaker:

Whereas, Jenny Hostetler showed hard work and dedication to the sport of basketball; and

Whereas, Jenny Hostetler was a supportive team player; and

Whereas, Jenny Hostetler always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Jenny Hostetler on winning the Ohio Division IV State Basketball Championship. We recognize the tremendous hard work and sportsmanship she has demonstrated during the 2007–2008 basketball season.

IN HONOR OF LEONARD M. CALABRESE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. KUCINICH. Madam Speaker, I rise today in honor of Leonard M. Calabrese, who through his service to the Catholic Church of Cleveland has dedicated his life to serving as a community organizer on behalf of the poor, the vulnerable and the voiceless.

For over 20 years, Mr. Calabrese has served as executive director of the Commission on Catholic Community Action (CCCA), the Social Action Office for Catholic Charities Services, for the Diocese of Cleveland. Prior to his appointment as executive director, Len served as a volunteer board member for nine years. Founded in 1969, the CCCA works to protect and promote human dignity through empowering the poor and the often voiceless minority groups by promoting and ensuring their full participation in society. Through his leadership at the Commission, he is able to work with many other local organizations to educate, mobilize and raise the consciousness of the community, especially among Catholics.

Len Calabrese has a multifaceted background and a very impressive record in serving our community. He was an associate professor for several higher learning institutions such as John Carroll University, University of Akron, Northwestern University and St. Mary Seminary. He was also a consultant for several mayors and the Ohio Senate, and board member for several institutions such as Cuyahoga County Public Library, Immigrant Minority Business Alliance, The City Club of Cleveland and the greater Cleveland Round Table of Civic Leaders, Greater Cleveland Inter-Religious Task Force on Central America just to name a few.

I have had the opportunity and privilege to work closely with Len Calabrese in a number of capacities. In the aftermath of the tragedy of September 11, 2001, Len worked with the community at large to allay fears expressed against immigrants. He has helped many newcomers from abroad with his welcoming touch and his help with the necessary networking to succeed in business. He represented the CCCA in the Sustainable Communities Symposium and other collaborations with the inner city and suburbs of Cleveland.

Len's talent to mobilize the community and to advocate for the social welfare of others is manifested through his new position as president of Caritas Connection, a nonprofit organization that works to connect Catholic charities, health care, nursing homes and colleges. He will also serve as director of Ministering Together, a national umbrella of Catholic Charities USA, Catholic Health Care, the Association of Catholic Colleges and Universities, National Catholic Education Association and various organizations of the laity.

Madam Speaker and colleagues, please join me in recognition of Leonard M. Calabrese, who has dedicated his life to serving his church and the greater Cleveland community.

Let his advocacy on behalf of the welfare of others serve as inspiration for all those in pursuit of social change.

ACKNOWLEDGING MARY KATE RIDGEWAY'S CONTRIBUTIONS TO TENNESSEE AGRICULTURE

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. TANNER. Madam Speaker, I rise today to recognize the accomplishments of my friend Mary Kate Ridgeway, who recently began an exciting new opportunity as director of the Henry County office of the University of Tennessee Agriculture Extension Service. Her new position will allow Mary Kate to continue more than 30 years of service to family farmers in Henry County and across Tennessee.

Mary Kate is originally from Obion County. Her husband Don is deputy director of the Northwest Tennessee Economic Development Council. Don represented the 75th district in the Tennessee House of Representatives, where he served with distinction as the Democratic Caucus Chairman and Chairman of the House Transportation Committee. Their son, John Penn, who several years ago worked in our Washington office, and his wife Melissa have two children, Walker and Jackson.

With bachelor's and master's degrees in family and consumer science education from the University of Tennessee at Martin, Mary Kate is also active in other important organizations in our community, including as secretary of Helping Hand Incorporated and co-chair of the Lifeline blood board.

Madam Speaker, I appreciate you and our colleagues joining me as we thank Mary Kate Ridgeway for her long service to the agricultural community in west Tennessee and congratulate her on her new position as county director for the University of Tennessee Agriculture Extension program.

CELEBRATING THE 50TH ANNIVERSARY OF SKAGIT VALLEY HOSPITAL

HON. RICK LARSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. LARSEN of Washington. Madam Speaker, on April 9th, 1958, Skagit Valley Hospital opened its doors and began a tradition of providing high-quality healthcare to the residents of Northwest Washington. I rise today to commend Skagit Valley Hospital on its 50th Anniversary and thank the more than 1,200 employees, 250 physicians, 450 volunteers and countless community supporters who continue to work to fulfill the hospital's goal of being ''the best regional, community hospital in the Northwest.''

Over the last fifty years, Skagit Valley Hospital has grown dramatically and expanded the services it offers to patients. After opening a 220,000 square foot expansion in June of 2007, the hospital now boasts 137 beds, a Level III Trauma Center, and cutting-edge Kidney, Diagnostic Imaging and Comprehensive Cancer Care Centers.

Most of Skagit Valley Hospital's facilities are located in Mount Vernon, Washington, but in recent years the hospital has expanded geographically to serve more families in rural and underserved areas. Its Community Health Centers in Stanwood, Washington and Camano Island, Washington bring healthcare services closer to patients who need them.

The fine work of Skagit Valley Hospital has been supported by the generosity of both the Skagit Valley Hospital Foundation and the Skagit Hospice Foundation. Together, these organizations have raised and donated over $9 million to improve Skagit Valley Hospital and support patients and their families.

For fifty years, Skagit Valley Hospital has been a pillar of our community and the Northwest Washington healthcare system. Please join me in celebrating the 50th Anniversary of the Skagit Valley Hospital and thanking its dedicated staff for their tireless efforts.

VALENTINA BROWN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize and applaud Valentina Brown who has received the Arvada Wheat Ridge Service Ambassadors for Youth award. Valentina Brown is a student at Wheat Ridge Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Valentina Brown is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential that students at all levels strive to make the most of their education and develop a work ethic that will guide them for the rest of their lives.

I extend my deepest congratulations once again to Valentina Brown for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character to all her future accomplishments.

PAYING TRIBUTE TO ALAN P. MINTZ, M.D.

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. PORTER. Madam Speaker, I rise today to add to my tribute to Alan P. Mintz, whose life I honored on June 27, 2007. Dr. Mintz, M.D. passed away on June 3, 2007.

Born in Chicago, Alan P. Mintz graduated from the University of Chicago and earned a doctor of medicine degree from the University of Illinois—School of Medicine. Prior to his postgraduate training in radiology, in which he later specialized, Dr. Mintz served as a physician in the U.S. Navy. Dr. Mintz was a highly respected professional in the field of radiology and served as a Diplomate of the American Board of Radiology, was board certified in radiology, nuclear medicine and radiation therapy, and was also appointed chairman of the Department of Radiology for several Chicago-area hospitals.

Motivated by his passion for health and wellness, Dr. Mintz pioneered a new medical specialty with his work in age management medicine. He became famous within that field for his innovative ideas about the relationship between declining levels of certain hormones and chronic diseases associated with aging. Dr. Mintz pioneered the idea that maintaining certain hormones within physiological ranges in combination with exercise and a healthy diet can optimize wellness as people age.

Dr. Mintz cofounded and served as CEO and President of Medicon, Inc., the world's largest radiology management company. His inventive thinking stimulated the creation of Cenegenics Medical Institute, the largest age management medicine organization in the world. Although headquartered in Las Vegas, Cenegenics Medical Institute has offices in South Carolina, Florida, Hong Kong, and South Korea with service reaching more than 12,000 patients.

Madam Speaker, I am proud to honor the life and memory of Alan P. Mintz, M.D. Dr. Mintz lived his life according to his favorite maxim by Henry David Thoreau, ''Go confidently in the direction of your dreams . . . Live the life you have imagined.'' Dr. Mintz clearly fulfilled this statement and will be missed by the many lives he touched.

CONGRATULATING THE STATE OF ISRAEL ON ITS UPCOMING 60TH ANNIVERSARY

HON. VITO FOSSELLA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. FOSSELLA. Madam Speaker, I rise today to congratulate the State of Israel on the upcoming 60th anniversary of its founding and condemn former President Carter's meetings with the terrorist leaders of Hamas.

It is odd that former President Carter would defend his meeting with this terrorist organization as an opportunity to measure their willingness to accept peace overtures. The founding charter of Hamas calls for the destruction of Israel; this should be answer enough for the former President. By acknowledging these leaders the former President provides legitimacy to the terrorist actions committed against the State of Israel.

For decades Israel and the United States have shared a strategic partnership in developing technologies that save lives both on the battlefield and in our hospitals.

Madam Speaker, for the past 60 years, Israel has been a bastion of democracy in a region dominated by authoritarian regimes. As the only country in the Middle East with free elections, free press, freedom of religion, and the protection of minority rights, Israel continues to uphold the values that make it a true Western-style democracy.

Madam Speaker, it gives me great pleasure to congratulate the State of Israel on its upcoming 60th anniversary and I look forward to the continued partnership between our two great nations. I hope our colleagues will join me in offering our best wishes to our ally in the Middle East for 60 more years of prosperity.

A PROCLAMATION HONORING ALLISON ROTH FOR WINNING THE OHIO DIVISION IV STATE BASKETBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. SPACE. Madam Speaker:

Whereas, Allison Roth showed hard work and dedication to the sport of basketball; and

Whereas, Allison Roth was a supportive team player; and

Whereas, Allison Roth always displayed sportsmanship on and off of the court; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Allison Roth on winning the Ohio Division IV State Basketball Championship. We recognize the tremendous hard work and sportsmanship she has demonstrated during the 2007–2008 basketball season.

CONGRATULATING DAWN DALLAIRE

HON. LYNN C. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. WESTMORELAND. Madam Speaker, I rise today to congratulate Dawn Dallaire from Georgia's 3rd Congressional District, the U.S. Small Business Administration's 2008 Small Business Person of the Year for Georgia.

Just five years ago, Dallaire started a specialty-soap business in the garage of her Fayetteville home and produced $47,000 in revenues. Today, her business, Clearly Fun Soap, has created local jobs and projects annual revenues to reach near $3 million.

Like many inventors, Dallaire didn't start out intending to become CEO of a company: she was simply making gifts for friends. She perfected her ''goldfish in a bag''—which has become her signature product in the U.S. gift market—and then branched out with new designs.

Dallaire's fortunes took a fateful turn when she took her soap products to a gift show in Florida. There, she took $5,000 worth of orders and happy customers started coming back.

By 2005, Dallaire's soap business had bubbled beyond the garage. With the help of a Small Business Administration Community Express Loan, she opened a 5,000-square-foot facility in Griffin, another city in the 3rd District. But the growth continued. Two years later, Clearly Fun Soap upgraded to a 10,000-square-foot facility with 15 full-time employees, with up to 35 part-time employees.

Clearly Fun Soap now dots the shelves at Bath & Body Works. Linens N Things, Marshall's and TJ Maxx with accounts pending at other major retailers. Soon, Dallaire will publish her book ''Being a Woman in Business in a Man's World'' which chronicles both her business and personal accomplishments—including losing 120 pounds.

Our small businesses are the economic engine of our economy and they create over 75 percent of new jobs. Small business people such as Dallaire are helping others as they help themselves. I want to congratulate Dawn Dallaire on this distinguished award. It's truly a great honor that reflects her truly great accomplishments. Georgia's 3rd District is proud to call her one of our own.

Madam Speaker, on behalf of the House of Representatives, I again congratulate Dawn Dallaire, the Georgia Small Business Person of the Year for 2008, and wish her and Clearly Fun Soap continued success at ''cleaning up.''

HONORING THE LIFE AND SERVICE OF MR. ABE MUNFAKH

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 17, 2008

Mr. McCOTTER. Madam Speaker, today I rise to honor and acknowledge Mr. Abe Munfakh upon his receipt of the Wayne 11th Congressional District Republican Committee's 2008 Lifetime Achievement Award.

Throughout his career, Mr. Munfakh has dedicated himself to bettering our community. He served on the Plymouth Township Board of Trustees for 12 years, Plymouth Community United Way Board for 8 years, and was a member of the Southeast Michigan Council of Governments for 8 years.

Since 1984, Abe has been actively involved in promoting the conservative principles of the Republican Party in Michigan. He represented the State of Michigan at the 1992 National Republican Convention as an Alternate Delegate. He has served on the Michigan Republican State Committee since 2005 and is a member of the Outreach and Diversity subcommittee and Budget subcommittee. He currently serves on the Eleventh District and Wayne 11th Republican Committees.

Madam Speaker, Mr. Munfakh's legendary dedication to the founding principles of our great democracy and his tireless efforts to perpetuate America's revolutionary experiment in human freedom are an inspiration to all. Today, I ask my colleagues to join me in honoring Mr. Abe Munfakh upon his receipt of the 2008 Lifetime Achievement Award and in recognizing his selfless service to our community and our country.

Daily Digest

HIGHLIGHTS

Senate passed H.R. 1195, Highway Technical Corrections.

Senate

Chamber Action

Routine Proceedings, pages S3105–S3170

Measures Introduced: Sixteen bills and four resolutions were introduced, as follows: S. 2876–2891, and S. Res. 519–522. **Pages S3144–45**

Measures Passed:

Farm Security and Rural Investment Act Extension: Senate passed H.R. 5813, to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond April 18, 2008, clearing the measure for the President. **Page S3105**

Welcoming Pope Benedict XVI to the United States: Senate agreed to S. Res. 519, welcoming Pope Benedict XVI to the United States and recognizing the unique insights his moral and spiritual reflections bring to the world stage. **Pages S3105–06**

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy For Users: By 88 yeas to 2 nays (Vote No. 108), Senate passed H.R. 1195, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make technical corrections, after taking action on the following amendments proposed thereto: **Pages S3106–36**

Adopted:

By 64 yeas to 28 nays (Vote No. 105), Boxer Modified Amendment No. 4539 (to Amendment No. 4146), to call for a review by the Department of Justice of allegations of violations of Federal criminal law. **Pages S3106, S3118–19**

Boxer Amendment No. 4146, in the nature of a substitute. **Pages S3106, S3121**

Withdrawn:

Coburn Amendment No. 4540 (to Amendment No. 4539), relative to the Coconut Road Investigation. **Pages S3106, S3110–11**

By 49 yeas to 43 nays (Vote No. 106), Coburn Amendment No. 4538 (to Amendment No. 4146), to create a bipartisan, bicameral special committee to investigate the improper insertion of an earmark for Coconut Road into the conference report of the 2005 highway bill after both chambers of Congress had approved identical versions of the conference report. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, be withdrawn). **Pages S3106, S3411–18, S3119**

During consideration of this measure today, Senate also took the following action:

By 90 yeas to 2 nays (Vote No. 107), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on Boxer Amendment No. 4146 (listed above). **Pages S3119–20**

Authorizing Photograph in Senate Chamber: Senate agreed to S. Res. 521, authorizing the taking of a photograph in the Chamber of the United States Senate. **Page S3170**

Measures Considered:

Veterans' Benefits Enhancement Act—Agreement: Senate began consideration of the motion to proceed to consideration of S. 1315, to amend title 38, United States Code, to enhance life insurance benefits for disabled veterans. **Page S3169**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, April 17, 2008, a vote on cloture will occur at 12 noon on Tuesday, April 22, 2008. **Page S3169**

A unanimous-consent agreement was reached providing that on Tuesday, April 22, 2008, following a period of morning business, Senate resume consideration of the motion to proceed to consideration of

the bill, and the time until 12 noon be equally divided and controlled between the two Leaders, or their designees. **Page S3169**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the Administration's intent to add the Solomon Islands to the list of least-developed beneficiary developing countries under the Generalized System of Preferences program; which was referred to the Committee on Finance. (PM–44) **Page S3143**

Nominations Received: Senate received the following nominations:

Kelly Harrison Rankin, of Wyoming, to be United States Attorney for the District of Wyoming for the term of four years.

1 Air Force nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Page S3170

Messages from the House: **Page S3143**

Measures Referred: **Page S3144**

Enrolled Bills Presented: **Page S3144**

Executive Communications: **Page S3144**

Additional Cosponsors: **Pages S3145–46**

Statements on Introduced Bills/Resolutions: **Pages S3146–64**

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Amendments Submitted: **Pages S3164–69**

Authorities for Committees to Meet: **Page S3169**

Record Votes: Four record votes were taken today. (Total—108) **Pages S3118, S3119, S3119–20, S3122**

Recess: Senate convened at 12:45 p.m. and recessed at 6:40 p.m., until 9:30 a.m. on Friday, April 18, 2008. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3170.)

Committee Meetings

(Committees not listed did not meet)

FAA SAFETY AND MODERNIZATION

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies concluded a hearing to examine the Federal Aviation Administration's (FAA) safety and modernization performance, after receiving testimony from Robert A. Sturgell, Acting Administrator, Federal Aviation Administration; and Calvin L. Scovel, III, Inspector General, Department of Transportation.

U.S. BUREAU OF RECLAMATION

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded a hearing to examine the United States Bureau of Reclamation, focusing on issues associated with aging water resource infrastructure, after receiving testimony from Senator Reid; Robert W. Johnson, Commissioner, Bureau of Reclamation, Department of the Interior; Mayor Todd Cutler, Fernley, Nevada; Major General Charles I. McGinnis, USA (Ret.), United States Army Corps of Engineers, Charlottesville, Virginia, on behalf of the National Research Council; Thomas F. Donnelly, National Water Resources Association, Arlington, Virginia; Wesley Randal Reed, St. Mary Rehabilitation Working Group, Chinook, Montana; and Tony Willardson, Western States Water Council, Midvale, Utah, on behalf of the Western Governors' Association (WGA).

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Deanna Tanner Okun, of Idaho, to be a Deputy United States Trade Representative, with the rank of Ambassador, who was introduced by Senator Roberts, David Gustafson, of Virginia, Richard T. Morrison, of Virginia, and Elizabeth Crewson Paris, of the District of Columbia, who was introduced by Senator Grassley, each to be a Judge of the United States Tax Court, and Eric M. Thorson, of Virginia, to be Inspector General, and Edwin Eck, of Montana, to be a Member of the Internal Revenue Service Oversight Board, both of the Department of the Treasury, after the nominees testified and answered questions in their own behalf.

FUSION CENTERS

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration concluded a hearing to examine the national strategy for information sharing relating to fusion centers-collaborative efforts to detect, prevent, investigate, and respond to criminal terrorist activity, focusing on a recent progress report from federal, state, and local agencies, after receiving testimony from Eileen R. Larence, Director, Homeland Security and Justice Issues, Government Accountability Office; Vance E. Hitch, Chief Information Officer, Department of Justice; Jack Thomas Tomarchio, Deputy Under Secretary of Homeland Security for Intelligence and Analysis; Captain Charles W. Rapp, Maryland Coordination and Analysis Center (MCAC), Baltimore; Matthew Bettenhausen, California Governor's Office of Homeland Security, Sacramento; and Russell M. Porter, Iowa Department of Public Safety, Des Moines.

NATIONAL INDIAN GAMING COMMISSION

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the National Indian Gaming Commission, after receiving testimony from Philip N. Hogen, Chairman, National Indian Gaming Commission; Delia Carlyle, Arizona Indian Gaming Association, Phoenix, on behalf of the Ak-Chin Indian Community Council; J.R. Matthews, Quapaw Tribe of Oklahoma, Quapaw, Oklahoma; Mark Van Norman, National Indian Gaming Association, Washington, D.C.; Brian Patterson, United South and Eastern Tribes, Inc., Nashville, Tennessee; Kurt Luger, Great Plains Indian Gaming Association, Bismarck, North Dakota; and Kathryn R.L. Rand and Steven Light, both of the University of North Dakota Institute for the Study of Tribal Gaming Law and Policy, Grand Forks.

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: 28 public bills, H.R. 5828–5855; and 9 resolutions, H. Con. Res. 330–331; and H. Res. 1117–1123 were introduced. **Pages H2485–86**

Additional Cosponsors: **Pages H2487–88**

Reports Filed: Reports were filed today as follows:

H.R. 3513, to amend the Oregon Wilderness Act of 1984 to designate the Copper Salmon Wilderness and to amend the Wild and Scenic Rivers Act to designate segments of the North and South Forks of the Elk River in the State of Oregon as wild or scenic rivers, with an amendment (H. Rept. 110–591);

H.R. 831, to provide for the conveyance of certain Forest Service land to the city of Coffman Cove, Alaska, with an amendment (H. Rept. 110–592);

H.R. 3734, to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area (H. Rept. 110–593); and

H.R. 3928, to require certain large government contractors that receive more than 80 percent of their annual gross revenue from Federal contracts to disclose the names and salaries of their most highly compensated officers, with an amendment (H. Rept. 110–594). **Page H2485**

Speaker: Read a letter from the Speaker wherein she appointed Representative Hoyer to act as Speaker pro tempore for today. **Page H2445**

Chaplain: The prayer was offered by the guest Chaplain, Dr. Alan N. Keiran, Chief of Staff, Office of the Senate Chaplain. **Page H2445**

Recess: The House recessed at 8:34 a.m. and reconvened at 10:32 a.m. **Pages H2445, H2452**

Reception in the House Chamber to Receive Former Members of Congress: The House recessed to receive the United States Association of Former Members of Congress in the House Chamber. Later, agreed to the Braley motion that the proceedings had during the recess be printed in the Record. **Pages H2445–52**

Ensuring Continued Access to Student Loans Act of 2008: The House passed H.R. 5715, to ensure continued availability of access to the Federal student loan program for students and families, by a yea-and-nay vote of 383 yeas to 27 nays, Roll No. 204. Consideration of the measure began on Wednesday, April 16th. **Pages H2456–68**

Accepted:

Petri amendment (No. 2 printed in part B of H. Rept. 110–590), modified by unanimous consent, that requires the Secretary of Education to review and revise as necessary the regulations concerning prohibited guaranty agency inducements to eligible lenders; **Pages H2463–64**

Castle amendment (No. 3 printed in part B of H. Rept. 110–590) that requires the General Accountability Office to conduct a study of the impact of raising loan limits on (1) tuition, fees, and room and board at institutions of higher education; and (2) private loan borrowing for attendance at institutions of higher education; **Pages H2464–65**

Castor amendment (No. 4 printed in part B of H. Rept. 110–590) that temporarily classifies medical

bill payment delinquencies of up to 180 days an extenuating circumstance which shall not interfere with parents' ability to receive PLUS loans for their children's tuition; and **Pages H2465–66**

George Miller (CA) manager's amendment (No. 1 printed in part B of H. Rept. 110–590) that makes technical and conforming changes; states that loan limit increases available under this Act are available only to students meeting the requirements of section 484(a) of the HEA; targets the loan limit increases to those students and families in most need; in regard to school-wide lender-of-last-resort eligibility, specifies that the Secretary of Education shall determine whether a school qualifies and provides criteria for the Secretary to consider in making the determination; specifies that funds received by lenders from loan sales be used to originate new loans; clarifies that the Secretary has the authority to enter into forward commitments to purchase new loans; and clarifies that, at the discretion of the Secretary, a loan purchased by the Secretary may continue to be serviced by the current lender (by a recorded vote of 413 ayes with none voting "no", Roll No. 203). **Pages H2466–67**

H. Res. 1107, the rule providing for consideration of the bill, was agreed to on Wednesday, April 16th.

Recess: The House recessed at 11:45 a.m. and reconvened at 1:21 p.m. **Page H2466**

Moment of Silence: The House observed a moment of silence in memory of Lou Costantino, an employee of the Office of the Sergeant at Arms. **Page H2468**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, April 22nd for morning hour debate. **Pages H2469, H2473**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, April 23rd. **Page H2473**

Presidential Message: Read a message from the President wherein he provided notification of his intent to add the Solomon Islands to the list of least-developed beneficiary developing countries under the Generalized System of Preferences (GSP) program—referred to the Committee on Ways and Means and ordered printed (H. Doc. 110–105). **Page H2484**

Senate Message: Message received from the Senate today appears on page H2468.

Quorum Calls—Votes: One yea-and-nay vote and one recorded vote developed during the proceedings of today and appear on pages H2466–67, H2467. There were no quorum calls.

Adjournment: The House met at 8:30 a.m. and adjourned at 4:54 p.m.

Committee Meetings

MILITARY MORALE-WELFARE-RECREATION

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on Military Resale and Morale, Welfare, and Recreation (MWR) overview. Testimony was heard from the following officials of the Department of Defense: Leslye A. Arsht, Deputy Under Secretary, Military Community and Family Policy; MG John A. Macdonald, USA, Deputy Commanding General, U.S. Army Installation Management Command and Commander, Family and Morale, Welfare and Recreation Command; RADM Robert J. Bianchi, USN, Commander, Navy Exchange Service Command; BG Keith L. Thurgood, USAR, Commander, Army and Air Force Exchange Service; Timothy R. Larsen, Director, Personal and Family Readiness Division, Headquarters, U.S. Marine Corps; Richard Page, Acting Director, Defense Commissary Agency; John Baker, Fleet and Family Readiness Program Director, Navy Installations Command; and Arthur J. Myers, Director of Services, Headquarters, U.S. Air Force.

MISSILE DEFENSE PROGRAMS BUDGET

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on the Fiscal Year 2009 National Defense Authorization Budget Request for Missile Defense Program. Testimony was heard from the following officials of the Department of Defense: John J. Young, Jr., Under Secretary, Acquisition, Technology, and Logistics; Charles E. McQueary, Director, Operational Test and Evaluation; LTG Henry A. Obering, III, USAF, Director, Missile Defense Agency; and LTG Kevin T. Campbell, USA, Commanding General, U.S. Army Space and Missile Defense Command/Army Forces Strategic Command.

CREDIT CARDHOLDERS' BILL OF RIGHTS

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing on H.R. 5244, Credit Cardholders' Bill of Rights. Testimony was heard from Senators Levin and Wyden; Martin J. Gruenberg, Vice Chairman, FDIC; the following officials of the Department of the Treasury: Julie L. Williams, Chief Counsel and First Senior Deputy Comptroller; and John Bowman, General Counsel, Office of Thrift Supervision; and Sandra Braunstein, Director, Division of Consumer and Community Affairs, Board of Governors, Federal Reserve System; and public witnesses.

PREVENTING NUCLEAR IRAN

Committee on Foreign Affairs: Subcommittee on the Middle East and South Asia and the Subcommittee on Terrorism, Nonproliferation, and Trade held a joint hearing on Between Feckless and Reckless: U.S. Policy Options to Prevent a Nuclear Iran. Testimony was heard from Jeffrey Feltman, Principle Deputy Assistant Secretary, Bureau for Near Eastern Affairs, Department of State; and Daniel Glaser, Deputy Assistant Secretary, Terrorist Financing and Financial Crimes, Department of the Treasury.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Crime, Terrorism and Homeland Security held a hearing on the following bills: H.R. 5464, A Child is Missing Alert and Recovery Center Act; H.R. 2352, School Safety Enhancements Act of 2007; H.R. 1783, Elder Justice Act, and H.R. 5352, Elder Abuse Victims Act of 2008. Testimony was heard from Representatives Emanuel, Sestak, Rothman and Klein of Florida; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Ordered reported the following bills: H.R. 5541, amended, Federal Land Assistance, Management and Enhancement Act; H.R. 3522, to ratify a conveyance of a portion of the Jicarilla Apache Reservation to Rio Arriba County, State of New Mexico, pursuant to the settlement of litigation between the Jicarilla Apache Nation and Rio Arriba County, State of New Mexico, to authorize issuance of a patent for said lands, and to change the exterior boundary of the Jicarilla Apache Reservation accordingly, and for other purposes; S. 2457, To provide for extensions of leases of certain land by Mashantucket Pequot (Western Tribe); H.R. 1575, amended, Burt Lake Band of Ottawa and Chippewa Indians Reafirmation Act; and H.R. 3490, amended, Tuolumne Me-Wuk Land Transfer Act of 2007.

MEAT INDUSTRY SAFETY/TRANSPARENCY

Committee on Oversight and Government Reform: Subcommittee on Domestic Policy held a hearing on After the Beef Recall: Exploring Greater Transparency in the Meat Industry. Testimony was heard from Richard Raymond, Under Secretary, Food Safety, Food Safety and Inspection Service, USDA; Lisa Shames, Director, Natural Resources and the Environment, GAO; and public witnesses.

PUBLIC LANDS USE

Committee on Small Business: Held a hearing on Maintaining Public Lands for Hunting, Fishing, Ranching and Small Businesses. Testimony was heard from C. Stephen Allred, Assistant Secretary, Land and Minerals Management, Department of the Interior; and public witnesses.

REAUTHORIZING—SMALL BUSINESS INNOVATION AND SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAMS

Committee on Small Business: Ordered reported, as amended, H.R. 5819.SBIR/STTR Reauthorization Act.

GREENING WASHINGTON AND THE NATIONAL CAPITAL REGION

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing on First in a Series: Greening Washington and the National Capital Region. Testimony was heard from David Winstead, Commissioner, Public Building Service, GSA; George Hawkins, Director, Department of the Environment, District of Columbia; and public witnesses.

Joint Meetings

ARMENIA AND MILLENNIUM CHALLENGE ACCOUNT

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine Armenia and the United States, focusing on Organization for Security and Cooperation in Europe (OSEC) negotiations on Nagorno-Karabakh and Armenia's qualifications for assistance from the Millennium Challenge Account, after receiving testimony from Matthew Bryza, Deputy Assistant Secretary of State for European and Eurasian Affairs; Vigen Sargsian, Assistant to the President of the Republic of Armenia, Yerevan, Armenia; and Arman Grigorian, Williamsburg, Virginia.

COMMITTEE MEETINGS FOR FRIDAY, APRIL 18, 2008

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee hearings are scheduled.

Next Meeting of the **SENATE**

9:30 a.m., Friday, April 18

Senate Chamber

Program for Friday: Senate will be in a period of morning business.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

9 a.m., Friday, April 18

House Chamber

Program for Friday: The House will meet in pro forma session at 9 a.m.

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